

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Concerning
Use of Deadly Force by the Middletown Police Department on August 12, 2023

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Inspector General

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Acknowledgments

The Office of Inspector General acknowledges the assistance provided to this investigation by the following agencies:

- *Connecticut State Police Eastern District Major Crime Squad*
- *Middletown Police Department*
- *Middlesex Judicial District State's Attorney's Office*

INTRODUCTION

This case concerns Middletown Police Detective Karli Travis, who fired her duty pistol at Winston Tate, striking and wounding him on August 12, 2023.¹ As required by statute², the Office of Inspector General (OIG) investigated this incident. The results of that investigation are contained in this report.

At about 6:30 a.m. a caller to the Middletown Police Department requested assistance at 195 Liberty Street.³ The resident told police someone was screaming loudly and smashing glass in the driveway. Three officers initially responded to the scene, Detective Travis arriving first. She parked her police vehicle at the intersection of Park Place and Liberty Street and walked west toward 195 Liberty. She was dressed in a police uniform because she was working a patrol shift that morning. She saw a black male, later identified as Tate, sitting on the porch. As she approached the residence, Tate stood up and began walking towards her quickly. He began swinging a hammer up and down in his right hand. She told Tate several times to, “put that down, please.” He kept walking towards her with the hammer and did not drop it. She called for backup on her police radio. As soon as she did this, Tate charged at her quickly yelling incoherently. Detective Travis backpedaled and shouted, “Stop! Stop!” She fell to the ground as he reached her, striking her with the hammer. She managed to fire several shots from her duty pistol. Tate, injured, retreated to the house as another officer arrived at the scene. Detective Travis told the other officer that she thought she shot her hand. A fellow officer drove Detective Travis to the hospital.

Other responding Middletown officers noticed a blood trail from the location of the shooting back to the house. They called for Tate to come out of the house, but no one came out. Suspecting Tate might be injured, officers entered the house. They noticed blood in several rooms. When they entered the basement, Tate fled out a basement door and was detained by other officers, who provided medical attention. Tate was transported to Hartford Hospital where he was treated for gunshot wounds to the shoulder, hand, and elbow.

¹ At the time, Tate was a 52-year-old African-American male, and Detective Travis was a 29-year-old Caucasian female with no disciplinary history in 7 years with the department.

² As relevant here, General Statutes §51-277a(a)(1) provides: “Whenever a peace officer, in the performance of such officer’s duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, upon another person, the Division of Criminal Justice shall cause an investigation to be made and the Inspector General shall have the responsibility of determining whether the use of force by the peace officer was justifiable under section 53a-22.”

³ The residence at 195/197 Liberty Street is a duplex with 195 on the left side and 197 on the right. Tate came from the front of 195 Liberty.

In summary, the investigation establishes that at the time that Detective Travis discharged her firearm, Tate had rapidly closed the physical distance between them and was actively attacking the officer with a hammer, a weapon capable of causing serious physical injury. Detective Travis reacted reasonably to defend herself. Accordingly, I conclude that under the circumstances presented, Detective Travis' use of deadly force was justified.

INVESTIGATION

911 Calls

At 6:33 a.m. on August 12, 2023, a woman identifying herself as the "upstairs tenant" called 911 to report a man was in the driveway at 195 Liberty Street screaming at the top of his lungs and smashing glass in the driveway. She said the man was named Winston Tate.

To hear the recording of this call, click [here](#).

Another call to 911 was made at 6:38 a.m. to report the same behavior. At 6:42 a.m. a third call came in to say that "a guy just attacked a cop and she fired her weapon."

Middletown Police Radio Transmissions

At approximately 6:36 a.m. a police dispatcher notified officers that an anonymous caller reported that a male was screaming and smashing glass in the driveway at 195 Liberty Street. She said Winston Tate lived on the first floor of that residence. About a minute later the dispatcher told responding officers that "if it is Winston Tate, there's a history of two-six issues⁴ with him and him causing officers issues."⁵

Detective Travis, who was working in a patrol capacity that day, and Officer Daniel Schreiner were dispatched to 195 Liberty Street to investigate the complaint.

Statements / Reports

Detective Travis' Statement

⁴ "Two-six" is a reference to a mental health.

