

INFORMATION

JD-CR-71 Rev. 8-10

STATE OF CONNECTICUT
SUPERIOR COURT

Disposition date

Police Case number

2300015326

Agency name

MANCHESTER POLICE DEPARTMENT

Agency number

077

COPY

Title, Allegation and Counts

State of Connecticut vs. (Name of accused)
VARGAS, PHILLIP, A (W/M DOB 01/01/1990)

Residence (Town) of accused
VERNON

Docket number

Address
10 NYE STREET

Date of birth
01/01/1990

To be held at (Town)
VERNON

Geographical area number
19

Court date

The undersigned Prosecuting Authority of the Superior Court of the State of Connecticut charges that:

Count One — Did commit the offense of:
MANSLAUGHTER SECOND DEGREE WITH A MOTOR VEHICLE

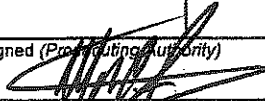
At (Town) **VERNON** On or about (Date) **04/02/2023** In violation of General Statute number **53a-56b**

Count Two — Did commit the offense of:
RISK OF INJURY TO A MINOR

At (Town) **VERNON** On or about (Date) **04/02/2023** In violation of General Statute number **53-21**

Count Three — Did commit the offense of:
RECKLESS ENDANGERMENT SECOND DEGREE

At (Town) **VERNON** On or about (Date) **04/02/2023** In violation of General Statute number **53a-64**

See other sheet for additional counts Date **04/18/23** Signed (Prosecuting Authority) 

Court Action

Defendant advised of rights before plea (Judge) (Date)

Bond Surety 10 % Election (Date) Cash CT JY

Attorney Public defender Guardian Bond change Seized property inventory number

Count	Plea date	Plea	Plea withdrawn		Verdict finding	Fine	Remit	Additional disposition
			Date	New plea				
1						\$	\$	
2						\$	\$	
3						\$	\$	

COPY

Date	Other Court Action	Judge

Receipt number Cost IMP NCI Bond information Bond forfeited Forfeiture vacated Forfeiture vacated and bond reinstated

Application fee - receipt number if paid Circle one **W I Q** Program fee - receipt number if paid Circle one **W I Q** Probation fee - receipt number if paid Circle one **W I Q**

Prosecutor on original disposition Reporter/monitor on original disposition Signed (Clerk) Signed (Judge)

INFORMATION

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STATE OF CONNECTICUT
SUPERIOR COURT

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2300015326

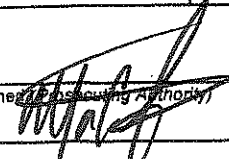
Agency name
MANCHESTER POLICE DEPARTMENT

Agency number
077

Additional Counts

Geographical area number **19** State of Connecticut vs. **VARGAS, PHILLIP, A (W/M DOB 01/01/1990)**

Count Four — Did commit the offense of:			Continued to	Purpose	Reason
OPERATING UNDER THE INFLUENCE					
At (Town) VERNON	On or about (Date) 04/02/2023	In violation of General Statute number 14-227a(a)			
Count Five — Did commit the offense of:					
OPERATING MV CONTAINING PASSENGER <18 UNDER THE INFLUENCE					
At (Town) VERNON	On or about (Date) 04/02/2023	In violation of General Statute number 14-227m(a)			
Count Six — Did commit the offense of:					
FAILURE TO GRANT RIGHT OF WAY WHEN TURNING LEFT					
At (Town) VERNON	On or about (Date) 04/02/2023	In violation of General Statute number 14-242(e)			
Count Seven — Did commit the offense of:					
INTERFERING WITH AN OFFICER					
At (Town) VERNON	On or about (Date) 04/02/2023	In violation of General Statute number 53a-167a			
Count Eight — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Nine — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Ten — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Eleven — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Twelve — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Thirteen — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Fourteen — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			
Count Fifteen — Did commit the offense of:					
At (Town)	On or about (Date)	In violation of General Statute number			

Signed (Prosecuting Authority)  Printed name of Prosecuting Authority **MATTHEW C. GEDANSKY** Date signed **04/18/23**

INFORMATION

JD-CR-71 Rev. 8-10

STATE OF CONNECTICUT
SUPERIOR COURT

Disposition date

Police Case number 2300015326

Agency name MANCHESTER POLICE DEPARTMENT
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Agency number 077

Arrest Warrant

Geographical area number 19	State of Connecticut vs. VARGAS, PHILLIP, A (W/M DOB 01/01/1990)
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To: Any Proper Officer of the State of Connecticut
By Authority of the State of Connecticut, you are hereby commanded to arrest the body of the within-named accused. ("X" all that apply)

- A. Accused is ordered to be brought before a clerk or assistant clerk of the Superior Court.
- B. Accused is not entitled to bail.

If A, B or both are checked above, you shall without undue delay bring the arrested person before the clerk or assistant clerk of the Superior Court for the geographical area where the offense is alleged to have been committed, or if the clerk's office is not open, to a community correctional center within said geographical area, or the nearest community correctional center if no such center exists in the geographical area, or to the Correctional Institution, as the case may be.

- C. Bail set at **\$75,000** ^{cash}
- D. Non-financial conditions of release:

Extradition boundaries established by prosecutor
--

- E. Conditions of release not determined by court.

By the Court	Signed (Judge of the Superior Court) <i>[Signature]</i>	Date 4-19-2023	Name of Judge (Print or type) <i>[Name]</i>
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Return On Arrest Warrant

Geographical area number	Town of	Date	State of Connecticut
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Then and there, by virtue of the within and foregoing complaint and warrant, I arrested the body of the within-named accused and read the same in the hearing of said accused; and have said accused here in court for examination.

Attest (Officer's signature and Department)

Date	Other Court action	Judge

ARREST WARRANT APPLICATION

JD-CR-64b Rev. 8-10
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**
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For Court Use Only	
Supporting Affidavits sealed	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Police Case number 2300015326	Agency name MANCHESTER POLICE DEPARTMENT	Agency number 077
Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON
		Geographical Area number 19

Application For Arrest Warrant

To: A Judge of the Superior Court

The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts set forth in the: Affidavit Below. Affidavit(s) Attached.

Date 04/18/23	Signed (Prosecuting authority) 	Type/print name of prosecuting authority MATTHEW C. GEDARSKY
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Affidavit

The undersigned affiant, being duly sworn, deposes and says:


1. That the affiant, Sergeant Justin Gaudino #5266 does depose and state that he is a sworn member of the Manchester Police Department in Manchester, Connecticut, and has been a member of said department since April 2012. That affiant Gaudino is presently a sergeant assigned to the Detective Division. That affiant Gaudino at all times mentioned hereinafter was acting in his official capacity as a member of such department, as well as information obtained from other police officers and reports during the investigation. That affiant Gaudino has received advanced and specialized training in the investigation of motor vehicle collisions and the collection of evidence. That affiant Gaudino is currently independently accredited through the Accreditation Commission for Traffic Accident Reconstructionist (#3222).

