

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Concerning
Use of Deadly Force by the Hartford Police Department on December 26, 2020

Robert J. Devlin, Jr.
Inspector General

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Acknowledgements

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

Department of Emergency Services and Public Protection, Division of State Police, Eastern District Major Crime Squad

Office of the Chief Medical Examiner

Hartford Police Department

Ansonia/Milford Judicial District State's Attorney Margaret E. Kelley

INTRODUCTION

On December 26, 2020, a few minutes after 9:00 p.m., at or near 14-16 Gilman Street, Hartford, Connecticut, Officer Ashley Martinez¹ fired one shot from her department-issued patrol rifle striking and fatally wounding Shamar Ogman.

On December 29, 2020, Ansonia/Milford State's Attorney Margaret E. Kelley filed a preliminary status report regarding the incident. On November 3, 2021, pursuant to General Statutes §51-277a(a)(1)², the Office of Inspector General assumed responsibility for the investigation. The details of the investigation are contained in this report.³

Briefly stated, the investigation establishes that, on December 26, 2020, at approximately 8:53 p.m., Hartford Police Officers responded to a report of a male in the street carrying a gun. The 911 caller identified the person as Shamar Ogman. Officers confronted Ogman who displayed what appeared to be a handgun and a rifle. Ogman ignored numerous commands to drop the weapons and ran from the police. He ultimately took a position behind a dumpster in the parking lot adjacent to 14-16 Gilman Street. Using parked cars as cover, officers approached Ogman and continued to direct him to drop his guns. When he raised his rifle and pointed it in the direction of the police, Officer Martinez fired one shot.

Officer Martinez used deadly force to defend other officers from what she reasonably believed to be the imminent use of deadly force against them. Accordingly, I find such use of force to be objectively reasonable and justified.

¹ On December 26, 2020, Ashley Martinez was a twenty-six-year-old Hispanic female. She had been a member of the Hartford Police Department for five years and had no disciplinary history.

² As relevant here, General Statutes §51-277a(a)(1) provides, "Whenever a peace officer, in the course of such officer's duties uses ... deadly force ... 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 was justified under section 53a-22."

³ The timeline for this investigation is summarized as follows:

12/26/20: Date of incident;

12/26/20: Chief State's Attorney Richard J. Colangelo, Jr. appoints Ansonia/Milford State's Attorney Margaret E. Kelley to lead the investigation;

12/26/20: State's Attorney Kelley requests the Connecticut State Police Eastern District Major Crime Squad to investigate the police use of force incident;

12/29/20: State's Attorney Kelley submits a preliminary status report regarding the incident;

10/8/21: Robert J. Devlin, Jr. is sworn in as Inspector General;

11/3/21: Office of Inspector General assumes responsibility for the investigation;

3/8/22: Eastern District Major Crime Squad submits their final summary/conclusion report to the Office of Inspector General;

INVESTIGATION

Background

In December 2020, Shamar Ogman resided in the lower level of 25 Gilman Street, Hartford with Shannon Busby and their fourteen-month-old daughter. Also living in the house upstairs were Shannon's parents. Ogman had a police record and had previously served time on weapons charges. On December 15, 2020, he was arrested on another weapons charge. He was arrested again on December 23, 2020, by the Bloomfield Police Department. His conditions of release were essentially house arrest and he wore an ankle bracelet to monitor his movements. Ogman had concerns about going back to jail.

Following his release on December 23rd, Ogman went to his employer, Trader Joe's Distribution Center, in Bloomfield. Once there, he learned that he had been terminated from his job due to an incident with a supervisor. His relationship with Shannon Busby was also fraying. She had threatened to end their relationship accusing him of infidelity. In addition, it was the holiday season, which was a depressing time for Ogman because it brought back memories of the 2015 death of his ten-year-old daughter who had died of an asthma attack.

On December 26, 2020, during the evening hours, Ogman was at home having spent the day with Shannon Busby and their child. Visiting the house were Shannon's sister, Latanya Busby, and her husband, Jeffrey Thomas. They had come from their home in New Jersey to spend the holidays with the parents. Antonio Greensword was also visiting the house. Shannon Busby described Greensword at various times as her brother and as her brother-in-law. Sometime during the evening hours, Ogman had a telephone conversation that upset him. His demeanor changed and Shannon saw him in possession of a handgun and a rifle. Alarmed, Shannon went upstairs to get her sister and others to come downstairs to speak to Ogman and try to calm him down. In her statement, Shannon Busby indicated:

"At some point Shamar was on the phone, but he looked fine. I think Shamar was on the phone another time and his demeanor completely changed. When I came back downstairs, Shamar had an agitated look, like he just received bad news and didn't want to be bothered. The look on Shamar's face and his demeanor was very concerning, so I asked for my brother-in-law, Antonio, to come downstairs and check on Shamar.

"It seemed like Antonio was getting through to Shamar, but Shamar wasn't able to snap out of it. Shamar's demeanor was so concerning that my sister, Latanya Busby, called 911.

"I think Shamar might have felt that he was getting 'ambushed' by my family since we went downstairs to check on him, but we just wanted to make sure he was okay.

“At some point, Shamar was alone downstairs for a few minutes. I went downstairs with Latanya and Antonio and Shamar had guns in his hands. Shamar walked outside and Antonio followed him. I stayed inside. Antonio eventually came back inside and said that the Police told him to go back in the house. Eventually, I heard one very loud bang.”

Antonio Greensword, happened to be in the house and joined the others in trying to ameliorate the situation with Ogman. He was unsuccessful and Ogman walked out of the house with a rifle and handgun.⁴ In his statement, Greensword described what happened next:

“I followed Shamar outside and followed him across the street. I saw that Shamar had two guns on him, the tan colored big gun and a black semi-auto pistol with a blue scope. I tried to calm Shamar down. Shamar told me about things that were going on in his life, to include getting pulled over, arrested and that he had to wear an ankle bracelet. I kept trying to talk to Shamar and asked him to put down the guns. I reached and tried to grab the guns from Shamar, but he kept control of the guns and said “Don’t do that big dog.” I told Shamar that he shouldn’t do this and reminded him that he has kids. Shamar told me that it was best for his kids if he wasn’t around. Shamar was talking about how he wasn’t going back to jail and he seemed to be panicked about his ankle bracelet.”

“Shamar placed the big gun on the ground, but kept the pistol in his hand and was saying, “Yeah, yeah, I’m ready.” Shamar also placed the pistol to the side of his head a few times and was knocking on his head with it.”

“Around five minutes later, the police started to show up. Shamar said things like, ‘It’s better if I’m not here. I’d rather them kill me than kill myself. I’m not going back to jail.’ ”

In her statement, Latanya Busby described her interaction with Ogman as follows:

“I can’t remember what time it was, but during the evening hours on 12/26/2020, Shannon came upstairs and asked me to go downstairs to speak to Shamar. Shannon appeared to be concerned. I didn’t ask for any context or what she and Shamar were talking about previously. I just walked downstairs with Jeffrey.”

“When I saw Shamar downstairs, he was sitting in a folding chair. I tried talking to him to see what was going on, but he had a blank look on his face and he was not responsive whatsoever. Shamar eventually stood up and I saw that he was holding a handgun and a long gun. Shamar didn’t say anything, he just walked out of the house with the guns he was holding.

⁴ The rifle and handgun, although appearing to be genuine, were in fact replicas. The information provided to the Hartford Police Department by Shannon Busby and her sister Latanya, however, was that Ogman possessed real guns. (See transcript of 911 call infra.) Throughout this incident, the HPD had every reason to believe, and did believe, that Ogman possessed two loaded guns.

I went upstairs and called 911 because of the circumstances. Antonio followed Shamar outside.”

“Antonio ended up coming back inside. I peeked through the window and I saw a group of police officers down the street. I heard the police tell Shamar to drop his weapons and then I later heard one loud gunshot.”

Latanya Busby’s 911 call was transcribed as follows:

Unidentified Female Dispatcher – Hartford ...

Latanya Busby – (inaudible)

Unidentified Female Dispatcher – Hello?

Latanya Busby – Yes

Unidentified Female Dispatcher – Hey, what’s the location of your emergency?