⁵ According to a prior police report, Middletown police were called to 195 Liberty Street on August 7, 2023 at 2:12 a.m. on a report that Tate was "mentally losing it" and was "throwing things in the yard." The caller told police Tate "is very strong and may give officers a hard time." Reports indicate he was calm by the time police arrived and no arrest was made. Indeed, Middletown police reports show a history of belligerent interactions with Tate going back to 2013.

On September 14, 2023, Det. Travis provided a sworn written statement regarding the incident. The relevant portion is provided below:

On August 12th, 2023, at approximately 0630 hours, Detective Dan Schriener [sic] and I, Detective Karli Travis were dispatched to 197 Liberty Street for a report of an emotionally disturbed person breaking glass. I was first to arrive on scene, at which time I parked my Middletown Police cruiser north on Park Place, at the intersection of Liberty Street ensuring I remained a safe distance from 197 Liberty Street. I exited my cruiser and proceeded to walk west on Liberty Street, towards the residence. As the residence came into view, I observed a black male, later identified as Winston Tate sitting on the front porch. The porch was an enclosed area, with either a window or screen surrounding the outer perimeter. I observed a broken window on the eastern side of the residence as I obtained a better view of the property.

As soon as Tate observed me walking towards the residence, he began to stand up. As Tate stood up, I observed him throw what appeared to be a metal object up and down with his right hand. Tate proceeded to walk out from the porch area and continued walking east on Liberty Street in my direction. Once Tate was in clear view outside of the residence, I identified the object in his right hand as a large metal hammer. I could immediately tell Tate's body language was very aggressive, I observed him puffing his chest and raising his arms as he proceeded in my direction. I asked Tate to put the object down, at which time he stopped briefly at the fence line of his property as I continued to create distance. As it was clear Tate was displaying belligerent tendencies, I was unsure on whether his behavior was going to escalate and therefore determined expedited back up would be appropriate. Around this time, I requested back up officers to respond "hot" using my Middletown Police issued radio.

Tate then started yelling profanities and other words that were completely unintelligible to me in the moment. As Tate was yelling, he simultaneously started sprinting towards me while raising the hammer in his right hand as if he was prepared to strike me. Tate was very quickly closing distance, therefore, I unholstered my Middletown Police issued firearm from my holster located on my right hip. At this point, Tate was already in my immediate proximity, I did not have time to warn him of potential use of deadly force. I yelled for Tate to "stop" as he continued to raise the hammer in a manner I believed he was going to use it as a weapon. Therefore, I discharged my firearm several times as Tate was striking me with the hammer. At one point at the beginning of the incident, I sustained a gunshot injury to my left hand as Tate was still actively striking me.

As a result of Tate striking me with the hammer, I was knocked to the ground. At one point, after Tate struck me with the hammer causing me to fall to the ground, Tate remained standing behind me. Tate bent down over my back, wrapping his arms around both sides of my body. I had my firearm in my hands at this time, Tate's hands were in the immediate area of my firearm. He was attempting to maneuver his hands in the area of my firearm as I attempted to protect my firearm by placing it close to my body in between my stomach and legs. Tate gripped each side of my firearm with both of his hands as I told him to "stop" several times. Tate was actively attempting to pull the firearm out of my hands. My right hand remained on the grip of my firearm, and my left hand was on the muzzle which I attempted to keep pointed away from our bodies as I was unsure whether Tate was simultaneously attempting to pull the trigger. At this time, my left hand was actively bleeding from the gunshot wound, causing the firearm to have a substantial amount of blood on all areas of the weapon. As I attempted to remain in control of my firearm, I felt Tate's fingers and hands attempt to slide my fingers from the grip and muzzle as he continued to pull the

firearm from my grip. After some time, I gained control of my firearm and freed myself from underneath Tate. Tate stood up straight and moved directly in front of me at this time, looking in my direction as I remained on the ground. Tate was still yelling, and I observed the hammer still in his right hand. While he continued to yell, Tate was standing in such close proximity to me as I was still on the ground, it felt as though he was standing over me as I had to look up to observe his face as he continued to display confrontational behaviors. Therefore, before Tate had the opportunity to strike me with the hammer or attempt to gain control of my firearm again, I discharged my firearm until Tate began to back up from my immediate proximity. I continued to watch Tate to ensure he continued in the opposite direction and did not pose a threat to bystanders. Tate proceeded west on Liberty Street in the direction of his residence and subsequently retreated into the residence.