2. That pursuant to sections 54-86e and 54-86d of the General Statutes of Connecticut, the names and address of the victims and witnesses (both adult and juvenile) will be withheld from this warrant application. The victims are a twenty-five (25) year old female (DOB 07/25/1997) and a one (1) year old male (DOB 08/09/2021). The twenty-five year old female victim will be identified as PASS#1 and the one-year old male victim will be identified as PASS#2 in this warrant application. Both Victim's and suspect, meet the definition of Family Members as defined by C.G.S. 46b-38a.

3. That on Sunday, April 2, 2023 at 19:20 hrs, affiant Gaudino was notified as part of the Metro Traffic Services Reconstruction Team (hereinafter referred to as MTS) of a fatal two car motor vehicle crash involving a Vernon Police Officer at the intersection of Hartford Turnpike (Route 30) and Bolton Road (Route 541), in the Town of Vernon, Connecticut. The Vernon Police Department requested the assistance of MTS for the investigation at approximately 19:20 hrs. At approximately 20:37 hrs, affiant Gaudino was notified that the Vernon Police Department requested MTS act as lead investigators for the incident. Affiant Gaudino was assigned as the primary investigating officer. At this point in the investigation, MTS investigators have determined the following series of events:

4. That on Sunday, April 2, 2023 at approximately 18:57 hrs, a two car collision occurred at the

(This is page 1 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. Justin Gaudino #5266
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 

Finding

The foregoing Application for an arrest warrant, and affidavit(s) attached to said Application, having been submitted to and considered by the undersigned, the undersigned finds from said affidavit(s) that there is probable cause to believe that an offense has been committed and that the accused committed it and, therefore, that probable cause exists for the issuance of a warrant for the arrest of the above-named accused.

Date and Signature Vernon	Signed at (City or town)	On (Date) 4-19-2023	Signed (Judge/Judge Trial Referee) MC	Name of Judge/Judge Trial Referee My Name
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ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
 SUPERIOR COURT**

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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

intersection of Hartford Turnpike and Bolton Road involving the following:

- a. Vernon Police Officer Andrew Lisee (hereinafter referred to as OP#1).
- b. A 2022 Ford Explorer Police Hybrid (hereinafter referred to as VEH#1) assigned VIN: 1FM5K8AW4NNA04009. VEH#1 was bearing Connecticut Municipal registration 141VE. VEH#1 is registered to the Town of Vernon, Connecticut. VEH#1 is described as a marked Vernon Police vehicle equipped with interior and exterior flashing red/blue/white emergency lights. VEH#1 is equipped with modern police equipment and markings, including an audible siren.
- c. Phillip Vargas (hereinafter referred to as OP#2).
- d. A 2010 Nissan Sentra (hereinafter referred to as VEH#2) assigned VIN: 3N1AB6AP4AL649398, VEH#2 was bearing Connecticut passenger registration AA01066. PASS#1 was the front passenger occupant and PASS#2 was the rear passenger occupant in VEH#2. VEH#2 is validly registered to PASS#1.

5. That affiant Gaudino gathered preliminary details at-scene from MTS investigators indicating VEH#1 was traveling east on Hartford Turnpike approaching the intersection with its emergency strobe lights and sirens activated. Simultaneously, VEH#2 containing occupants PASS#1 and PASS#2 was traveling west on Hartford Turnpike and turned left to head south on Bolton Road. Both vehicles collided in the intersection. Vernon Police Lieutenant Robert Marra told affiant Gaudino, OP#1 was responding to an officer in distress call.

6. That OP#1 was transported by the Vernon Police Department to Rockville General Hospital for non-life threatening injuries.

7. That OP#2 was transported by ambulance to Hartford Hospital for life-threatening injuries.

8. That PASS#1, was presumed dead on-scene by a paramedic with American Medical Response.

9. That PASS#2, was transported by ambulance to Connecticut Childrens Medical Center for non-life threatening injuries.

10. That VEH#1 is registered to the Town of Vernon and bears Connecticut municipal registration plates. Affiant Gaudino did a visual inspection of the vehicle at the scene in its final rest position. There was significant and disabling front end damage. The front-end damage was primarily right of the center line indicative with an offset angle collision. The front windshield was shattered and there appeared to be central "spider web" presentation in the middle of the windshield, typically found when the operator of a motor vehicle is not restrained during a front-end collision and the body violently strikes the glass. Affiant Gaudino inspected the driver's safety belt, and it was resting along the b-pillar, straight up and down, with no observable stretch marks. With the seriousness, location, and

(This is page 2 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. [Signature] #5266
Jurat Subscribed and sworn to before me on (Date) 04/18/23	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public) [Signature]
Reviewed (Prosecutorial Official) [Signature]	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 4-19-2023

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
 SUPERIOR COURT**
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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

airbag deployment, it suggested that OP#1 was not wearing his safety belt at the time of the collision. This was later confirmed after downloading the vehicle airbag control module.

11. That VEH#1 is a newer patrol vehicle, model year 2022, equipped with a modern police emergency lighting system. The emergency lights (front/back/side) were still activated at the time of affiant Gaudino's inspection. The siren position on the controller was set to "MAN" or manual. The vehicle bears typical Town of Vernon Police Department markings and decals. The decals are reflective when illuminated with a handheld flashlight. It was clearly identified as a police vehicle both up close and at a distance. Affiant Gaudino noted the following emergency lighting system:

- a. A Whelen Inner Edge front interior light bar, with red/blue/white flashing strobe LEDs.
- b. Wig-wag headlamps.
- c. Side view mirror strobe LEDs (red/blue).
- d. Front grille flashing strobe LEDs (red/blue).
- e. Left and right side flashing strobe LEDs (alternating red/blue).
- f. Whelen Inner Edge rear interior light bar, with red/blue flashing strobe LEDs.
- g. Rear license plate flashing strobe LEDs (red on left/blue on right).
- h. White strobe flashing LED lights in both taillamps.

12. That VEH#2 is registered to OP#2 and bears Connecticut passenger registration plates. Affiant Gaudino did a visual inspection of the vehicle at the scene in its final rest position. During the Vernon Fire Department's initial response and life saving measures, they utilized tools to cut off doors and the connections of the roof to the a-pillar and b-pillar to gain access to the passenger compartment. The vehicle had significant and disabling damage all around. The primary impact appeared to be on the passenger side near the front axle with extensive intrusion on the passenger compartment. PASS#1's body required extensive extrication in order to remove her from the vehicle as the damage crushed several parts of the vehicle into her body.