Latanya Busby – Twenty five twenty seven Gilman Street Hartford Connecticut.

Unidentified Female Dispatcher – Okay, is there an apartment or a floor?

Latanya Busby – We live in a house.

Unidentified Female Dispatcher – Is it a ...

Latanya Busby – No, it’s a house.

Unidentified Female Dispatcher – Okay and its ...

Latanya Busby – (inaudible)

Unidentified Female Dispatcher – Twenty five dash twenty seven or is it ...

Latanya Busby – Yeah, it would be either one, it’s a two family house.

Unidentified Female Dispatcher – Okay, um, what is your name?

Latanya Busby – Huh, say it again I’m sorry?

Unidentified Female Dispatcher – What is your name?

Latanya Busby – Uh, my name is Latanya.

Unidentified Female Dispatcher – And what’s going on?

Latanya Busby – Uh, we have a young man, black man in the age of I don’t know, thirty years old, with a gun in the house, with weapons in the house.

Unidentified Female Dispatcher – Okay, you know who he is?

Latanya Busby – Yes, yes.

Unidentified Female Dispatcher – Hold on, stay on the phone with me.

Latanya Busby – Uh huh.

Unidentified Female Dispatcher – What is he wearing?

Latanya Busby – What he got on, what he got on? (in background : inaudible) some basketball shorts, they kind of black dark color, blue shirt, um, he has dreads in his hair.

Unidentified Female Dispatcher – Okay, who is he?

Latanya Busby – Um, he is the boyfriend of my, of my sister here, we got childs and stuff in the house, he’s acting very deranged, he’s walking around with guns in his hand.

Unidentified Female Dispatcher – Where is he right now?

Latanya Busby – He’s outside.

Unidentified Female Dispatcher – He’s outside?
Latanya Busby – No, he’s outside, uh huh, uh huh.
Unidentified Female Dispatcher – Hold on, just stay on the phone with me while I dispatch police.
(In background: inaudible).
Unidentified Female Dispatcher – And you say that he is acting abnormal?
Latanya Busby – Yes he’s acting abnormal, correct.
Unidentified Female Dispatcher – Okay, what is his name?
Latanya Busby – Um, Shamar, Shamar Ogman.
Unidentified Female Dispatcher – How do you spell his last name?
(In background: inaudible)
Latanya Busby – Huh?
Unidentified Female Dispatcher – How do you spell his last name?
Latanya Busby – Oh, O-G-M-A-N.
Unidentified Female Dispatcher – Do you know his date of birth?
Latanya Busby – What’s his date of birth?
(In background: inaudible)
Latanya Busby – January tenth nineteen ninety.
(In background: inaudible)
Unidentified Female Dispatcher – Have you ever seen him with a gun before?
(In background: inaudible)
Latanya Busby – No I, no I, I never, no I’m a visitor here.
Unidentified Female Dispatcher – Okay.
(In background: inaudible)
Unidentified Female Dispatcher – All right I’m just going to keep you on the phone ... what is he, what is he doing that makes you think that he’s acting abnormal?
Latanya Busby – I’ll let you speak to my sister on that, okay?
Unidentified Female Dispatcher – Okay.
Latanya Busby – Okay, hold on ... what’s acting him abnormal?
Shannon Busby – Hello.
Unidentified Female Dispatcher – Hi.
Shannon Busby – Hi.
Unidentified Female Dispatcher – So your sister said that you, she hasn’t seen him acting like this before, is this abnormal for him?
Shannon Busby – Like, most of it, yeah but, he’s upset, which I understand, okay you’re upset but ...
Unidentified Female Dispatcher – What is he upset about?
Shannon Busby – You’re up, you’re upset, he’s under a lot of stress, he’s upset about whatever it is that he’s upset about, which I don’t really know too much in particular, but you know, he’s upset, okay fine, so then I said, um, you know like, it’s not that serious, just come up and see what your kids got for Christmas and you know, whatever, I’m minding my business, then all of a sudden he breaks out in a rage.
Unidentified Female Dispatcher – Okay, have you seen him with a gun before?
Shannon Busby – No he’s outside.

Unidentified Female Dispatcher – Right, right.

Shannon Busby – For a break or some air.

Unidentified Female Dispatcher – Okay, um, but your sister said he has a gun on him; have you ever seen him with a gun before?

Shannon Busby – No, not physically, no.

Unidentified Female Dispatcher – Okay and she said that he has a gun with him outside?

Shannon Busby – Yes.

Unidentified Female Dispatcher – Is it visible, like is he carrying it in his hand?

Shannon Busby – Um, at the time, no, he had placed it on the ground, I don't know what's going on now, I'm in the house.

(In background: inaudible)

Unidentified Female Dispatcher – Yup.

(In background: inaudible)

Unidentified Female Dispatcher – All right, I'm just going to keep you on the phone, um, until we get police in the area, just in case anything were to happen, I have you on the phone.

Shannon Busby – My brother's out there with him.

Unidentified Female Dispatcher – Okay.

Shannon Busby – Okay, so I don't know, my brother's out there in the front with him, talking to him, trying to, you know.

Unidentified Female Dispatcher – Trying to calm him down.

Shannon Busby – Yeah (inaudible) he seems to be receptive to it, so I don't know if he just needs somebody to vent to and didn't know who to vent to, or whatever, I'm not sure.

Unidentified Female Dispatcher – Uh huh.

Shannon Busby – But he seems to be responsive to (inaudible) just before I came back in the house.

Unidentified Female Dispatcher – All right, and you said that he's outside with your brother right now.

Shannon Busby – Uh huh.

(In background: inaudible)

Unidentified Female Dispatcher – Okay, um, let me just, um, I'm just looking to see where the police are.

(In background: inaudible)

Unidentified Female Dispatcher – Alright.

Unidentified Female Dispatcher – Alright and you don't know what it was that set him off, that is stressing him out?

Shannon Busby – No I don't.

Unidentified Female Dispatcher – Okay, does he live at this address, the twenty five Gilmore, Gilman Street?

Shannon Busby – Yes, twenty five Gilman, yes.

Unidentified Female Dispatcher – Does he live there with you?

In background: (inaudible), I'm locking the door (inaudible).

Shannon Busby – Hello, yes.

Unidentified Female Dispatcher – Does he live there with you?

Shannon Busby – I'm sorry, say that again?

Unidentified Female Dispatcher – Does he live there with you?
In background: Unidentified Male – Yo, Big Dawg get out of the way (inaudible).
Shannon Busby – I have to go to the bathroom.
In background: (inaudible) Don't you go back out there.
Shannon Busby – I have to go to the bathroom.
Unidentified Female Dispatcher – You can put me down or mute the phone.
Shannon Busby – Okay, hold on one second.
In background: (inaudible)
Shannon Busby – Hello?
Unidentified Female Dispatcher – Yup.
Shannon Busby – Okay.
In background: (inaudible) Put that down (inaudible).
Unidentified Female Dispatcher – How many, how many kids are in the house with you?
(In background: inaudible)
Shannon Busby – Um, it's my daughter and his daughter.
Unidentified Female Dispatcher – Okay, so two kids.
Shannon Busby – But they weren't down there, they were upstairs.
Unidentified Female Dispatcher – Okay.
Shannon Busby – Where we are at, they were nowhere near, they're upstairs playing with their toys (inaudible).
Unidentified Female Dispatcher – Okay. I just wanted to update our officers just so they know that they are inside the house.
Shannon Busby – Yeah, they're not in any danger, any harm, nothing. His daughter is sleep, but she sleep in the same house with her sister at the moment, they're upstairs playing, that's what they were doing at the time of the (inaudible).
Unidentified Female Dispatcher – Okay.
(In background: inaudible)
Unidentified Female Dispatcher – Okay, so it was just you, your brother and sister inside.
Shannon Busby – Yes.
In background: Put the gun down ... Shamar, god damn it, oh my god (inaudible).
Unidentified Female Dispatcher – What happened?
Shannon Busby – Honestly, I don't know because I'm in the house, I'm in the house and he's down the street.
Unidentified Female Dispatcher – Okay, who was yelling at him to put the gun down?
Shannon Busby – Oh, that was my sister out the window.
Unidentified Female Dispatcher – Does she still see ...
Unidentified Female Dispatcher – And the officers are also yelling at him ...
Unidentified Female Dispatcher – Okay.
Shannon Busby – She's helping me, she's tending, she's tending to my baby.
(In background: inaudible)
Shannon Busby – She's tending to the kids.
Unidentified Female Dispatcher – Okay.
(In background: inaudible)
Unidentified Female Dispatcher – Okay, and you see the officers outside, right?