At this time, Detective Schriener [sic] and Officer C. Davis arrived on scene. Detective Schriener [sic] requested Officer C. Davis to assist me with medical treatment as he assisted in safely detaining Tate. I was actively bleeding from my hand, and quickly became extremely lightheaded, sweating profusely and believed I was going to faint at any moment. Officer C. Davis checked my upper body, around my vest, for any other gunshot wounds I may have sustained but did not find anything to cause alarm at the time. I had a large amount of blood on my uniform at this time, and still did not know if I had sustained any other gunshot wounds. Therefore, Officer Cook arrived on scene and transported me to Middlesex Hospital for further treatment.

At this time, they determined that I sustained no other gunshot wounds. I was treated for my gunshot wound, received several stitches, and was released from the hospital. Due to my injury's significance, I was given pain medication almost

immediately upon arrival at the hospital. Later in the evening of August 12th, 2023, I began to have an extremely bad headache. I then felt two exceptionally large welts, one on the lower left side of my head and another one in the middle of the top of my head. I returned to Middlesex Emergency Room the following day as the headache became worse. I was treated and later released after being diagnosed with a concussion.

Detective Emilio Magnano also responded to the hospital to obtain photographs of the bruising I sustained. This bruising was specifically on both of my knees, both of my elbows, and several other places throughout my body. I began to have pain in my left elbow, left shoulder and right hip due to the incident. I am currently being treated for such injuries.

Inspector Mark Sinise's Report

Inspector Mark Sinise from the Office of Inspector General spoke to Kelli Strycharz at about 8:45 a.m. on August 12th. He wrote a report and recorded the interview. Strycharz had told police she had relevant cell phone video of the incident. Strycharz was the upstairs tenant at 195/197 Liberty Street and said she had called 911. The videos Strycharz provided do not capture the encounter between Tate and Detective Travis, but they capture him yelling before she arrives on scene. However, Strycharz told Sinise that she did personally witness the entire encounter. She said Tate charged at Detective Travis from the driveway to the street while holding a hammer. She said the officer fired her gun at him and that he knocked her to the ground, got on her and was hitting her with the hammer. She said Travis was screaming for him to stop and "shot off eight or nine rounds." She said Detective Travis eventually got away and Tate went back to the house as he was confronted by other responding officers.

There were no other reported witnesses to the encounter between Tate and Travis, although it was captured on her body-worn camera (BWC). Most of the remaining police reports generated by Middletown police describe the apprehension of Tate and interviews with people who knew him.

Officer Jared White's Report

When Officer White arrived on scene a sergeant told him that Detective Travis had been attacked by a suspect with a hammer and had engaged the suspect with her firearm. He and Detective Schreiner called for Tate to come out of the house. They saw a trail of blood and,

thinking he could be injured, decided to enter the house. When they approached a basement door, Tate ran outside to the waiting officers, where he was promptly detained.

Kelli Strycharz also provided a verbal statement to Officer White. She told White she saw Detective Travis walking towards the house saying, “put that down, put that down.” Then, she said, Tate charged at Detective Travis with a hammer. He got her on the ground and hit her with the hammer. She said Detective Travis yelled, “stop” repeatedly, and then fired her weapon. Then Tate yelled, “ow!” Another officer showed up on scene and Tate turned back around, ran into the house, and continued screaming and banging.

Sergeant Wasilewski’s Report

Sergeant Wasilewski was the shift commander at 12:10 p.m. on August 12, 2023. At that time a woman called the police department asking about Tate, who was in the hospital at that time being treated for his injuries. The woman identified herself as Meredith Tate and said she was Winston Tate’s sister. She said that in the days leading up to the incident, the family believed he was not taking his medication because he was acting strangely and “doing weird things.”

At 2:15 p.m. a woman named Angela Tate, believed to be Winston’s wife, called the police department. She stated Winston was a combat veteran and was having a mental crisis.

Evidence at Scene

Members of the Connecticut State Police Eastern District Major Crime Squad (EDMCS) were assigned to the investigation. Detectives searched the area of Liberty Street and the adjacent driveway to where the shooting occurred. They also obtained Detective Travis’ firearm and uniform, both of which were covered in a blood-like substance.