13. That the airbags were deployed in the vehicle, and it appeared, during affiant Gaudino's preliminary investigation that all occupants were using their safety belts at the time of the collision. PASS#1 remained belted until her body was extricated from the vehicle and OP#2's safety belt was loose, resting against the b-pillar as the pre-tensioner locked it into place. PASS#2 was secured with a rear-facing infant car seat with a 5-point harness. Some of the belts on the car seat were cut. Affiant Gaudino later confirmed by body-worn camera, that good samaritans had cut the infant out of his car

(This is page 3 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. [Signature]
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) [Signature]
Reviewed (Prosecuting Official) [Signature]	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 4-18-2023

ARREST WARRANT APPLICATION

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 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

seat moments after the collision.

14. That affiant Gaudino located several gouge and scuff marks extending along the east bound portion of Hartford Turnpike from the intersection with Bolton Road to where VEH#1 and VEH#2 came to a final rest position. There was a large debris field and several car parts scattered along the entire portion of Hartford Turnpike. Additionally, the pedestrian crosswalk signal and a no parking sign were destroyed because of the collision. The roadway evidence indicated that this was a serious and high-speed collision. There appeared to be no pre-impact braking prior to the collision on the roadway surface. Prior to the conclusion of the at-scene disposition, several car and crosswalk signal parts had to be retrieved from being lodged in trees along the southern border of Hartford Turnpike.

15. That Hartford Turnpike (Route 30) is a modernly constructed public secondary highway running in an east/west direction and extends from Talcottville Road (Route 83) to Vernon/Tolland town line. The posted speed limit on Hartford Turnpike in the area of the collision is 35 MPH. The speed limit for west bound traffic is posted on a sign in front of #866 Hartford Turnpike and the limit for east bound traffic is posted on a sign on Hartford Turnpike near the intersection with Cold Spring Drive. Hartford Turnpike, in the area of the collision is a two-lane highway with a double yellow center line dividing opposing lanes and a designated left turn lane for both east and west traffic. Each lane is bordered by a white fog line. The shoulder on each side of the highway is primarily grass, with occasional driveways for residential homes.

16. That The roadway surface is bituminous asphalt and curbing along the edge of the pavement is also bituminous asphalt. The roadway in this area appeared to be free of defects and hazards and was well traveled and worn. Hartford Turnpike has a downhill grade traveling west from West Street to the intersection with Bolton Road and then curves to the right at the intersection of Tunnel Road.

17. That While on scene there were no adverse conditions or precipitation. The temperature on scene was about 37 degrees Fahrenheit according to MTS investigator Kuhns (Coventry PD) conducting a drag factor analysis. Historical on-line weather date (Weather Underground) for the Vernon, CT area on April 2, 2023 at 18:51 hrs indicates the temperature was 45 degrees Fahrenheit, humidity was 18 percent, and the dew point was 4 degrees Fahrenheit. Conditions were described as fair.

18. That Marisa Edelberg, an investigator for the Office of the Chief Medical Examiner, responded to the scene. The assigned OCME case number for PASS#1's death was 23-06887. At the conclusion of Edelberg's at-scene investigation, PASS#1's body was transported to the Office of the Chief Medical Examiner by OCME personnel and vehicle #5-0053. PASS#1 was positively identified by utilizing her CT DMV license photograph. Furthermore, PASS#1 family identified several tattoos and a c-section scar to substantiate the identification. Sgt. Robert Wyse, Vernon Police Department, made an official

(This is page 4 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #8265
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**
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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

death notification to PASS#1's mother at 00:15 hrs on April 3, 2023.

19. That the crash scene, associated evidence, and roadway were measured utilizing an LTI total station angle encoder and data recorder tablet. These measurements included: evidence, roadway markings and boundaries, vehicle positions, and other pertinent object and crime scene features. The data points/measurements were recorded in a handheld tablet data recorder which were subsequently downloaded and archived in Manchester Police Property and Evidence in accordance with department policy.

20. That While on scene, the following items were recovered in the vicinity of VEH#2:

- a. (2) Fireball brand nip alcohol containers.
- b. (1) Pink vape cartridge.
- c. VanTrue 1080p black dash camera.
- d. (1) Highland Tactical black bag.
- e. (1) Purse.
- f. Gold iPhone, unknown model or serial number presumed to belong to PASS#1.

21. That VEH#1 and VEH#2 were both towed by Charlies Towing to the Manchester Police Department secured parking lot. Ofc. Rozwadowski accompanied both vehicles to HQ and secured it inside the lot.

22. That on Monday, April 3, 2023, PASS#1's body was transported to the Chief Medical Examiner's Office in Farmington, CT for a postmortem examination. On Monday, April 3, 2023 at 9:00 hrs, affiant Gaudino was present while the procedure was conducted by Dr. Gregory A. Vincent (Associate Medical Examiner #53887). Vincent informed affiant Gaudino that PASS#1 suffered several fractured bones and lethal internal bleeding. At the conclusion of the examination, affiant Gaudino received a Notification to Police from the Office of the Chief Medical Examiner, Dr. James R. Gill. The notification stated the cause of PASS#1's death was certified as blunt injuries of torso and extremities and the manner of death has been certified as an accident.

23. That on Wednesday, April 5, 2023, affiant Gaudino attempted to interview OP#2 at Hartford Hospital. OP#2 was conscious and able to speak with affiant Gaudino. He was wearing a cervical collar and had multiple bandages over his injuries. Affiant Gaudino asked where OP#2 was coming from prior to the collision. OP#2 said he left his residence in Vernon, Connecticut and was traveling to

(This is page 5 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. [Signature] #5166
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Judge Trial Referee, Commissioner of Superior Court, Notary Public) [Signature]
Reviewed (Prosecutor/Officer) [Signature]	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 4-19-2023

ARREST WARRANT APPLICATION

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Affidavit - Continued

I-84 via Hartford Turnpike and Bolton Road to pick up a co-worker of PASS#1. OP#2 said he does not remember anything after that until he was in the hospital. Affiant Gaudino did not question OP#2 further, obtain written consent, or obtain a sworn written statement because of his condition and level of hospital sedation.

24. That on Tuesday, April 4, 2023, affiant Gaudino met with Vernon Police Chief John Kelley at the Vernon Police Department HQ. Affiant Gaudino explained the Metro Traffic Services - Crash Reconstruction Team, Consent to Search and Examine Evidence form. Kelley signed the consent form authorizing MTS investigators to conduct a mechanical inspection of VEH#1, a complete search/inventory of VEH#1, and to retrieve, obtain, and analyze the event data recorder, airbag control module, and other associated recorder systems. The Airbag Control Module was later retrieved by affiant Gaudino and Town of Manchester mechanics. A search and inventory of VEH#1 was conducted, and no other items of evidentiary value were located.

