

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE

Case Number: 200002994
Date: 2/27/20
Time Started: 1100
Time Ended: 1114

WITNESS STATEMENT OF Brendon Nelson

I, Brendon J. Nelson date of birth, [REDACTED]
of 2 Elm Street town/city of Ansonia, Connecticut

I make the following statement without fear, threat, or promise. I have been advised that any statement(s) made herein which I do not believe to be true, and which statement is intended to mislead a public servant in the performance of his/her official function, is a crime under C.G.S. section 53a-157.

On the evening of 01/02/2020, I, Patrol Officer Brendon Nelson, hired by the Ansonia Police Department on 12/31/2012, was working my regular scheduled evening shift (1500-2300 hours), assigned to the North Sector. Ansonia's North Sector consists of a geographical area north of Main Street to the Seymour town line, and west of North State Street to the Naugatuck River. This officer was dressed for patrol capacity in clearly identifiable full navy-blue police uniform. The typical Ansonia Police uniform consists of an external bulletproof vest with an embroidered silver badge displaying "Ansonia Police" on it, an embroidered name tag, and the American flag. Worn under the external bulletproof vest was a Blauer uniform shirt with Ansonia Police Department patches on both shoulders. This officer was wearing Blauer BDU style navy-blue uniform pants, and black tactical duty boots. On my waist was a full police duty belt (with radio, TASER, Oleoresin Capsicum (OC) spray, two additional magazines, handcuff pouch, and tactical drop-down sidearm holster with attached tourniquet). Additionally, an AXON body worn camera was located in the direct center of the bulletproof vest. A navy-blue Blauer fleece police jacket was worn as an outermost garment, which also had an embroidered silver badge displaying "Ansonia Police", an embroidered name tag, an American flag, Ansonia Police Department patches on both shoulders, and "POLICE" in reflective lettering on the back. The jacket was worn unzipped, exposing the bulletproof vest, full duty belt, and body worn camera.

On 01/02/2020, at approximately 19:40 hours, this officer was dispatched with Officer Podgorski to 81 Myrtle Avenue for the report of a male party in the home, who had threatened to destroy the female's property. Officer Smith was requested in dispatch to get further information from the female complainant, who had left the residence and gone straight to the police department for assistance. While this officer was enroute to 81 Myrtle Avenue, dispatch alerted responding officers that the male half was the respondent to an active full no-contact 100-yard protective order. This officer then arrived on scene with Officer Podgorski, and Sergeant Flynn arrived on scene soon after our arrival.

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

Witness: [Signature] Signature: B.J. Nelson

Witness: _____

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

I notarized, endorse here: [Signature] #1431

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This officer followed the driveway to the rear of the residence with Officer Podgorski, while Sergeant Flynn stood by at the front door.

Officer Podgorski knocked on the rear door several times, with no answer. This officer also knocked on one of the rear windows, again with no answer. The blinds were shut, so nothing inside the residence could be seen from the exterior. Officer Podgorski then went to the front to speak with Sergeant Flynn while this officer stood by the rear porch with a view to the driveway and the back of the house. Dispatch had stated earlier that the female left the rear door unlocked, and Sergeant Flynn confirmed we were able to verify this. This officer then walked to the back door to check it, and determined the door was in fact open after knocking an additional time. This officer then partially opened the door and announced the presence of Police. A male was observed standing in the left rear bedroom wearing long pants and a black unzipped jacket. From a previous call to this location involving the same individuals (APD Reference CFS # 19-16412), this officer recognized the layout of the interior, as well as the male in the left bedroom as Michael Gregory (DOB: 07/31/1989). Gregory was the respondent named in the active, full no-contact, 100-yard protective order. This officer also recalled Gregory's unique facial piercings, which became even more apparent as he took a puff of what appeared to be a skinny cigar and began walking towards police. By this time, Sergeant Flynn had come around to the rear door as well. This officer was to the left of the open door, with Officer Podgorski and Sergeant Flynn to my right. There was a small wall to the right of the door, not allowing officers to get on that side of it. Gregory moved from the bedroom, and across the kitchen. As he was moving forward, he stopped near the sink and grabbed a large stainless-steel kitchen knife from the countertop. He then stated something along the lines of you're going to have to shoot me to arrest me. Gregory was then commanded to drop the large kitchen knife by officers. This officer had drawn his department issued TASER. Gregory took a step forward, and as officers were backing up, Gregory closed the door and locked it.