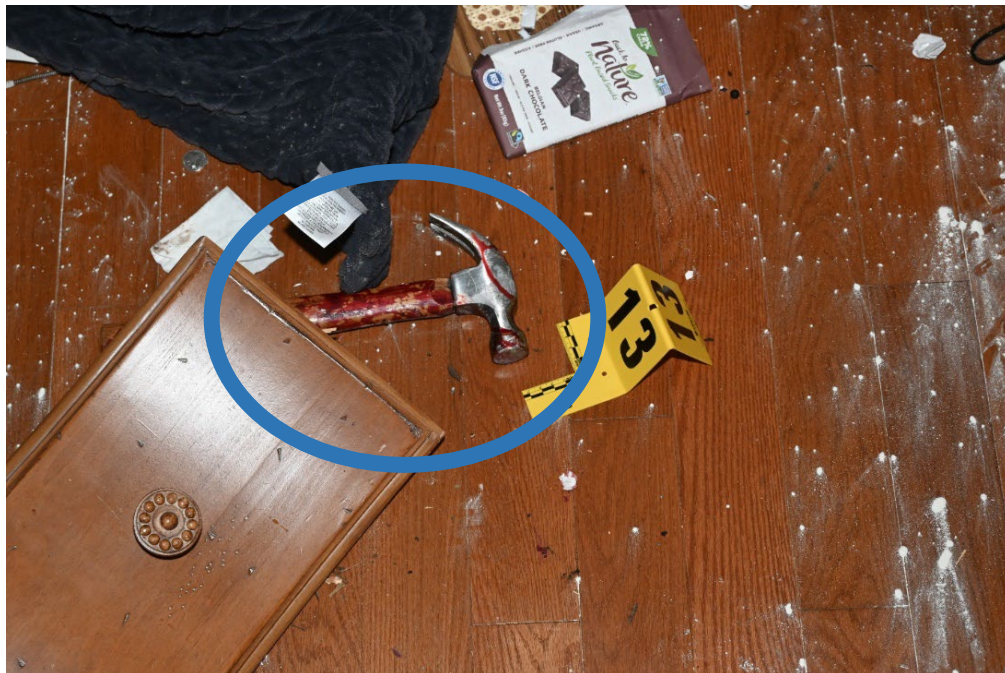
[Detective Travis' uniform]

Believing Tate was injured, Middletown officers entered the first floor and basement at 195 Liberty. They had followed a trail of blood from the street to the house. The blood trail continued to various rooms on the first-floor basement. All the rooms were in a state of disarray.

Detectives found eight shell casings in the roadway near a dropped body-worn camera. Investigators subsequently obtained a search warrant for the home and discovered a blood trail throughout and a bloody hammer on the living room floor. A review of property records for the city of Middletown revealed that Winston B. Tate was listed as the owner of the property.



[Shell casings]



[Hammer with blood-like stain]



[Detective Travis' body-worn camera]



[195 Liberty Street]



[Trail of blood]



[Blood on bed]

Body-Worn Camera

Detective Travis was wearing a BWC at the time of the incident. It begins recording at 6:41 a.m. Travis approaches 195 Liberty Street west between Prospect Street and Park Place. Tate is at his front door holding something. She calmly tells him to “put that down please.” He walks toward her, shouts “What!” while he is swinging a hammer back and forth in his right hand. As he increases his pace while mumbling unintelligibly, she gets on her portable police radio and says, “backup come up hot.” Suddenly Tate charges at her full speed with the hammer. She tries to backpedal but he reaches her in about three seconds and begins to hit her with the hammer. Detective Travis fires her pistol as he approaches and continues to fire as she is being attacked. A total of eight shots is heard. Detective Travis yells “Stop!” several times. Her BWC fell to the ground during the attack, which lasted about 15 seconds before Tate goes back to the house. About eight seconds after Tate walks away from Detective Travis, Officer Schreiner can be heard arriving on scene, ordering Tate to get on the ground.

To view a portion of Detective Travis’ body-worn camera, click [here](#).