25. That on Thursday, April 6, 2023, at 08:38 hrs, Town of Manchester mechanics conducted a mechanical inspection of VEH#1. Due to extensive damage to the exterior and interior of the vehicle, some mechanical elements of the vehicle were unable to be inspected. These elements included window visibility, vehicle mechanics, lamps/horn, and some brake pads/rotors. It was reported to affiant Gaudino that there were no readily identifiable issues with the vehicle, and it appeared to be safe for operation prior to the collision.

26. That on Wednesday, April 5, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the mechanical inspection and search of VEH#2 currently in the custody of the Manchester Police Department at 239 Middle Turnpike East, Manchester, Connecticut. The Honorable Judge McNamara granted and signed the search warrant.

27. That on Wednesday, April 5, 2023 at 11:33 hrs, Town of Manchester mechanics conducted a mechanical inspection of VEH#2. Due to extensive damage to the exterior and interior of the vehicle, some mechanical elements of the vehicle were unable to be inspected. These elements included window visibility, vehicle mechanics, lamps/horn, and left front brake pads and rotor. It was reported to affiant Gaudino that there were no readily identifiable issues with the vehicle, and it appeared to be safe for operation prior to the collision.

28. That affiant Gaudino photographed and conducted a search of VEH#2. The following items were located inside the passenger compartment:

- a. Apple iPhone 14, unknown model and serial number, color gray in a clear protective case, presumably belonging to OP#2.

(This is page 6 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5265
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public) [Signature]	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

ARREST WARRANT APPLICATION

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**STATE OF CONNECTICUT
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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

- b. A wallet containing various credit cards and OP#2's Connecticut operators license.
- c. Apple iPhone, unknown model and serial number, color black, with a shattered screen.
- d. (2) open Guinness beer bottles with liquid inside.
- e. Approximately (27) nip bottles of Fire Ball alcohol, some unopened, some opened, and some damaged.

29. That on Wednesday, April 5, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the seizure and analysis of blood sample(s), urine sample(s), and medical records pertaining to the treatment of OP#1 which occurred on Sunday, April 2, 2023, at Rockville General Hospital in Vernon, Connecticut. The Honorable Judge McNamara granted and signed the search warrant.

30. That on Wednesday, April 5, 2023, affiant Gaudino served the search warrant on both the Medical Records Department and the Blood Specimen Laboratory, both located at Rockville General Hospital, 31 Union Street, Vernon, Connecticut 06066. (2) blood samples, along with (29) pages of OP#1's medical records were transported by affiant Gaudino directly to the Manchester Police Department HQ where Ofc. Rozwadowski logged them into evidence with a completed Request for Analysis form.

31. That on Thursday, April 13, 2023, affiant Gaudino received the analysis results from the Connecticut State Police Forensic Laboratory - Controlled Substances and Toxicology Laboratory in Meriden, Connecticut. The laboratory assigned case # DSS-23-001923 for the analysis. The results indicated the blood sample analyzed from OP#1 tested negative for ethanol and no drugs were detected.

32. That affiant Gaudino conducted a review of OP#1's (29) pages of medical records related to the diagnosis and treatment provided on April 2, 2023. OP#1 was admitted to Rockville General Hospital

(This is page 7 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #0266
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public) [Signature]	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-18-2023

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

33. That on Wednesday, April 5, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the seizure and analysis of blood sample(s), urine sample(s), and medical records pertaining to the treatment of OP#2 which occurred on Sunday, April 2, 2023, at Hartford Hospital in Hartford, Connecticut. The Honorable Judge McNamara granted and signed the search warrant.

34. That on Thursday, April 13, 2023, affiant Gaudino received the analysis results from the Connecticut State Police Forensic Laboratory - Controlled Substances and Toxicology Laboratory in Meriden, Connecticut. The laboratory assigned case # DSS-23-001923 for the analysis. The results indicated OP#2 tested positive for the following:

- Positive - Cannabinoids
- Positive - Ethanol by weight 0.10g% (BAC)
- Positive - Naloxone

35. That on Friday, April 14, 2023, affiant Gaudino contacted Jessica Gleba, Assistant Director, Chemical Analysis Section at the laboratory. Affiant Gaudino asked Gleba about the positive cannabinoids result in OP#2's blood specimens. Gleba said the subject has negative delta-9 carboxy THC, negative delta-9 hydroxy THC, and negative delta-9 THC. Gleba told affiant Gaudino that although the results cannot be published in a toxicology report currently, OP#2 had active delta-8 THC within his system. Gleba said the method to qualitatively report delta-8 THC is still being refined at the scientific services laboratory and said a delta-8 report could be produced upon request. Gleba said active delta-8 THC in OP#2's system was indicative that he was experiencing the psychoactive effects of cannabinoids. Gleba said the data observed during testing would indicate OP#2 used a THC vape pen or edible during the day of the collision. Gleba told affiant Gaudino delta-8 THC is rarely found in plant form and is typically a synthetic THC found in oils and edibles.

36. That affiant conducted a review of OP#2's (147) pages of medical records related to the diagnosis and treatment provided on April 2, 2023. OP#2 was admitted to the Hartford Hospital emergency room

(This is page 8 of a 20 page Affidavit.)

Date	4-19-2023	Signed (Affiant)	Sgt. [Signature] #5066
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutor/Assistant)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/19/23	[Signature]	4-19-2023

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**STATE OF CONNECTICUT
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Affidavit - Continued

fractures because of the collision.

37. That OP#2 had blood specimens collected on April 2, 2023 at 19:51 hrs and was submitted to the Hartford Hospital Laboratory for analysis. OP#2 tested positive for the following:

- a. *Ethanol, Quantitative, Blood - Value: 134 mm/dL*

38. That OP#2 had urine specimens collected on April 2, 2023 at 22:19 hrs and was submitted to the Hartford Hospital Laboratory for analysis. The results are as follows:

- 1. *Amphetamine Scree - Negative*
- 2. *Benzodiazepine Screen - Negative*
- 3. *Cannabinoid Screen - Positive (>50 ng/mL)*
- 4. *Cocaine Screen - Negative*
- 5. *Fentanyl Screen - Negative*
- 6. *Opiate Screen - Negative*
- 7. *Phencyclidine (PCP) Screen - Negative*

39. That Ofc Rozwadowski submitted OP#2's Hartford Hospital medical record containing the ethanol value for a Blood Alcohol Content (BAC) conversation. On Tuesday, April 11, 2023, affiant Gaudino received the conversation results from the Connecticut State Police Forensic Laboratory - Controlled Substances and Toxicology Laboratory in Meriden, Connecticut. The laboratory assigned case # DSS-23-001923 for the analysis. The results indicated the ethanol value conversation is as follows:

- 1. *Hartford Hospital reported serum ethanol value: 134 milligrams per deciliter (134 mg/dL).*
- 2. *Converted whole blood ethanol value (blood alcohol content): 0.11 gram percent (0.11 g%)*

40. That on Wednesday, April 5, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the seizure of OP#2's patient care report prepared by American Medical Response (AMR) and/or collected for diagnosis and treatment for injuries sustained on April 2, 2023. The records are in the custody of MediCopy Services, Inc, 8 City Blvd. Suite 400, Nashville, TN 37209. The Honorable Judge McNamara granted and signed the search warrant.

41. That on Wednesday, April 12, 2023, affiant Gaudino received (9 pages) of patient care records. Affiant Gaudino reviewed the records, and it said the following:

(This is page 9 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. [Signature]
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) [Signature]
Reviewed (Prosecutor/Judge) [Signature]	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 4.19.2023

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**STATE OF CONNECTICUT
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Affidavit - Continued

42. That on Friday, April 14, 2023, affiant Gaudino received (6) pages of PASS#1's patient care report from American Medical Response. Affiant Gaudino reviewed the records, and it said the following:

(This is page 10 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5266
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

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Affidavit - Continued

43. That the report indicates the first vital signs were taken at 19:05 hrs and after (3) subsequent assessments of vital signs, PASS#1 was pronounced dead at 19:16 hrs.

44. That on Thursday, April 6, 2023, Ofc. Rozwadowski obtained voluntary written consent to search from OP#1 including providing his cellular telephone and PIN code. OP#1 was explained Manchester PD form MPD50a and signed authorizing the search. Det. Miele performed the extraction at the Center for Digital Forensics. Affiant Gaudino reviewed the extraction and determined OP#1 was not utilizing his cellular telephone around the time of the collision.

45. That on Thursday, April 6, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the seizure and analysis of the Apple iPhone, unknown model or serial number, color gray, presumably belonging to OP#2. The Honorable Judge McNamara granted and signed the search warrant.

46. That on Friday, April 11, 2023, affiant served the search warrant on the Center for Digital Investigations Laboratory (CDI) and Det. David Miele (Manchester PD). Det. Miele informed affiant Gaudino that the Apple iPhone had PIN code protection (6-digit) and the extraction software requires the PIN code to carry out the data collection. Ofc. Rozwadowski conducted several follow-ups attempting to obtain the PIN from OP#2. Several attempts to contact family members were unsuccessful. Additionally, OP#2's status remains "confidential" at Hartford Hospital, so his location and status were not able to be obtained by investigators. Further follow ups were done between the dates of April 11, 2023 and April 17, 2023, OP#2 has remained non-compliant with providing investigators his PIN in defiance of the search warrant.

47. That on Tuesday, April 4, 2023, Sgt. Bycholski (CDI Supervisor), retrieved PASS#1's cellular telephone from Property and Evidence. Sgt Bycholski reported to affiant Gaudino that the cellular telephone was PIN protected and absent obtaining the PIN, he was unable to perform an extraction on the device.

48. That on Monday, April 10, 2023, affiant Gaudino presented a search warrant to GA-19 Rockville Superior Court for the seizure and analysis of the VanTrue 1080p dash camera, color black, and inserted SD memory card. The Honorable Judge McNamara granted and signed the search warrant.

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Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5266
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

49. That on Tuesday, April 11, 2023, affiant Gaudino served the search warrant on the Center for Digital Investigations Laboratory (CDI) and Det. David Miele (Manchester PD). Det. Miele informed affiant Gaudino that the VanTrue dash camera and inserted SD card (microSD 64GB) contained no video images or usable files.

50. That on Wednesday, April 12, 2023 at 16:30 hrs, affiant Gaudino met with OP#1 in the parking lot of the Vernon Police Department. Affiant Gaudino read OP#1 his rights and OP#1 signed acknowledging he understood. OP#1 provided the following sworn written statement to affiant Gaudino:

"I, Andre Lisee (DOB 12/23/96), give the following statement to Sgt. Justin Gaudino of my own free will without threat or promise. On 04/02/23, I was working as a Police Officer for the Town of Vernon Police Department. My assigned shift on 04/02/23 was 1500hrs to 2300hrs and assigned to VPD's "District 2". Prior to this incident the Shift Commander, Sgt Wyse #226, requested that I pick up two prisoner meals from McDonald's and return them to the VPD. At the time of Sgt Wyse's request, I was completing paperwork at the Vernon Police Department, 725 Hartford Tpke.

It should be noted that at this time I knew Ofc Corey Sutherland #285 and Ofc Brandon Zawadski #254 were actively investigating a domestic disturbance and possible protective order violation at Dobbs Crossing, 1170 Hartford Tpke. Shortly after the request for prisoner meals, I left the VPD in my patrol cruiser and exited the VPD parking lot via the Hartford Tpke exit. I began traveling westbound on Hartford Tpke towards McDonald's on Talcottville Road. When I approached the area of Hartford Tpke and Vernon Center Heights, I began to hear Ofc Zawadski yelling on the radio for assistance. Based on my training and experience, the loud screams, and background noise, I believed that both officers needed immediate assistance. I immediately activated my patrol vehicle's emergency lights and sirens, turned my vehicle around at Vernon Center Heights, and began traveling eastbound on Hartford Tpke. Prior to hearing the screams for help I was aware the officers were sent to that location on a domestic violence call and was familiar with the location. While traveling eastbound on Hartford Tpke, Ofc Zawadski yelled on the radio requesting that VPD Officer's get to the scene as quickly as possible. During one radio transmission Ofc Zawadski yelled and there were loud "pops" and screaming in the background. I believed these "pops" were gun shots and that Ofc Zawadski and Ofc Sutherland were involved in a shooting. As I approached the intersection of Hartford Tpke and Bolton Road numerous vehicles began to pull over and yield for me as I passed them with my patrol vehicle's emergency lights and sirens activated. I observed that the traffic light for the intersection was solid green for eastbound and westbound traffic, therefore, the left turn signal for westbound traffic would not have been on. I observed that the intersection was clear and determined it was safe for me to proceed through.

(This is page 12 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. J. Gaudino #5065
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutor/Clerk)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

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Affidavit - Continued

As I was entering the intersection, a white sedan, suddenly and without warning, pulled in front of my patrol cruiser. The white sedan collided with my patrol cruiser. When the white sedan began to unexpectedly turn in front of me, I believe I braked and continued to apply my brakes until I came to a stop. My patrol cruiser spun numerous times and came to rest in the eastbound lane of Hartford Tpke. I was immediately injured, my vehicle sustained severe damages, and the patrol vehicle's airbags immediately deployed. I was not using any device while driving and had nothing in my hands except the steering wheel.

I then pressed my patrol vehicle's radio's "panic button" to request assistance to my location. VPD Dispatch acknowledged the panic button and I believe I informed them I was in an accident. I then deactivated my patrol cruiser's siren. Several moments later I remember Sgt Wyse opening my patrol vehicle's driver's door to check on my condition. I remember that I was heavily bleeding, but I exited the cruiser on my own. Ofc Sembersky and Ofc Zawadski arrived at the scene a short time later. Both approached me and began tending to me and my injuries. Ofc Sembersky then placed me in the passenger seat of his patrol vehicle and transported me to Rockville General Hospital for treatment. I was later discharged from Rockville General Hospital. I was wearing my prescription corrective lenses during my patrol shift."

51. That on Tuesday, April 4, 2023, affiant Gaudino obtained the PDF copy of record for Int. No. 146-208 - Route 30 (Hartford Turnpike) at Route 541 (Bolton Road) and Center Road in the Town of Vernon. Affiant Gaudino reviewed the phasing diagram for the intersection and determined that the green arrow facing west bound traveling traffic (VEH#2) remains activated for a minimum of 5 seconds with a vehicle extension of 1 second for a maximum of 15 to 20 seconds (MAX 1 and MAX 2). The movement diagram shows that after the expiration of the left turn arrow facing west bound traveling traffic, it remains solid green for 1 second to allow left turning traffic to clear the intersection before east bound traveling traffic receives a solid green light.

52. That on Tuesday, April 4, 2023, affiant Gaudino received a USB drive from Lieutenant Christopher Pryputniewicz (Vernon PD). The drive contained video images from (2) Vernon Police Department exterior video cameras and the native file player, Avigilon. The names of the cameras were "Rear Lot Facing West (RT30 at Bolton Rd)" and "Rear Lot Entrance." The timeframe of video provided was from 6:49:58.400 PM through 7:05:01.000 PM on Sunday, April 2, 2023. The following is pertinent information obtained from the video images related to affiant Gaudino's collision investigation:

6:55:35.776 PM - VEH#1 is observed traveling west through the intersection in non-emergency mode.

6:56:49.231 PM - Traffic signal facing west bound traffic turns green and includes the green left

(This is page 13 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) Sgt. [Signature] #5266
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) [Signature]
Reviewed (Prosecutor/Officer) [Signature]	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 4.18.2023

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**STATE OF CONNECTICUT
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Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

turn arrow. There is a black vehicle stopped in the left turn only lane facing west. This vehicle remains stopped and appears to be yielding to the Vernon Police vehicle traveling south on Center Road.

6:56:56.626 PM - VEH#2 comes into camera view in the left turn only lane heading west on Hartford Turnpike. Simultaneously, a marked Vernon Police vehicle (Ofc. Bryan Sembersky) with its emergency lights on enters the intersection heading south on Center Road then turns left to head east on Hartford Turnpike. The black vehicle remains stopped facing west, presumably adding additional time to the green arrow preempt.

6:56:59.176 PM - Traffic signal arrow turns yellow. Black vehicle facing west begins to turn left to head south on Bolton Road.

6:57:02.255 PM - Traffic signal arrow yellow expires and solid green signals are facing west bound traffic. Signal plans indicate the yellow is illuminated for 3 seconds which matches the video images.

6:57:03.176 PM/6:57:03.255 PM - Traffic signal facing east bound traffic turns solid green. Although the signal facing east bound traffic is not visible on video images, signal plans indicate the signal turns green 1 second after the expiration of the yellow arrow.

6:57:06.526 PM - VEH#2 turns left and is a hazard in the roadway. Simultaneously, VEH#1 comes into the video images heading east with its emergency lights activated.

6:57:07.726 - VEH#1 and VEH#2 collide.

53. That on Tuesday, April 4, 2023 at 12:46 hrs, affiant Gaudino conducted a bench download of VEH#1's airbag control module in the Manchester Police Detective Laboratory. Affiant Gaudino is currently certified to operate and analyze data from the Bosch Crash Data Retrieval Tool since July 2016 and has received periodic updates since initial training. Utilizing the Metro Traffic Services Bosch download equipment (cords/laptop/software) affiant Gaudino successfully obtained (38) pages of data from the module. The tabular data from the EDR confirms the data capture in the associated crash was completed successfully for a locked frontal, locked side, and fuel cutoff event. The tabular data shows the ignition cycle at the time of the event was (566) and the ignition cycle at the time of affiant Gaudino's download was (567).

54. That affiant Gaudino reviewed and conducted an analysis of the data; affiant Gaudino concluded the following based on the interpretation:

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Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5066
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutor/Officer)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-19-2023

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Affidavit - Continued

- a. The parameters recorded include the status for the seat belt used by the driver. The data indicates the driver was not buckled at the time of the event.
- b. Maximum Delta-V, longitudinal experienced during the event was -41.30 MPH.
- c. ABS braking activity was activated -.02 seconds prior to the event.
- d. OP#1 turned to the right -52.0 degrees -.04 seconds prior to the collision then the steering wheel moved to a maximum +59 degrees at time 0.0.
- e. -5.0 to -4.2 seconds prior to the event, OP#1 was traveling between 89.7 MPH and 85.8 MPH with little or no percent of accelerator pedal. Based on affiant Gaudino's investigation, this appears to be the time OP#1 is approaching a solid red light at the incident intersection.
- f. -4.0 to -0.8 seconds prior to the event, OP#1 was traveling between 89.3 MPH and 84.6 MPH with 100 percent accelerator pedal.
- g. -0.6 to -0.4 seconds prior to the event, OP#1 reaches a maximum speed of 90.2 MPH and little or no percent of accelerator pedal. Based on this data, it suggests OP#1 is reacting to VEH#2 turning left in front of him.
- h. -0.2 to 0.0 seconds, OP#1 is between 90.1 MPH and 86.3 MPH at impact with VEH#2. No percent accelerator pedal and the service brakes were activated.

55. That the following timeline of events is reconstructed based on the data and documents provided by the Vernon Police Department. This data and documents include 911 caller audio, Vernon Police radio frequency transmissions, Vernon Police body-worn camera video images, Vernon Police exterior video images, airbag control module data and Vernon Police personnel supplemental reports:

It should be noted that during the analysis, Ofc. Brandon Zawadski's BWC timestamp is off by +6 seconds when compared to dispatch radio transmissions. The below timeline when including BWC is adjusted to reflect the timestamp of radio transmissions:

April 2, 2023

17:55:54 PM - Dispatch receives a 911 call regarding a physical domestic at Dobbs Crossing, 1170 Hartford Turnpike, apartment F65. The neighbor reports they can hear people fighting. Ofc. Corey Sutherland and Ofc. Brandon Zawadski were assigned to the call for service.

18:00:28 PM - Both officers arrived in the complex and report the incident is "stable".

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Date 4-18-2023	Signed (Affiant) <i>[Signature]</i> #5266
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) <i>[Signature]</i>
Reviewed (Prosecutor/Assistant) <i>[Signature]</i>	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) <i>[Signature]</i>	Date 4-19-2023

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Affidavit - Continued

18:49:27 PM - Sgt. Robert Wyse assigned OP#1 to pick up two prisoner meals.

18:55:35.776 PM - VEH#1 is observed on video images traveling west on Hartford Turnpike passing through the intersection with Bolton Road.

18:56:17 PM - Suspect begins to fight with Ofc. Corey Sutherland and Ofc. Brandon Zawadski.

18:56:25 PM - Ofc. Brandon Zawadski radioed dispatch and stated "254, we need more units here" Dispatch said "H we need a couple more units at Dobbs Crossing."

18:56:38 PM - A cartridge taser deployment can be heard on the BWC.

18:56:41 PM - Ofc. Brandon Zawadski radioed again for assistance "H we need units" From the radio transmissions, you could hear distinct screaming in the background from female voices. Ofc. Brandon Zawadski conveyed with his tone and volume level, they were in immediate need of assistance.

18:56:51 PM - A short taser deployment <1 second can be heard on BWC. According to case reports, a "drive stun" was attempted on the suspect's right torso area (Ofc. Corey Sutherland).

18:56:56.626 PM - VEH#2 comes into camera view in left turn only lane heading west on Hartford Turnpike. Simultaneously, a marked Vernon Police vehicle (Ofc. Bryan Sembersky) with its emergency lights on enters the intersection heading south on Center Road then turns left to head east on Hartford Turnpike. The black vehicle remains stopped facing west, presumably adding additional time to the green arrow preempt.

18:56:59.176 PM - Traffic signal arrow turns yellow. Black vehicle facing west begins to turn left to head south on Bolton Road.

18:57:02.255 PM - Traffic signal arrow yellow expires and solid green signals are facing west bound traffic. Signal plans indicate the yellow is illuminated for 3 seconds which matches the video images.

18:57:03.176 PM/18:57:03.255 PM - Traffic signal facing east bound traffic turns solid green. Although the signal facing east bound traffic is not visible on video images, signal plans indicate the signal turns green 1 second after the expiration of the yellow arrow.

18:57:06.526 PM - VEH#2 turns left and is a hazard in the roadway. Simultaneously, VEH#1

(This is page 16 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5266
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Officer)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4.19.2023

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Affidavit - Continued

comes into the video images heading east with its emergency lights activated.

18:57:07.726 PM - VEH#1 and VEH#2 collide.

18:57:22 PM - Sgt. Andrew Hannaford radioed OP#1 asking if he is ok.

18:58:22 PM - Ofc. Devon O'Donnell arrives at Dobbs Crossing and reports the situation as "stable."

Initial officer in distress radio call to collision:

18:56:25 PM

18:57:07 PM

T= 42 seconds

Initial officer in distress radio call to scene stable:

18:56:25 PM

18:58:22 PM

T= 117 seconds

56. That on Tuesday, April 11, 2023 at 18:00 hrs, members of the Metro Traffic Services team, West Hartford Police Department, and Manchester Police Traffic Services Division, assisted with shutting down Hartford Turnpike in the area of the collision and help document the reenactment. Affiant Gaudino obtained several measurements and visual representations related to the collision.

57. That on Friday, April 14, 2023 at 08:45 hrs, Ofc. Rozwadowski conducted a time to turn analysis at the intersection of Hartford Turnpike and Bolton Road. The analysis was used to determine the average time it takes a vehicle heading west on Hartford Turnpike to turn left to head south on Bolton Road. Ofc. Rozwadowski used a GoPro and documented (20) turns. After collecting the data, it was uploaded to Tracker Video Analysis 6.1.2 to ensure the analysis was as accurate as possible. It was reported the minimum time to turn (LOW) was 2.13 seconds and the maximum time to turn (HIGH) was 3.63 seconds, with an average time to turn of 2.98 seconds.

58. That affiant Gaudino conducted a mathematical collision reconstruction using multiple data points obtained during the investigation. Affiant Gaudino determined the following:

1. VEH#1 was clearly identifiable as an emergency vehicle to OP#2 at about 677 feet but was obstructed by a vehicle heading west and turning left.
2. VEH#1 was clearly identifiable as an emergency vehicle to OP#2 at about 461.66ft when any

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Date	4-18-2023	Signed (Affiant)	<i>[Signature]</i> 265
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
<i>[Signature]</i>	04/18/23	<i>[Signature]</i>	4-19-2023

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

non-contact vehicles cleared the intersection.

3. *OP#2 had 3.6 seconds and 461.66 feet to perceive and react to VEH#1 approaching.*
4. *OP#2 took 2.4 seconds to perceive and react to VEH#1.*
5. *OP#2 made the decision to turn left in front of VEH#1 with 1.2 seconds and 156.21 feet - 158.67 feet, prior to the collision.*

59. That affiant Gaudino conducted an alternative scenarios analysis to see if a collision would have occurred if OP#1 was traveling at a slower speed:

1. *If VEH#1 was traveling at a speed of 80 MPH and covered the same distance of 677 feet, the collision would have likely not occurred. (+.37 seconds, VEH#2 clears the intersection).*
2. *If VEH#1 was traveling at a speed of 70 MPH and covered the same distance of 677 feet, the collision would have likely not occurred (+1.197 seconds, VEH#2 clears the intersection).*
3. *If VEH#1 was traveling at a speed of 50 MPH and covered the same distance of 677 feet, the collision would have likely not occurred (+3.836 seconds, VEH#2 clears the intersection).*

60. That based on the above investigation, it is affiant Gaudino's belief that, on Sunday, April 2, 2023 at or about 18:57 hrs, OP#1 was operating a black 2022 Ford Explorer Police Hybrid with Connecticut municipal registration 141VE. At that time, OP#1 was traveling east on Hartford Turnpike approaching the intersection with Bolton Road with his emergency lights and sirens activated. OP#1 was responding to an officer needs assistance call involving Ofc. Corey Sutherland #285 and Ofc. Brandon Zawadski #254 at Dobbs Crossing, 1170 Hartford Turnpike. OP#1 said the radio calls from the officers on scene conveyed a need for an immediate response. OP#1 documented he heard loud pop sounds and screaming in the background, he interpreted as gun shots, contributing to the urgency of the response.

61. That simultaneously, OP#2 was operating a white 2010 Nissan Sentra sedan with Connecticut passenger registration AA01066, heading west on Hartford Turnpike approaching the intersection with Bolton Road in the left turn only lane. An analysis of the video images from the Vernon Police Department indicated, OP#2 turned left directly into the path of travel of VEH#1, 1.2 seconds prior to the collision.

62. That affiant Gaudino conducted a time and distance analysis that indicates that OP#2 had a clear and unobstructed view of VEH#1, with its emergency lights and sirens activated, 461 feet prior to the

(This is page 18 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5766
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) [Signature]	
Reviewed (Prosecutorial Officer)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/18/23	[Signature]	4-18-2023

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 8-10
 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
 SUPERIOR COURT**
 www.jud.ct.gov

Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

collision.

63. That VEH#1 and VEH#2 offset collided violently at the intersection of Hartford Turnpike and Bolton Road. Both vehicles proceeded in an eastern direction along Hartford Turnpike and came to a final uncontrolled rest on the south side of the roadway with heavy damage. OCME reports indicates PASS#1 was killed in the moments after the collision with no chance of survival.

64. That an analysis of OP#1's blood indicates there were no drugs or alcohol within his system. An analysis of OP#2's blood indicates his BAC was 0.10%, which is above the per se legal limit of 0.08%. Additionally, OP#2's blood indicates he was positive for cannabinoids and further statements from the State of Connecticut Forensic Laboratory showed the level within his system indicates he was experiencing the psychoactive effects of delta-8 THC.

65. That an analysis of the airbag control module from VEH#1 indicates OP#1 was traveling at a speed of 85.8 MPH -4.2 seconds prior to the triggering event. The tabular data suggests to affiant Gaudino that at this time, OP#1 received a solid green light at the intersection of Hartford Road and Bolton Road. OP#1's speed increased to a maximum 90.2 MPH -0.4 seconds prior to the triggering event. Tabular data showed OP#1 applied the brakes hard, activating the ABS system, and turned to the right at time 0.00. OP#1 was not safety belted at the time of the collision based on tabular ACM data and the at-scene investigation. There was no indication VEH#1 had any mechanical defects. An analysis of OP#1's cell phone showed he was not manipulating or utilizing his cellular telephone in any way, immediately prior to the collision.

66. That the at-scene and follow up investigation indicates OP#2, PASS#1, and PASS#2 were all appropriately restrained in the VEH#2. A search warrant was executed for VEH#2 and approximately 30 containers of alcohol were located inside the passenger compartment including a combination of empty, open, and sealed sleeve nip bottles of whiskey and beer. There is no evidence to suggest that OP#1 was suicidal or wanted to hurt himself. Furthermore, it is unknown if OP#2 was manipulating his cellular telephone immediately prior to the collision as OP#2 has been non-compliant with a search warrant to search and obtain his PIN to access his device.

67. That OP#2 disclosed to Sgt. Robert Wyse (Vernon PD) at-scene and in the ambulance that he was not the operator of VEH#2. OP#2 disclosed that Siomaira Maldonado was driving, causing several Vernon Police officer to become delayed in positively identifying PASS#1. Additionally, a follow-up interview was conducted at Hartford Hospital by Ofc. Christopher Myska (South Windsor PD) during which OP#2 identified PASS#1 as the operator of VEH#2 several times. Myska obtained a sworn written statement from OP#2 where he said PASS#1 was operating the vehicle. Both interviews were recorded on body-worn cameras and are archived at their respective departments. This suggests to

(This is page 19 of a 20 page Affidavit.)

Date 4-18-2023	Signed (Affiant) <i>[Signature]</i> #5265
Jurat Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) <i>[Signature]</i>
Reviewed (Prosecutorial Official) <i>[Signature]</i>	Date 04/18/23
Reviewed (Judge/Judge Trial Referee) <i>[Signature]</i>	Date 4-19-2023

ARREST WARRANT APPLICATION

JD-CR-84a Rev. 8-10
 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
 SUPERIOR COURT**

www.jud.ct.gov

Name (Last, First, Middle Initial) VARGAS, PHILLIP, A (W/M DOB 01/01/1990)	Residence (Town) of accused VERNON	Court to be held at (Town) VERNON	Geographical Area number 19
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Affidavit - Continued

affiant Gaudino that OP#2 was intentionally misleading and hindering the investigation by stating PASS#1 was operating the vehicle due to the seriousness of the collision and his level of intoxication.

68. That based on the above investigation, evidence, statements, and circumstances, it is affiant Gaudino's belief that on Sunday, April 2, 2023 at about 18:58 hrs, Phillip Vargas (DOB 01/01/1990), did operate a motor vehicle, a 2010 Nissan Sentra sedan with assigned Connecticut passenger registration AA01066, on a public highway, Hartford Turnpike, and at the time was under the influence of intoxicating liquor and he had an elevated blood alcohol content. In addition to the intoxicating liquor, Vargas was experiencing the psychoactive effects of THC. Vargas did fail to yield the right of way when turning left and did fail to yield properly to an approaching emergency vehicle as defined under C.G.S. 14-283, rights of emergency vehicles. Additionally, was transporting two passengers, one of which was a one-year-old male.

69. That it is affiant Gaudino's belief that Vargas's alcohol and THC intoxication significantly impaired his judgement, perception, and ability to safely operate his vehicle and caused him to turn left in front of an emergency vehicle causing the collision. This collision did cause significant damage to both vehicles, and PASS#1 sustained fatal injuries as a result of Vargas's impaired judgement.

70. That affiant Gaudino has probable cause exists to charge Phillip Vargas (DOB 01/01/1990) with the following:

1. Manslaughter Second Degree with a Motor Vehicle, in violation of C.G.S. 53a-56b
2. Risk of Injury to a Minor, in violation of C.G.S. 53-21
3. Reckless Endangerment Second Degree, in violation of C.G.S. 53a-64
4. Operating Under the Influence, in violation of C.G.S. 14-227a(a)
5. Operating a Motor Vehicle Containing a Passenger Younger than 18 While Under the Influence, in violation of C.G.S. 14-227m(a)
6. Failure to Grant the Right of Way When Turning Left, in violation of C.G.S. 14-242(e)
7. Interfering with an Officer, in violation of C.G.S. 53a-167a.

(This is page 20 of a 20 page Affidavit.)

Date	4-18-2023	Signed (Affiant)	Sgt. [Signature] #5266	
Jurat	Subscribed and sworn to before me on (Date) 4/18/23	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]	
Reviewed (Prosecutor/Officer)	Date	Reviewed (Judge/Judge Trial Referee)	Date	
[Signature]	04/18/23	[Signature]	4-19-2023	