Shannon Busby – I don't know ... (inaudible) ... I know he's under a lot of stress.
Unidentified Female Dispatcher – Do you think that it's just like this time of year?
Shannon Busby – I think so, I don't, honestly Miss, I don't know and please don't kill, please tell your officers do not kill my daughter's father, please.
Unidentified Female Dispatcher – (inaudible).
Shannon Busby – Please.
Unidentified Female Dispatcher – Obviously, that's not what they want to happen.
(In background: inaudible).
Shannon Busby – Please.
(In background: inaudible)
Shannon Busby – I don't know.
(In background: inaudible)
Unidentified Female Dispatcher – Ma'am what's going on?
Shannon Busby – I don't know, I don't know.
In background: (inaudible) Shamar, where are you going ... (inaudible). Where ya'all going, come back.
Unidentified Female Dispatcher – Ma'am what's going on, what do you hear going on?
Shannon Busby – Right now, (inaudible), the supervisor is there, Miss, I don't hear anything at the moment.
Unidentified Female Dispatcher – Okay.
Shannon Busby – They're in the driveway of someone else down the street.
Unidentified Female Dispatcher – Okay. That doesn't mean anything bad is happening.
Shannon Busby – More cruisers have pulled up.
Unidentified Female Dispatcher – Okay.
Shannon Busby – More, more cruisers have pulled up.
Unidentified Female Dispatcher – Okay. That doesn't mean anything bad is happening.
Shannon Busby – Okay. Do you know anything, what is going on?
Unidentified Female Dispatcher – All I know is what is going on in our conversation.
Shannon Busby – (inaudible).
Unidentified Female Dispatcher – You know, I don't know what the police officers are doing.
Shannon Busby – Okay.
Unidentified Female Dispatcher – But, obviously, we want him to get some help.
Unidentified Individual – They got him.
Unidentified Individual – They got him.
Shannon Busby – Is he in custody?
Unidentified Individual – It's over.
Shannon Busby – I can't see.
In background: (inaudible) ... They told him to put the gun down and he wouldn't put it down.
Shannon Busby – Right now we don't hear anything, so I don't if he ran or, or ...
(In background: inaudible)
Unidentified Female Dispatcher – I'm gonna, I'm trying to look on my end to see what I can see, usually not very much, um, so that's why, you know, we keep our callers on the phone, just in case anything happens we can relay it to the officers.
(In background: inaudible)

(inaudible) Do we know what happened. (inaudible), do we know what happened, is, is he dead?

Unidentified Individuals- I don't know, they told him to put the damn gun down, they told him to put the damn gun down, put it down, I don't know, he was pointing it at them.

Shannon Busby – (inaudible) What, (inaudible). What happened?

(In background: inaudible)

Unidentified Female Dispatcher – Okay, are the officers there?

Unidentified Male – (inaudible) They taping this off so they shot him, somebody got shot.

Unidentified Female Dispatcher – Okay, ma'am.

Unidentified Male – They said (inaudible).

Shannon Busby – Yes, I'm sorry, I'm just trying to get information from my brother.

Unidentified Female Dispatcher – No problem, the officers know that this is the address it started at so as soon as they're available they're going to come and talk to you. Okay?

Shannon Busby – Okay.

Unidentified Female Dispatcher – Okay. I'm going to hang up with you now, alright?

Shannon Busby – Okay. Thank you so much for everything.

Unidentified Female Dispatcher – No problem.

Shannon Busby – Okay, bye bye.

Unidentified Female Dispatcher – Bye.

To hear the recording of the 911 call, click [here](#).

Police Reports

Officer Joseph Walsh

Officer Joseph Walsh was assigned to the Hartford Police Auto Theft Unit, Unit 85 – a K-9 unit. On December 26, 2020, at approximately 8:55 p.m., he responded to 25 Gilman Street on a report of a male with dreadlocks style hair, wearing a blue shirt and black shorts, who was out in the street with a gun.

Upon parking his unmarked police vehicle in front of 35 Gilman Street, Walsh observed two male parties in the street talking to each other. One male appeared to be carrying something brown in his hands. Walsh exited his vehicle and walked toward them. A marked police cruiser drove past. Walsh walked to the cruiser and observed the suspect (Ogman) holding a rifle style firearm and observed the other male party trying to calm the suspect down. Ogman started walking east on Gilman Street carrying a rifle and handgun. He ignored police commands to stop and drop the weapons.

As Ogman walked away, Walsh went to the male party who was talking to Ogman and asked him what the suspect's name was and why he was upset. The male party said that it was his brother and he was upset over a girl. The male asked the police to help his brother. Walsh and Officer Christopher Hebert continued to give verbal commands to Ogman as he walked east on Gilman Street. As Ogman walked away, he screamed at officers to shoot him and said that he was not going to drop the firearms. Ogman ran to the rear of 20 Winship Street along the north side. Walsh went to the south side of 20 Winship Street. Officers located Ogman in the southeast corner of the yard yelling and screaming for the police to shoot him. Ogman was racking his firearm and pointing it toward officers and in all directions. Police continued to give Ogman verbal commands to drop the guns. Ogman fled north through the rear of 20 Winship Street, jumped a fence, and went to the rear of 24 Winship Street. Officers lost sight of Ogman but could hear him racking the firearm and attempting to climb a fence and run through bushes. Ogman was next seen on Winship Street walking toward Gilman Street. Officers followed Ogman and continued to give him verbal commands. Ogman walked to the rear parking lot of 16 Gilman Street.

Walsh then went to his police vehicle to get the K-9, Hondo, and brought Hondo to the parking lot. Walsh took a position behind a parked vehicle on the west side of the parking lot. Officer Christopher Larson told Walsh that Officer Matthew Steinmetz had moved up toward Ogman's location. Walsh saw Officer Ashley Martinez on the east side of the parking lot pointing her department-issued rifle at Ogman.

Ogman was behind a small metal dumpster. Upon hearing Hondo barking, he positioned himself in a standing supported position on the dumpster. It appeared that Ogman was pointing his rifle at officers on the west side of the lot. Walsh made sure that he was behind a vehicle for cover. Walsh heard one shot and saw Ogman slump over the dumpster with his head down not moving. Officers made the scene safe and began to render medical aid to Ogman.

Officer Christopher Hebert

On December 26, 2020, Officer Christopher Hebert was a patrol officer on duty with the Hartford Police Department. He was wearing a Hartford Police Department (HPD) uniform and operating a fully marked HPD police cruiser. At approximately 8:53 p.m., Hebert was dispatched to the area of 25 Gilman Street on a report of a suspicious person in possession of a firearm. A female identified as Latanya called Hartford police dispatch and reported that a thirty-year-old male, later identified as Shamar Ogman, was walking around outside with a gun in his hand. As Hebert drove to the scene, he received information that the male appeared not to be acting normal.

Upon arrival at Gilman Street, Hebert saw an individual walking toward his police vehicle and pointing toward the north sidewalk. There, Hebert saw Ogman who appeared to be kneeling down. As Hebert exited his police vehicle, Ogman stood up, picked up a rifle and black handgun off the ground, and faced Hebert. Hebert drew his department-issued firearm, pointed it at Ogman, and gave him verbal commands to drop the weapons. Ogman refused and began frantically walking around in different directions holding the firearms. Hebert and other officers gave Ogman commands to drop the weapons. Ogman ignored the commands and walked toward Winship Street. Hebert believed that he saw Ogman load a magazine into the rifle followed by the sound of the weapon cycling. Hebert believed this to be the sound and operation that causes the chambering of a round from the magazine. At this time, Ogman began to yell at police to, "Shoot me! Kill me! Come on, let's do this!"

Ogman ran to the rear of a residence on the east side of Gilman Street. He went to a corner of the back yard continuing to refuse commands to drop his weapons. He then jumped a fence and ran through backyards on Winship Street. Police temporarily lost sight of him until he emerged on Winship Street. He proceeded west on Gilman Street and into the parking lot at 14–16 Gilman Street. Ogman ran to the rear of the lot and took a position behind a trash dumpster.

Officers continued directing Ogman to drop his weapons, but he refused. Hebert then heard Officer Ashley Martinez yell, "He's raising it up!" Shortly after, Hebert heard a gunshot from the area where Martinez was posted. Officers converged on Ogman who was face down on the dumpster and pulled him from behind out into the parking lot. Officers rendered aid until Emergency Medical Services arrived.

Hebert was tasked with keeping watch on the firearms that Ogman possessed that officers located on and near the dumpster.

Officer Christopher Larson

On December 26, 2020, sometime prior to 9:00 p.m., Officer Christopher Larson, a member of the Hartford Police Auto Theft Unit, was on proactive detail for stolen vehicles in Hartford. At that time, Dispatch broadcast a call for service at 25 Gilman Street. The report was of a thirty-year-old male (later determined to be Shamar Ogman) with dreads wearing a blue shirt and black shorts walking around outside with a gun in his hand. Larson responded to the area with Officer Brittany Wasilewski. While driving east on Gilman Street, Larson observed two males. One (Ogman) was wearing a blue shirt holding a rifle in one hand and a handgun in the other. Larson radioed other responding officers that the male was in possession of a rifle. After parking his vehicle on Brown Street, Larson exited the vehicle and proceeded on foot. As he approached Winship Street, he observed Ogman run across the street towards the rear of 20 Winship Street, still in possession of the rifle.

Larson could hear K-9 Officer Walsh giving loud commands, "Drop the gun!" Larson ran toward Walsh's location and proceeded to the rear yard of 20 Winship Street. As Larson got close to the rear yard, he observed Ogman standing in the northeast corner of the yard still holding the handgun and rifle. Larson pointed his department-issued firearm at Ogman and began to give loud verbal commands for him to drop the gun. Ogman responded, "No", spread both arms, and yelled back, "Just shoot me." Larson responded, "Nobody wants to shoot you, just put the guns down." Ogman then appeared to rack the rifle and continued to yell, "Just shoot me."

Ogman proceeded to run through the rear yards of houses on Winship Street. Larson pursued continuing to direct Ogman to drop the gun. Ogman replied, "No. Shoot me." Ogman then ran back to Gilman Street ultimately taking a position in the rear of the parking lot of 16 Gilman Street behind a dumpster. He continued to maintain control of both firearms.

Larson entered the parking lot and took a position behind a vehicle on the west side. He continued to command Ogman, "Drop the guns; we don't want to shoot you." Larson saw Officer Walsh advance to Larson's position with his K-9. At that moment, Larson heard Ogman say, "Oh, a dog. I got that!" Ogman began to take a stance with the rifle and began to raise it up as if he were going to start aiming it toward Larson and Walsh. Larson yelled to officers, "He's pointing it, he's pointing it." Larson then heard a shot and observed Ogman's head drop and his body slump over the dumpster. As Larson approached, he could see that Ogman was shot and not moving. The scene was made safe and then officers began to provide medical attention to Ogman.

Officer Matthew Steinmetz

On Saturday, December 26, 2020, at approximately 8:58 p.m., Officer Matthew Steinmetz responded to the area of 25 Gilman Street in response to a suspicious person with a firearm call. Steinmetz wore a Hartford Police Department uniform and operated a marked HPD police vehicle. While in route, due to the potential danger of the incident, Steinmetz secured his department-issued body armor and retrieved his department-issued rifle.

Upon arrival on scene, Steinmetz ran toward the intersection of Gilman Street and Winship Street to assist other officers. Ogman was running through the yards brandishing a rifle. Steinmetz saw Officer Hebert point to the rear of the house on the northwest corner of the intersection. Steinmetz went to that location and heard rustling in the bushes and loud grunting. Suddenly Ogman burst out into the yard and began running back toward Gilman Street. He continued to brandish a scoped rifle and handgun. Officers gave Ogman numerous loud commands to stop and drop the weapons. Ogman ignored the commands and continued to run toward Gilman Street. He entered the parking lot of 14-16 Gilman Street.

Steinmetz observed Ogman in the northeast portion of the parking lot behind a dumpster with a brick building behind him. Officer Larson gained cover behind a vehicle on the west side of the parking lot. Steinmetz moved along the backs of several parked vehicles in order to gain a better position of available cover. Ogman was still in possession of the rifle and handgun and positioned in a fighting stance partially behind a metal dumpster. Ogman pointed the rifle at Steinmetz and other officers. When commanded to drop the weapon and warned that they would have to shoot him if he did not obey, Ogman yelled back, "Come on, let's do this." As Ogman continued to aim the rifle at officers, Steinmetz heard one gunshot from behind him. He observed Ogman fall on top of the dumpster. Ogman did not appear to be responsive. Steinmetz approached, pulled Ogman from behind the dumpster and away from the rifle, and assisted other officers providing Ogman medical aid.

Officer Ashley Martinez

December 26, 2020, Officer Ashley Martinez was assigned to the Hartford Police Department Patrol Unit 3. During her tour of duty on that date, she wore a HPD patrol uniform. Martinez also wore a body worn camera and had a duty sidearm and Colt M4 5.56 caliber rifle. While in the area of New Britain Avenue assisting officers on an unrelated call, Martinez heard HPD Dispatch report a suspicious male with a firearm in the area of Gilman Street. Moments later she heard an officer advise responding units that they had located the suspicious male and he was carrying a rifle and handgun. Martinez retrieved her department-issued 5.56 caliber patrol rifle from her trunk and inserted a loaded magazine into the rifle. She then proceeded to pull back on the charging handle to chamber a round.

While driving toward the area, Martinez learned that the suspect's location was "20 Winship." Upon reaching the area of 30 Winship Street, Martinez, observed a male (Ogman) wearing a blue shirt and holding what appeared to be a rifle style firearm running across Winship Street towards Gilman Street. Martinez parked her police vehicle across the street from 30 Winship Street. Upon exiting the police vehicle, Martinez heard HPD officers yelling loud clear commands to Ogman to "drop the gun." At the time, Martinez accidentally pressed the magazine release button on her rifle causing the loaded magazine to fall to the ground. She retrieved it and inserted it back into the magazine well. Martinez then pulled back the charging handle which caused the preloaded round to fall out of the ejection port onto the ground. Martinez retrieved the round and put it in her pocket. She then jogged toward Gilman Street to assist other officers.

Upon reaching the area of 14-16 Gilman Street, Martinez observed several officers taking cover behind vehicles parked on the west side of parking lot. The officers were pointing their firearms toward the north side of the parking lot. Martinez stood at the end of a wooden fence and could see Ogman behind a dumpster at the north side of the parking lot. Ogman was

yelling something like, “Let’s go. I’m ready.” Using the Aimpoint Pro Optic sights on her rifle, Martinez could only see Ogman’s head as the rest of his body was concealed behind the dumpster.

Martinez saw that Officer Christopher Larson was behind a vehicle and was now closer to Ogman. Larson was giving loud clear commands to drop the gun. Martinez heard Ogman rack the rifle that he was holding and saw him raise it up and point it directly at Larson. Martinez believed that Ogman was going to shoot at officers and attempted to fire her rifle. The rifle did not fire because it was still in the “safety” position. While concealed behind the fence, Martinez put the rifle in “fire” position. Martinez then returned to her position along the fence, reassessed, and observed that Ogman was still taking cover behind the dumpster and still aiming the rifle at officers. Martinez believed that Ogman was going to shoot and kill or severely injure others on scene. She fired one round at Ogman’s head that was the center of his exposed body mass.

Martinez radioed, “shots fired” and proceeded to the dumpster. There, she saw that Ogman was unresponsive. Officers advised Martinez to go with Officer Wasilewski who drove Martinez to Saint Francis Hospital where she was evaluated.

A link to Officer Martinez’s statement is contained in the Appendix or click [here](#).

Digital Evidence⁵

All of the HPD officers involved in the interaction with Ogman on December 26, 2020, were equipped with body worn cameras (BWC). The Hartford Police Department Internal Affairs Division turned over the BWC recordings to the Connecticut State Police Eastern District Major Crime Squad. The relevant BWC recordings are summarized herein with links to the actual recordings.

Officer Ashley Martinez

The video begins with Officer Ashley Martinez driving a vehicle. At 00:35, Martinez turns right onto Winship Street. At 00:49, Martinez stops the vehicle and exits. Martinez has an AR style rifle. At 00:55, Martinez bends down and picks up a metal AR style rifle magazine from the ground. At 00:59, the audio turns on. Male voices are heard yelling. One male voice

⁵ The body worn camera recordings from the investigating officers do not record the time of day, but do record elapsed time from when the camera was activated. All elapsed time references in this report should be considered approximations.

can be heard yelling, "Drop the gun." At 01:13, a woman is heard screaming. At that same time, Martinez appears to be charging her rifle. At 01:18, Martinez bends down and picks up a brass rifle round off the ground. Martinez moves west on Gilman Street and at 01:35 she approaches the parking lot of 14-16 Gilman Street and takes a position near a wooden fence located on the east side of the parking lot. From this position, the wooden fence blocks the view of the end of the parking lot and the dumpster. At 01:46, a male voice says, "He put the handgun down; he still has the rifle." During this time, officers are heard giving multiple commands to "drop it" and "put it down." At 01:59, Martinez moves to the end of the wooden fence. At 02:16, she is yelling, "Put it down." At 02:31, Martinez yells, "Put down the gun. Just drop the gun, babe. Put it down." At 03:05 Martinez yells, "He's pointing it." At 03:06, Martinez fires a single shot from her rifle. She then states, "Shots fired." Martinez then moves along the wooden fence to the end of the parking lot where the dumpster is located. Ogman is laying on the ground. At 04:25, Martinez states "Officer to officer" and the audio on the BWC turns off. Martinez can be seen handing the rifle to a male, and she and a female officer walk toward a vehicle. The recording ends at 06:29.

To review the recording from Martinez's BWC, click [here](#).

Officer Christopher Larson

The recording starts with Officer Christopher Larson running down a sidewalk. The first ten seconds is without audio. At 00:05, Larson raises a handgun with a mounted flashlight toward a male walking behind a house. This male was later identified as Ogman.

Once the audio turns on, Larson is heard yelling, "put it down." A distant voice can be heard yelling "Shoot me!" At 00:21, a male voice is heard yelling, "Yo, put the gun down bro." At 00:34, Larson yells, "put it down, bro." At 00:42, Larson yells, "Put it down, bro. Nobody gets hurt tonight. Put it down. Put it down." At 00:55, Larson yells, "Drop the gun;" and repeatedly tells Ogman to put down the gun. At 01:18, Ogman can be heard yelling, "Shoot me" repeatedly. At 01:51, Larson jumps over a chain link fence and approaches a brick wall. At 02:45, distant yelling is heard and a male says, "He's back up the street." Larson then begins running and yells, "drop the gun" multiple times. Larson and other officers move to the area of 14-16 Gilman Street. Larson takes cover behind a truck and at 03:44 says, "He put the handgun down. He put the handgun down; he has the rifle still." Ogman can be seen behind the dumpster at the end of the parking lot at 14-1 Gilman Street. At 05:06, a female voice yells, "He's pointing it!" Afterward, a single gunshot is heard.

Larson moves forward to the dumpster. Ogman is leaning over the dumpster and a brown rifle is on top of the dumpster. Officers pull Ogman from behind the dumpster and begin to render medical aid. At 09:29, Larson says, "Officer to officer" and the audio on the BWC turns off. The video continues to 31:29.

To review the above-described portions of the recording from Larson's BWC, click [here](#).

Officer Matthew Steinmetz

The video begins with Officer Matthew Steinmetz in the front passenger seat of a moving vehicle. At 01:00, the audio turns on. At 02:27, Steinmetz tells the operator of the vehicle to go to Franklin Avenue. At 02:45, Steinmetz exits the front passenger door and runs east on Brown Street and then turns left onto Winship Street. At 03:37, Ogman can be seen running across the street at the intersection of Gilman Street and Winship Street. Steinmetz repeatedly says, "Show me your hands." Ogman runs west on Gilman Street with Steinmetz and other officers following. Officers are heard repeatedly saying, "Drop the gun." Ogman replies, "Fuck you, shoot, shoot me, come get me." At 04:23, Steinmetz takes a position of cover in the parking lot of 14-16 Gilman Street. At 04:35, Steinmetz says, "He just put the rifle down." An officer replies, "No, he's got that; he put the handgun down." At 04:40, Steinmetz yells, "Drop it guy, drop it." At 05:10, Steinmetz moves to a closer position of cover at which time Ogman is seen standing behind the dumpster in the rear of the parking lot area of 14-16 Gilman Street. At 05:15, Ogman shouts, "They wanted this, let's do this." At 05:23, Steinmetz says, "We don't want to shoot you but we'll have to; we will if we have to." Multiple officers are heard directing Ogman to put the gun down. At 05:43, Ogman says, "Shoot." Steinmetz and other officers continue to tell Ogman to, "Put it down" and "Drop the gun."

At 05:59, a female officer yells, "He's pointing it." At 06:00, a single gunshot is heard. At 06:03, officers state, "He's down." At 6:19, Steinmetz and other officers approach Ogman, who is motionless. His lower half is behind the dumpster and his torso is laying on top with the rifle visible in his hands. Steinmetz assists in bringing Ogman out from behind the dumpster and placing him on the surface of the parking lot. Thereafter, officers perform CPR on Ogman. At 07:33, Steinmetz takes a rifle and walks to the entrance of the parking lot. He says, "Hey, give me a car to secure this stuff in." At 08:00, Steinmetz mutes his BWC. At 10:46, Steinmetz secures the rifle in the rear hatchback area of a patrol SUV.

To review the above-described portion of the recording from Steinmetz's BWC, click [here](#).

Officer Joseph Walsh

The video starts with Officer Joseph Walsh driving a vehicle. At 00:55, Walsh stops and exits the vehicle. Walsh is in the area of 35 Gilman Street. As Walsh moves east on Gilman Street, two males can be heard yelling at each other in the street. Walsh approaches a male wearing a red and gray jacket (Antonio Greensword). Greensword states, "His name is Shamar,

he's upset with his daughter's mother." Walsh continues walking east on Gilman Street and says, "Party is walking eastbound. He's upset about a girlfriend ... Shit, he's cocking it."

At 2:30, Walsh states, "He's on Winship now, on the corner ... alright, he's walking southbound ... he's running. Walsh begins to run. Ogman is in the backyard of 20 Winship Street. Walsh yells, "Shit, he's pointing!" Walsh takes cover behind a tree in the front yard of 20 Winship Street. Walsh and other officers can be heard yelling for Ogman to drop the gun.

At 5:57, Walsh yells, "He's back on the street, back on the street, back on the street." Walsh runs toward 14-16 Gilman Street. At 6:39, Ogman walks in the parking lot toward the dumpster. Walsh then yells, "I'm going to get the dog. I'm going to get the dog." Walsh returns to his cruiser, and takes a police K-9 out of the vehicle and runs back to 14-16 Gilman Street. Officers continue to yell for Ogman to drop the gun.

At 8:21, a gunshot is heard. Walsh walks away from the scene, puts the K-9 back in the police vehicle and returns to 14-16 Gilman Street. Officers are providing medical aid to Ogman. Walsh and others search the area through which Ogman ran before he went to the 14-16 Gilman Street location.

To review the above-described portion of Officer Walsh's BWC recording, click [here](#).

Officer Christopher Hebert

The video starts with Officer Christopher Hebert driving a vehicle. There is no sound until 00:13. At 00:23, a radio transmission reports, "Looks like he has a rifle." Hebert states, "Yeah, he's got a rifle in his hands ... and a handgun." Hebert exits his police vehicle. Two men can be seen in the street facing each other. At 00:39, Hebert states, "Yeah, he's got a scoped rifle and black handgun in his hand." Ogman goes down the street away from the officers. At 02:11, Hebert states, "Hey, he's running; he's running, Joe – through the backyards, through the backyards." Hebert begins running. At 02:25, a male voice yells, "Shoot" repeatedly. At 02:55, Hebert yells, "Yo, put the gun down, bro." Ogman is seen holding a rifle. Ogman walks away. At 05:16, Ogman is seen running from one side of the street to the other and towards 14-16 Gilman Street. Hebert follows and takes a position to the east of the wooden fence adjacent to the parking lot.

Hebert then moves to the south end of the parking lot. At 07:42, a gunshot is heard. Hebert moves up to the dumpster with other officers and a rifle is removed from Ogman's hands. At 09:00, Hebert mutes his BWC.

To review the above-described portion of Hebert's BWC, click [here](#).

Surveillance Cameras

During the investigation, Eastern District Major Crime Squad (EDMCS) detectives obtained video recordings from surveillance video cameras that recorded some aspects of the officer-involved shooting. There is no audio for these videos. Of particular interest, was video from a surveillance camera on the east side of 16 Gilman Street. A zoomed in version of this video has file name CH11_2020-12-26_180422_2020-12-26_180638_ID04440-201227003633. On this video, Ogman is seen at the end of the parking lot near the dumpster. A person in a police vest moves into the frame, takes cover behind a vehicle, and appears to be pointing a gun toward Ogman. Ogman moves behind the dumpster.

At 00:58, Ogman becomes illuminated and appears to shoulder a rifle, point it toward officers, and looks through the rifle's optical sight. At 01:07, Ogman suddenly drops and becomes slumped over the dumpster. Within a few seconds, officers move toward Ogman and begin to render aid.

To view the above-described surveillance video, click [here](#).

Scene

On Saturday December 26, 2020, EDMCS personnel processed the scene of the officer-involved shooting of Ogman. The scene principally consisted of the parking lot adjacent to the apartment building at 14-16 Gilman Street, Hartford, CT. EDMCS detectives did a survey of the scene, took photographs, and seized relevant evidence. They also took possession of a number of items of evidence seized by the HPD.

The weather on December 26, 2020, consisted of a low temperature of 25 degrees Fahrenheit and a high temperature of 34 degrees Fahrenheit. On that day, there had been 1.05 inches of precipitation. Sunrise was at 7:18 a.m. and sunset was at 4:26 p.m.

An examination of Hartford property records revealed that 14-16 Gilman Street is an apartment building with twelve living units. The lot size is 10,580 square feet. The digital image on the property card shows a three level brick building with an adjacent parking lot area.

Gilman Street is a two-lane street generally running in an east – west direction. There are sidewalks on both sides of the street. Heading eastbound from 14-16 Gilman Street, approximately 240 feet, Gilman Street ends at the intersection of Winship Street. Heading westbound from 14-16 Gilman Street, approximately 400 feet, Gilman Street intersects with George Street and continues westbound. The buildings on Gilman are primarily single and multi-family residences.

At 14-16 Gilman Street is a three level apartment building with an adjacent parking lot. The parking lot is paved with delineated parking spaces along the western half of the lot adjacent to the apartment building. Detectives observed seven vehicles parked in the parking spaces.



Along the eastern property line, separating 14-16 Gilman Street from 8 Gilman Street runs a six-foot tall wooden fence. Running along the fence line and separating the fence from the paved parking lot is a three-foot wide grassy area.



Detectives observed a utility trailer parked adjacent and parallel to the fence approximately half way down the property line.



In the northeastern corner of the lot and parallel to the northern property line was a green "CWPM" dumpster. Next to the dumpster, on the western side, was a blue trash can.



A single level brick building at 9 Douglas Street created a property barrier along the northern border of 14-16 Gilman Street. Starting at the western corner of this brick building, a metal chain link fence continues the length of the northern property line. Detectives observed an exterior surveillance camera attached to the eastern wall of the apartment building that appeared to point in the direction of the parking lot.

Detectives observed a single spent shell casing on the paved parking lot area of 8 Gilman Street near the southeastern corner of 14-16 Gilman Street.



Blood-like substance pools and blood-like substance spatter was observed on the paved lot and grassy area in the northeastern portion of the property. Also observed in that area was a black knit hat with blood-like substance.



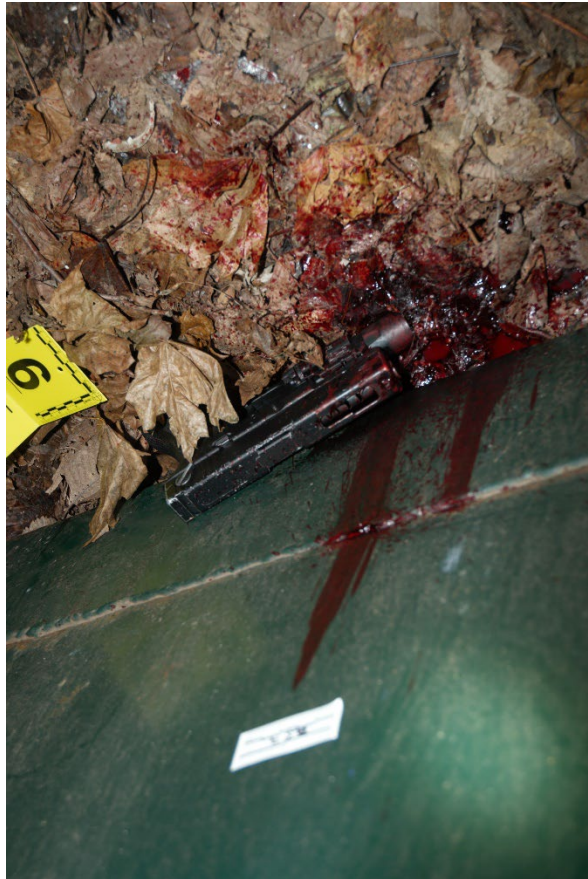
Detectives also observed a tan rifle on top of the CWPM dumpster with the barrel facing north.



Next to the rifle on top of the dumpster was a rifle magazine with visible unspent rifle rounds.



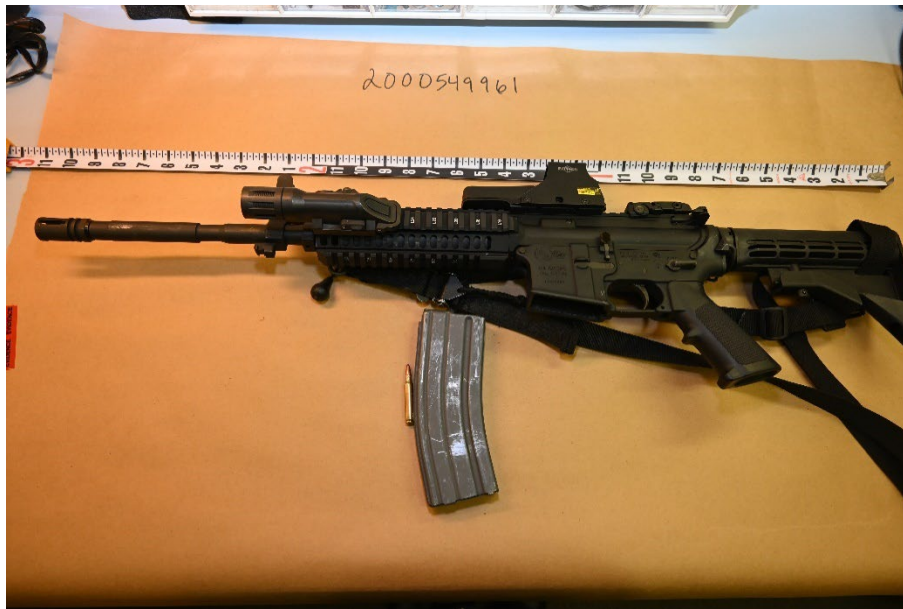
A pool of blood-like substance was on the top of the dumpster in the area of the rifle. Behind the dumpster on the ground, detectives observed a black pistol with an attached light. Blood-like substance was observed on the pistol and back of the dumpster in the area of the pistol.



EDMCS detectives received from the HPD Officer Martinez's duty belt and item of Ogmans's clothing.



They also seized Officer Martinez's department rifle, a Colt M4 5.56mm Carbine, from the trunk of a HPD cruiser.



At the 14-16 Gilman Street scene, detectives seized, inter alia, a facsimile FN Scar rifle, a magazine containing five live .223 caliber rounds, and a facsimile Glock handgun.



Also from the pavement at 8 Gilman Street, detectives seized a spent shell casing.



Autopsy

On December 28, 2020, James R. Gill, M.D., Chief Medical Examiner, performed an autopsy on Shamar Ogman's body. As relevant to this investigation, Dr. Gill's report states:

“There is a single gunshot wound of the body. It penetrates the head and neck.”

The gunshot entered at the left corner of the mouth. After perforating the skin, the bullet entered the oral cavity and sequentially perforated the tongue, posterior pharynx, proximal cervical vertebral column including the spinal cord (transection). Powder residue was not visible on the wound track; but there was moderate hemorrhage and tissue destruction along the bullet track. The brain was swollen and had subarachnoid hemorrhage.

Dr. Gill located the bullet in the base of the posterior right skull. The bullet track was front to back, left to right, and slightly downward. The bullet was recovered in two pieces including a copper jacket and lead core. It was markedly deformed and of small caliber. The bullet was turned over to EDMCS detectives. A toxicological analysis of samples taken during the autopsy revealed the presence of caffeine.

Dr. Gill reported his findings as follows:

CAUSE OF DEATH: GUNSHOT WOUND OF THE NECK WITH
TRANSECTION OF SPINAL CORD

MANNER OF DEATH: HOMICIDE (SHOT BY POLICE WHILE ARMED)

Firearm Survey

Colt M4, 5.56 Caliber Rifle

While at the Gilman Street scene, Detective Louis Kmon completed a survey of Officer Martinez's department-issued rifle. Detective Kmon completed the survey in the Eastern District Crime Squad van. The rifle had a capacity of thirty-one rounds and there were twenty-eight cartridges in the weapon at the time of the survey. Detective Kmon determined that one cartridge was fired. The weapon had 2.23-caliber Winchester jacketed ammunition.

FN SCAR-L 5.56 x 44mm Assault Rifle

Glock 18 9mm Pistol

On December 28, 2020, Detective Brindiana Warena inspected the FN SCAR-L rifle and Glock 18 pistol possessed by Ogman during the incident. These items were recovered from the area on and near the dumpster in the parking lot of 14-16 Gilman Street. Although appearing to be actual firearms as defined by federal law⁶, in fact the two items were not firearms⁷. The two items were officially licensed replicas from FN Herstal and Glock. These items were:

FN SCAR-L, 6mm airsoft rifle

Glock 18C, 6mm airsoft pistol

The magazine recovered at the scene contained five live rounds of actual ammunition. The magazine, however, would not seat into the magazine well of the recovered replica FN SCAR-L rifle. The magazine well of the replica FN SCAR-L consisted of a metal block and a small hole. Given the nighttime conditions, Ogman's movements, and the distance between the HPD Officers and Ogman, there is no way that the officers could have known that the FN SCAR-L did not have an inserted magazine. Particularly since multiple officers heard Ogman "racking" the gun.

⁶ Federal law defines "firearm" to mean "any weapon ... which will or is designed to or may readily be converted to expel a projectile by the action of an explosive ..." 18 U.S.C. 921(a)(3).

⁷ Contrary to federal law, Connecticut defines firearm as "any ... gun, rifle ... pistol ... or other weapon, whether loaded or unloaded from which a shot may be discharged." General Statutes §53a-3 (19). The two items are firearms under Connecticut's definition. They are not, however, regulated and do not require a pistol permit or eligibility certificate to purchase or possess.

FINDINGS

1. On December 26, 2020, at approximately 8:53 p.m., Hartford Police Officers responded to 25 Gilman Street on the report of a male in the street carrying a gun.
2. Responding officers observed two men on Gilman Street talking to each other. The two men were later identified as Shamar Ogman and Antonio Greensword. Police approached the two men and noticed that Ogman was carrying a rifle and handgun. Ogman walked away east on Gilman Street ignoring police commands to stop and drop the weapons.
3. Ogman proceeded down Gilman Street to Winship Street and into the rear yards of the houses on Winship Street. Police followed continually issuing verbal commands for Ogman to drop the guns. Ogman refused to drop the weapons and repeatedly screamed at officers to shoot him. During the pursuit, police could hear Ogman racking the rifle.
4. Ultimately, Ogman emerged from the back yards and onto Winship Street. He then walked to the rear of a parking lot adjacent to 14-16 Gilman Street. Police followed.
5. At 14-16 Gilman Street, Ogman took a position at the northern end of the parking lot behind a trash dumpster. Officers took positions behind vehicles parked on the west side of the parking lot. They continued to direct Ogman to drop the guns, but he refused.
6. Officer Ashley Martinez took a position at the end of a fence line on the east side of the parking lot. From there, she could see Ogman behind the dumpster. He was yelling something like, "Let's go. I'm ready." Officers continued to give loud clear commands to drop the gun. Martinez saw Ogman rack the rifle, raise it up, and point it at the officers on the west side of the parking lot. Believing that Ogman was about to shoot at the officers, Martinez fired one round from her department-issued rifle. The bullet struck Ogman in the head fatally wounding him.
7. Officers approached Ogman and commenced medical aid. They observed a tan rifle and magazine on the top of the dumpster and a handgun on the ground behind the dumpster. HPD officers secured these items and turned them over to EDMCS detectives. HPD officers also located a single shell casing at the end of the fence line near Officer Martinez's position when she fired her rifle.
8. Upon inspection, the FN SCAR-L assault rifle and Glock 18 9mm pistol were determined to be replicas.

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 December 26, 2020, in relevant part, provided:

“(a) 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, 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. 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) and (c) 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 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) A peace officer ... is justified in using *deadly force* upon another person for the purposes specified in subsection (b) of this section only 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 ...*” (Emphasis added).

General Statutes §53a-22.

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.*, 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. . . .The 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 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?

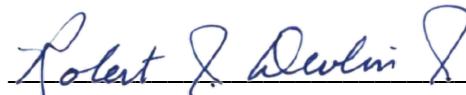
Officer Martinez heard Ogman rack his rifle and observed him raise it and point it in the direction of other police officers. She actually believed that Ogman was about to use deadly force that could result in an officer sustaining serious physical injury or death. Such actual belief was not exaggerated or unfounded and a reasonable police officer, viewing the circumstances from Martinez's point of view, would have shared that belief.

Officer Martinez also actually believed that discharging her rifle was necessary to prevent Ogman's imminent use of deadly force. Repeated verbal commands to Ogman to drop the guns had been unsuccessful. Her belief that the use of deadly force was necessary was reasonable because a reasonable police officer in the same circumstances at the time would have shared that belief.

CONCLUSION

The investigation establishes that Officer Ashley Martinez used deadly force against Shamar Ogman to prevent Ogman from shooting other police officers. I therefore conclude that such use of force was justified under Connecticut law. The Office of Inspector General will take no further action on this matter.

Submitted this 14th day of June, 2022.

A handwritten signature in blue ink that reads "Robert J. Devlin, Jr." with a stylized flourish at the end.

ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

ADDENDUM

Appendix

[Statement of Officer Ashley Martinez](#)

Recommendations

In the field of psychology, there is a recognized phenomenon known as "suicide by cop." It applies in situations where a person engages in behavior that poses a risk of death or serious injury to others with the intent to precipitate the use of force by law enforcement against the person. Ogman's conduct arguable falls into that category. Although estimates on the frequency of suicide by cop vary, the most recent data suggests that it is present in about one-third of officer-involved shootings.