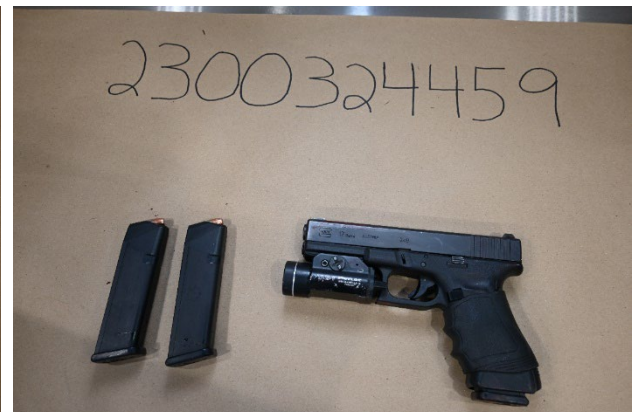
[Tate charging at Detective Travis as captured on her BWC]



[Tate swinging hammer at Detective Travis]

Firearm Survey

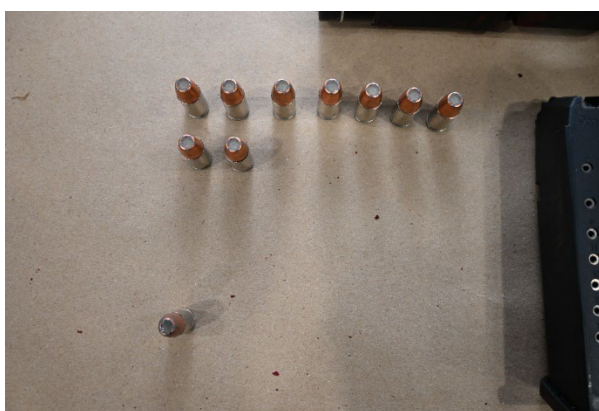
State police detectives obtained Detective Travis' duty firearm, a 9mm G17 Glock Gen 4 pistol serial number BBRD991 with a mounted flashlight. There was a blood-like substance along the slide, ejection port, and on the flashlight. The firearm was retrieved from her duty belt holster. It contained a 17-round magazine that contained nine rounds. An additional round was chambered. Two other fully loaded 17-round magazines were attached to her duty belt. The ammunition was all Speer 9mm Luger hollow point. Investigators examined the firearms of the two other officers who arrived on scene, and the evidence is consistent with Detective Travis being the only shooter.⁶



⁶ Officer David Schreiner and Officer Crystal Davis arrived shortly after Det. Travis fired her gun. Officer Schreiner's gun and magazine were fully loaded. Officer Davis' weapon was fully loaded but one of her magazines was one round short. However, video evidence at the scene does not suggest she fired a shot.



[Detective Travis' firearm with blood-like substance]



[Detective Travis' firearm with round count]

Medical Records

Inspectors from the Office of Inspector General obtained a search warrant for Winston Tate's medical records from Hartford Hospital related to this incident. Records show he was treated for gunshot wounds to his arm, upper back, and abdomen. They were unable to determine if one of the wounds was an "in and out" wound indicating it might have been caused by the same bullet. No serious injuries were noted to his abdomen, but bullet fragments were lodged in his left scapula (shoulder blade), which suffered a small fracture. A blood test showed the presence of alcohol⁷ and marijuana.

⁷ When tested at 8:07 a.m., Tate's blood alcohol level was 68 mg/dl which translates to .068 BAC.

Detective Travis agreed to allow investigators to review her medical records. She was taken to Middlesex Hospital for treatment. Records reveal she was diagnosed with a concussion and a gunshot wound to her left hand.

Winston Tate's Statement

On August 14, 2023, inspectors from the Office of Inspector General attempted to interview Winston Tate, who was being treated at Hartford Hospital, and was in police custody. They identified themselves as police inspectors and Tate immediately began speaking incoherently. He said "they came into my house ... she shot me ... I ran back into the house." One of the inspectors interrupted Tate and said he would need to be advised of his rights before speaking further. Tate then said he did not want to speak without a lawyer and that his lawyer was Jesus Christ. He was not interviewed further.

Tate was charged on a warrant with attempt to commit assault in the first degree, assault in the second degree, assault of public safety personnel, and interfering with an officer. As of this date, he is held on bond pending disposition in the Middlesex Judicial District. He had previously been convicted of several crimes including robbery, assault, carrying a dangerous weapon, and assault on public safety personnel, a charge for which he was on probation at the time of this incident.