It was not known if anyone else was inside the residence with Gregory, so the door was forced open. Officer Podgorski kicked the door several times, ultimately breaking the door jamb and gaining entry. This officer transitioned to his department issued handgun while entering through the doorway. Gregory had retreated further into the bedroom. He then slammed that door. This officer holstered his handgun, and again transitioned to a TASER. As Officer Podgorski attempted to kick open the bedroom door, this officer was to the left of the door, and Sergeant Flynn had gone into the living room on the right of the door. The bedroom door opened on his first kick, but Gregory was directly

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Signature: *BJR*

Witness: _____

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I notarized, endorse here: *Det [Signature] #1431*

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behind it, and the door was pushed closed. Gregory yelled out statements like "you're gonna have to shoot me", "I'm gonna take one of ya'll with me", and, "that didn't work, do it again, I'm gonna stab one of you". The door appeared to be slightly ajar, and Sergeant Flynn pushed it open with his foot. Gregory had moved to his left of the door, so it swung inward and this officer was directly facing Gregory, who still had the stainless-steel knife in his hand. He then stepped forward as he was being commanded to drop the knife, but he did not. This officer then squeezed the TASER trigger and it successfully deployed, but the TASER began arcing loudly as if it had not made contact with his body, and Gregory did not drop the knife or fall to the ground. Gregory then advanced at officers, with the knife still in his hand, held outward in an offensive manner as if he was ready to stab. As he advanced at officers, Gregory continued past the open kitchen door, which officers had initially entered through. This officer then stepped backwards in an attempt to create space in the small kitchen and transitioned from the deployed TASER unit to my department issued HK45 handgun. Gregory was still rapidly advancing toward Officer Podgorski and myself, despite being commanded several times to drop his knife. This officer was absolutely certain that if he was not stopped, Officer Podgorski, Sergeant Flynn, or myself was going to be stabbed and killed or seriously injured with the knife Gregory was yielding. Due to the exigency of the circumstances, this officer then fired at Gregory. Upon firing the third shot and final shot, Gregory fell forward onto the kitchen floor, and was subsequently disarmed of the knife.

This officer reholstered the discharged firearm, maintaining its status. Gregory was then handcuffed by Officer Podgorski. This officer radioed to dispatch that shots had been fired. Sergeant Flynn immediately requested medical attention. As Officer Podgorski searched Gregory, who was still breathing agonally, this officer retrieved my deployed TASER unit from the ground, which still had the copper wires attached to Gregory. The cartridge was then removed as the unit was switched off, and the TASER was reholstered. Its deployed status was also maintained. This officer then donned latex gloves to assist Officer Podgorski and started repeating "just keep breathing Mike". This officer then checked and determined nobody else was present in the residence. Sergeant Flynn then stepped in, and this officer stepped outside, advising dispatch that medical was clear to enter the scene to render aid as fast as possible. As medical began to arrive, and began rendering aid, this officer stood by outside the residence, ushering medical personnel inside to assist. Gregory was then placed on a stretcher and brought to the front of the residence, where he was placed into an ambulance and transported to Griffin Hospital..

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Witness: _____

Signature: *B. Nelson*

Witness: _____

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I notarized, endorse here: *Det R* #1431

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This officer was subsequently transported to Griffin Hospital by Officer Podgorski in his patrol cruiser, while Officer Smith and Sergeant Flynn remained on scene to maintain its secure status. Upon arrival at Griffin Hospital this officer entered an empty examination room and awaited further instructions. Connecticut State Police then arrived on scene and requested that this officer return to the Ansonia Police Department for photographs and the seizing of uniforms and evidence.

Nothing
to
follow
(BN)

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

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Signature: *B. Nelson*

Witness: _____

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

I notarized, endorse here: *Det. P. #1431*