In the Ogman situation, Hartford Police Officers were confronted with an armed subject who was moving around a residential neighborhood after dark. He was wildly aiming and racking a rifle. The HPD Officers reasonably perceived him as highly dangerous and, as detailed in this report, Officer Martinez's use of force was justified.

There are, however, situations (unlike Ogman) where the subject is contained to a degree that it may be possible to attempt a dialog with the person without jeopardizing officer safety or public safety. The FBI and other law enforcement agencies have done substantial research into this area. Their publications present a number of practical suggestions for handling these situations with the ultimate goal being preservation of life. A representative sampling of these publications is set forth below.

While not applicable in Ogman-type situations, this area deserves more study and training. As the studies make clear, the most effective weapon in some suicide by cop situations is communication.

Suggested reading:

[Crisis \(hostage\) Negotiation: Current Strategies and Issues in High-Risk Conflict Resolution](#)

[Suicide by Cop - Protocol and Training Guide](#)

[The Phenomenon of SbC](#)

[Suicide by Cop](#)

References

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AFFIDAVIT OF ASHLEY A. MARTINEZ

I, the undersigned, Ashley A. Martinez, Police Officer with the City of Hartford Police Department, hereby depose, affirm and state as follows:

1. I am over the age of 18 and understand the meaning of an oath. And I am competent to testify to the matters contained herein.

2. On December 26, 2020, I, Officer Ashley Martinez, was assigned to Hartford Police Department's Patrol Unit 3. During my tour of duty, I was dressed in full Hartford Police Department Patrol uniform of the day and clearly identifiable as a Hartford Police Officer. Furthermore, I was equipped with a department issued Body Worn Camera (BWC), a duty sidearm and a 5.56 caliber patrol rifle.

3. Prior to the Gilman Street incident, I was assisting an HPD Officer on a call for service in the area of New Britain Avenue. While there, I heard the HPD Patrol 2 Dispatcher dispatch a report of a suspicious male with a firearm in the area of Gilman Street. Moments later, I heard an HPD officer advise responding units that they located the suspicious male and that he was carrying a rifle and a handgun. At that time, I advised the primary investigating officer at the New Britain Avenue call that I had a Patrol rifle in my marker HPD Patrol vehicle and would be leaving to assist officers on the active gun call.

4. At this time, I went to my police vehicle and retrieved my department issued 5.56 caliber patrol rifle which was secured in the trunk. I then inserted a loaded magazine into the rifle. I then pulled back on the charging handle to chamber a round. I then slung the rifle over my shoulder and entered the driver's seat of my vehicle with the rifle against my upper body. While I was driving the rifle was in the "safety" position.

5. While driving towards the area, I heard Officer Brittany Wasilewski stating that the suspect had ran behind a house. Using the radio, I asked for the suspect's location. Officer Wasilewski then stated "20 Winship." Utilizing my police vehicle's emergency lights and audible siren, I drove towards the last area transmitted by Officer Wasilewski.

6. Upon reaching the area of Preston Street and George Street, I terminated my lights/siren and turned right onto Winship Street from Preston Street. As I reached the area of 30 Winship Street, I observed a male wearing a blue shirt and holding what appeared to be a rifle style firearm, running across Winship Street westbound towards Gilman Street. Furthermore, I observed several Hartford Police Officers behind the male with their firearms unholstered. I then parked my police vehicle along the west curb across from 30 Winship Street and exited the driver's side.

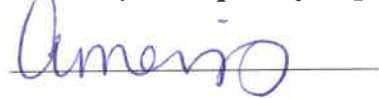
7. While exiting my police vehicle I heard the Hartford Police Officers yelling out clear and loud verbal commands at the male to “drop the gun!” Once out of my car, I accidentally pressed the magazine release button on my rifle which caused the loaded magazine to fall onto the ground. I stopped to retrieve the magazine and inserted it back into the magazine well. I then pulled back on the charging handle which caused the pre-loaded live round to fall out of the ejection port onto the ground. I then retrieved the live round and placed it into my front left pants pocket and began jogging towards Gilman Street to assist the officers.
8. I began following the officers westbound on Gilman Street along the north sidewalk. During this time, the officers continuously yelled out verbal commands for the suspect to drop the gun. As we reached the area of 14/16 Gilman Street, I observed that several officers began taking cover behind parked vehicles in the parking lot attached to the multi-family residence. The parking lot was located on the east side of the building and the vehicles were parked along the west side. I observed that the officers were pointing their firearms towards the north side of the parking lot. I then activated my rifle’s Aimpoint Pro Optic sights.
9. I then saw Officer Christopher Hebert take partial cover along a wooden fence located along the east side of the parking lot. Officer Hebert moved from his position, at which time I positioned myself where he was previously standing. I stood at the end of the wooden fence, near the southside of driveway and saw that the suspect was behind a dumpster on the north side.
10. I could hear the suspect yelling out something like, “Let’s go, I’m ready!” From my vantagepoint, the suspect appeared to be crouching behind the dumpster in an attempt to take cover. I could see the suspect while I was looking through my rifle’s optic and could only see the suspect’s head as the rest of his body was covered by the dumpster.
11. I saw that Officer Christopher Larson had repositioned himself behind a vehicle along the west side of the parking lot and was now closer to the suspect. I could hear Officer Larson giving the suspect clear and loud verbal commands to drop the gun. I then yelled out several clear and loud verbal commands for the male to drop the gun. The suspect was behind a dumpster in an attempt to take cover and establish a fighting position. I then heard the suspect rack the rifle and saw him raise it up and point it directly towards Officer Larson. I believed that the suspect was going to shoot at officers. I believe that the officers were in immediate danger of being shot. With my rifle aimed at the suspect, I attempted to pull the trigger and fire one round in order to stop the suspect from shooting. The weapon did not fire and I immediately realized that my rifle was still in the “safety” position. I took a position of concealment behind the fence to place the weapon into the

“fire” position. After doing so, I returned to my position along the fence line, reassessed and observed that the suspect was still taking cover behind the dumpster with the rifle pointing towards Officer Larson. I then yelled out, “He’s pointing it!” Seeing that the suspect was still aiming his rifle at the officers, having heard the rifle “racked” by the suspect and the fighting position he had placed himself in, I believed that that once again the suspect was going to shoot and kill or possibly severely injure others on scene. So, I fired one round at the suspect’s head, which was the center of his exposed body mass.

12. I continued to give the suspect verbal commands to drop the gun, at which time I heard an officer yell out, “He’s down!” I utilized my portable HPD radio to transmit, “Shots fired.” I then saw officers moving towards the suspect with their firearms drawn. I then placed my rifle back in a “safety” configuration and followed behind. Upon reaching the dumpster I observed officers pulling the suspect from behind the dumpster and placing him onto the ground on his back. I saw that the suspect was unresponsive and was bleeding from his facial area. I then maneuvered my rifle behind my back and advised officers to immediately render medical aid. I retrieved a pair of gloves from my pants pocket in an attempt to start lifesaving medical aid to the suspect.

13. At this time, officers advised me to go with Officer Wasilewski who was standing nearby. I complied and walked towards the southside of the parking lot where I was met by Sergeant Brian Mello. I advised Sergeant Mello that I had shot and gave him possession of my rifle. Officer Wasilewski then drove me to the Saint Francis Emergency Department where I was evaluated.

I declare, under penalty of perjury, that the foregoing is true and correct.



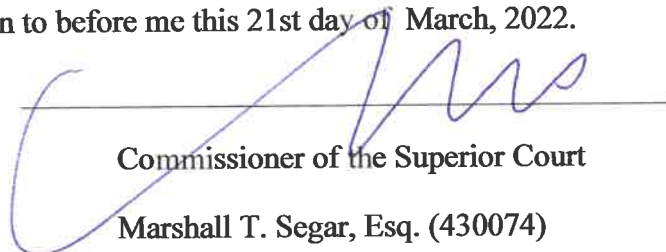
Ashley A. Martinez

STATE OF CONNECTICUT :

: ss. CITY OF HARTFORD

COUNTY OF HARTFORD :

Subscribed and sworn to before me this 21st day of March, 2022.



Commissioner of the Superior Court
Marshall T. Segar, Esq. (430074)