FINDINGS

1. On August 12, 2023, at about 6:30 a.m. Winston Tate was yelling and throwing objects on the driveway from his home at 195 Liberty Street in Middletown. He was under the influence of alcohol at the time. Several neighbors called 911, including the upstairs tenant.
2. Detective Karli Travis and other officers were dispatched to investigate. Detective Travis arrived first. She parked around the corner and approached the residence on foot. She was immediately confronted by Winston Tate, who was carrying a hammer. She attempted to de-escalate the situation and asked him to please put the hammer down multiple times. Instead, he charged at her swinging the hammer and struck her with it several times.
3. Detective Travis removed her duty firearm, a Glock 9mm pistol, and fired at Tate at a point in time when the attack from the hammer was imminent and she also fired during the attack. She fired a total of eight shots. She struck Tate at least twice. One of the bullets struck her left hand. She also suffered a concussion.
4. Tate retreated to his house where he was apprehended as he attempted to flee from a basement door. A hammer with a blood-like substance was discovered in the basement.

LEGAL STANDARD

The use of force by a police officer is governed by General Statutes §53a-22. The version of that statute in effect on August 12, 2023, in relevant part, provides:

“(a)(1) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of force to make an arrest or prevent an escape from custody.

(2) A peace officer ... who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b), (c), and (d) of this section unless such warrant is invalid and known by such officer to be invalid.

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

(c) (1) ... a peace officer ... is justified in using *deadly physical force* upon another person for the purposes specified in subsection (b) of this section only when his or her actions are objectively reasonable under the circumstances, and:

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

The statute further provides:

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

Accordingly, a police officer is justified in using deadly physical force upon another person when the officer reasonably believes such force to be necessary to defend the officer or a third person from the use or imminent use of deadly physical force. “Deadly physical force”

means “physical force that can be reasonably expected to cause death or serious physical injury.” General Statutes § 53a-3 (5). “Serious physical injury” means “physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ.” General Statutes §53a-3 (4).

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

The United States Supreme Court has explained this test in a civil rights case: “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on scene rather than with the 20/20 vision of hindsight. ... [T]he calculus of reasonableness must embody allowance of the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, 490 U.S. 386, 396-97, 109 S. Ct. 1865, 104 L. Ed. 2d 443 (1989).

ANALYSIS

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

1. Did the officer, as a matter of fact, actually – that is honestly and sincerely – believe that he/she or a third person was facing either the actual or imminent use of deadly force when the officer used deadly force?
2. Was that actual belief reasonable in the sense that a reasonable police officer in the officer’s circumstances at the time of the officer’s actions, viewing those circumstances from the officer’s point of view, would have shared that belief?
3. Did the officer, as a matter of fact, actually – that is honestly and sincerely – believe that the use of deadly force was necessary to defend himself/herself or a third person from such threat?

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

Additionally, the reasonableness of the officer's conduct also turns on whether (1) the other person possessed a deadly weapon (or appeared to), (2) the officer attempted reasonable de-escalation measures, and (3) the situation was not precipitated by the officer's own conduct.

In this case, Winston Tate charged at Detective Travis at full speed and swung a hammer at her, successfully hitting her several times. Her belief that she was in jeopardy of suffering serious physical injury was objectively reasonable, prompting her use of deadly force to defend herself. Another reasonable police officer in the same or similar situation would tend to draw the same conclusion. In this situation, the hammer could be considered a deadly weapon capable of causing serious physical injury, which in fact she did suffer in the form of a concussion.

Regarding the additional analysis required of the officer's conduct, Tate possessed a deadly weapon. De-escalation measures were attempted by Detective Travis but they were unsuccessful. Finally, Detective Travis' own actions in no way created a situation triggering the use of deadly force.

CONCLUSION

The investigation establishes that Detective Karli Travis used deadly force against Winston Tate in order to defend herself from the imminent use of deadly force against her. I therefore conclude that her use of force was objectively reasonable and justified under Connecticut law. The Office of Inspector General will take no further action on this matter.

Submitted, this 12th day of June 2024.



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ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL