

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Concerning
Use of Deadly Force by the West Hartford Police Department
on August 8, 2023 Resulting in the Death of Mike Alexander-Garcia

Robert J. Devlin, Jr.
Inspector General

TABLE OF CONTENTS

ACKNOWLEDGMENTS	3
INTRODUCTION	4
INVESTIGATION.....	5
STOLEN CAR	5
POLICE REPORTS	5
INSPECTOR REPORTS.....	9
STATEMENTS.....	12
SCENE	14
AUTOPSY.....	27
DIGITAL EVIDENCE	29
EXPERT	33
FINDINGS	35
LEGAL STANDARD	36
ANALYSIS.....	39
CONCLUSION	42
APPENDIX	43
OFFICER TEETER’S STATEMENT	43
TERRY ANDERSON’S REPORT.....	48

Acknowledgments

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

Department of Emergency Services and Public Protection, Connecticut State Police, Western District Major Crime Squad

West Hartford Police Department

Hartford Judicial District State's Attorney's Office

Office of the Chief Medical Examiner

INTRODUCTION

On August 8, 2023, at approximately 5:00 p.m., West Hartford Police Officer Andrew Teeter¹ fired five rounds into the torso of Mike Alexander-Garcia² causing his death. As required by statute³, the Office of Inspector General (OIG) investigated this incident. The results of the investigation are contained in this report.

The investigation establishes that, on August 8, 2023, Mike Alexander-Garcia was in the Town of West Hartford driving a stolen Hyundai Elantra. Using stop sticks, the police were able to flatten its tires, and the Hyundai collided with two vehicles at the intersection of New Britain Avenue and South Street. The Hyundai became disabled, and Alexander-Garcia abandoned the vehicle running east on New Britain Avenue. After unsuccessfully attempting to take possession of two occupied vehicles, he ran into a service garage for Town Fair Tire, 980 New Britain Avenue, West Hartford. Inside one of the service bays was a Toyota RAV4 with the keys in the ignition. At about this moment, Officer Andrew Teeter entered the garage with his K9, Islay. Seeing that Alexander-Garcia was in the driver's seat of the RAV4, Officer Teeter deployed Islay into the vehicle through the open front passenger window. The dog was ordered to bite Alexander-Garcia which it did. Officer Teeter also entered the vehicle. Ignoring the dog bites and Officer Teeter's orders to stop and threats to shoot, Alexander-Garcia started the vehicle and backed out of the garage. He then drove out of the Town Fair Tire parking lot striking a police vehicle and a second vehicle traveling on New Britain Avenue.

As Alexander-Garcia continued to drive recklessly onto New Britain Avenue, Officer Teeter discharged his weapon five times, striking Alexander-Garcia in the torso. The RAV4 crashed into a utility pole across the street from Town Fair Tire near the intersection of New Britain Avenue and Shield Street. West Hartford officers and EMS provided Alexander-Garcia medical aid on scene. He was later pronounced deceased at Hartford Hospital.

Based on the facts developed during the investigation, I have determined that Officer Teeter used deadly force to defend himself and others from what he reasonably believed to be a threat of serious injury or death. Accordingly, I find that such use of force to be objectively reasonable and justified.

¹ On August 8, 2023, Officer Andrew Teeter was a Caucasian male, age 38. He had been a West Hartford police officer for 16 years. He had no disciplinary history.

² On August 8, 2023, Mike Alexander-Garcia was a Hispanic male, age 34.

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

INVESTIGATION

Stolen Car

On August 4, 2023, Victoria Lynn Cavanaugh reported that her mother's 2013 Hyundai Elantra has been stolen from 206 Park Street, Hartford. The keys were in it. Four days later, on August 8, 2023, the stolen Hyundai was picked up by a FLOCK⁴ camera near the Westfarms Mall and notification was made to the West Hartford Police Department.

Police Reports

Officer Michael Rousseau

On August 8, 2023, at approximately 4:45 p.m., Officer Rousseau received the FLOCK camera alert regarding a stolen 2013 Hyundai Elantra (CT registration AD56822) entering West Hartford by the Westfarms Mall.

Officer Rousseau set up stop sticks⁵ in the median in front of 1061 New Britain Avenue. He positioned his body behind a small tree and laid the tether across the crosswalk. About fifteen to twenty minutes after its appearance on the FLOCK camera system, Officer Nicholas Grasso spotted the stolen vehicle traveling east on New Britain Avenue past South Main Street. A short time later, Officer Rousseau observed the vehicle approaching his position. He dragged the stop sticks in front of the vehicle causing several of the vehicle's tires to deflate.

After removing the stop sticks from the street, Officer Rousseau entered his cruiser and traveled east on New Britain Avenue. He saw that the stolen Hyundai had crashed into one or more vehicles at the South Street intersection. Several people standing in the street were pointing north behind the Meineke building (1012 New Britain Avenue) and yelled someone had run into the woods.

Officer Rousseau entered the wooded area and saw a male in a white T-shirt, later identified as Lyle Solsbury, attempting to flee down a rocky embankment. Officer Rousseau ordered him to show his hands. Solsbury complied and got on the ground. Solsbury began yelling, "I was not driving" and stated that there was another person in the car. Solsbury said, "I told him to stop and let me out." Officer Rousseau informed Dispatch that another suspect potentially was still in the area.

⁴ FLOCK cameras are automatic license plate recognition cameras. The system sends alerts to law enforcement when license plates match a list of stolen cars.

⁵ Stop sticks are tire deflation devices.

Officer Rousseau heard Officer Angelina Piccirillo radio that Office Andrew Teeter, K9 Islay, and the suspect were in a vehicle together; that shots were fired, and a telephone pole was struck. Officer Rousseau ran to the scene of the accident and saw Officer Teeter in the front passenger side of a gray SUV resting against a broken telephone pole. Both Officer Teeter and Islay were covered in blood. Officer Rousseau saw a Hispanic male lying face down on the ground. He was unresponsive. Officer Rousseau removed the male's shirt and saw several bullet wounds to his upper back. Officers proceeded to provide medical aid to the male.

Officer Rousseau drove Officer Teeter's police vehicle from the Town Fair Tire parking lot across the street and parked it. He physically inspected Islay who was not injured and placed her in Officer Teeter's vehicle. Officer Rousseau then checked on Officer Teeter who had shards of glass all over his face and a laceration to the back of his head from striking the windshield. Officer Rousseau did not observe any life-threatening injuries on Officer Teeter who was transported to Hartford Hospital for further evaluation.

Officer Blake Zimmerman

On August 8, 2023, Officer Zimmerman was notified of the FLOCK hit by dispatch. Officer Rousseau relayed that a stolen vehicle was traveling east on New Britain Avenue from the area of Westfarms Mall. The stolen vehicle was described as a blue Hyundai Elantra, CT reg AD56822, that had been stolen out of Hartford. Officer Rousseau further reported that he successfully deployed stop sticks on the vehicle and that the vehicle's occupants had bailed out and were running on foot behind Meineke.

Officer Zimmerman and Officer Marcelo arrived on scene and saw that the blue Hyundai had crashed into another vehicle. Witnesses pointed to a wooded area behind Meineke and Cricket Wireless. The officers entered the wooded area and heard footsteps. Officer Rousseau was telling one suspect, Lyle Solsbury, to show his hands. Officer Marcelo placed Solsbury in handcuffs. Solsbury kept yelling that he was not the driver and did not do anything wrong.

Dispatch advised that another suspect was running east on New Britain Avenue. Officer Zimmerman heard a radio transmission "shots fired." Officer Zimmerman and Officer Marcelo rushed to get Solsbury out of the woods, falling several times on rocks. When they got back to the cruiser, Solsbury requested to go to the hospital due to lower back pain. Officer Zimmerman requested an ambulance and read Solsbury his Miranda rights.

Solsbury said that he was the front seat passenger of the vehicle. He did not know who the driver was and was only getting a ride from him because his truck had broken down. Solsbury said that the driver picked him up in Waterbury earlier in the day.

An ambulance arrived and transported Solsbury to the hospital where he refused treatment. He was then transported to the West Hartford Police Department and booked.

Officer Angelina Piccirillo

On August 8, 2023, Officer Piccirillo learned of a confirmed stolen vehicle, a blue Hyundai Elantra, CT reg AD56822, in the area of New Britain Avenue and Shepherd Street. Officer Grasso radioed that he observed the vehicle traveling eastbound on New Britain Avenue from South Main Street. Officer Piccirillo began to respond to that area. Several minutes later, Officer Rousseau radioed that he had successfully deployed stop sticks on the vehicle, and the vehicle continued traveling eastbound on New Britain Avenue.

While responding, Officer Rousseau relayed over the radio that the occupants fled into the woods behind Meineke Car Care, 1012 New Britain Avenue. Later, Officer Eagan reported that one suspect was in custody (Lyle Solsbury) and another suspect had been in the stolen vehicle with Solsbury. Officer Teeter provided a description of the other male involved as a Hispanic male wearing a black long sleeve shirt and red shorts. Dispatch advised that the male was running in the parking lot behind 1000 New Britain Avenue, Pep Boys. Officer Teeter then advised that he had the male at Town Fair Tire, 980 New Britain Avenue.

Officer Piccirillo responded to Town Fair Tire and saw Officer Teeter's marked K9 police vehicle parked near two open garage doors. As Officer Piccirillo drove into the Town Fair Tire parking lot, Officer Teeter relayed over the radio that he was "in the car."

The report continues:

"As I exited my marked police vehicle, I did not immediately observe Officer A. Teeter or the said male suspect in any of the vehicles parked in the parking lot. I then observed a blue Toyota RAV4 quickly reverse from the northern most garage bay of the Town Fair Tire garage with the passenger door partially open and Officer A. Teeter and his partner, K9 Islay, in the vehicle. I heard Officer A. Teeter giving several verbal commands to stop. As the blue Toyota RAV4 was quickly reversing out of the garage bay, I immediately retrieved a single "stop stick" from WHPD truck 13. While retrieving the said "stop stick", I observed said vehicle then begin recklessly accelerating forward towards where I was located, which was the opening between Officer A. Teeter's marked K9 Police vehicle and the garage building. During this time, the vehicle struck/sideswiped Officer A. Teeter's K9 police vehicle, a tree, and a stack of individual tires. As the vehicle continued to quickly accelerate through this tight area, I attempted to deploy a single "stop stick," but was unsuccessful. The vehicle then continued accelerating out of the business parking lot and westbound onto New Britain Avenue. At this time, I began running on foot towards the vehicle occupied by the suspect, Officer A. Teeter, and K9 Islay. Of note, the traffic flow was heavy on New Britain Avenue. As the vehicle accelerated onto New

Britain Avenue, I observed said vehicle strike another vehicle, a white Nissan, that was traveling westbound. During this time, I heard the sound of multiple gunshots coming from inside the said Toyota RAV4. As I continued running toward the vehicle, I observed the vehicle travel across the roadway and strike a telephone pole located on the south side of New Britain Avenue, in front of 983 New Britain Avenue. As I ran towards the vehicle, I advised over the radio of both the collision and shots fired. During this time, Lieutenant Lazure arrived on scene in his unmarked police vehicle, and he and I simultaneously made contact with Officer A. Teeter and K9 Islay on the passenger side of the vehicle. I observed Officer A. Teeter was sitting in the passenger compartment area facing backward with his back toward the windshield and K9 Islay sitting in the back seat, both covered in blood. As Lieutenant Lazure remained on the passenger side of the vehicle with Officer A. Teeter and K9 Islay, I immediately proceeded to the driver's side of the vehicle where the suspect was located in the driver's seat."

Officer Piccirillo's report then details the efforts by the officers to remove Alexander-Garcia from the vehicle and administer medical aid to him.

Officer Delionel Jimenez

On August 8, 2023, Officer Jimenez became aware of the FLOCK notification of a stolen vehicle going eastbound on New Britain Avenue. Officer Jimenez responded to New Britain Avenue and South Street. He saw a silver sedan in the middle of the roadway at the intersection of New Britain Avenue and South Street. He also saw the stolen vehicle that had collided with a blue Honda Pilot. Upon arrival, Lieutenant Lazure told Officer Jimenez to go and assist Officers Teeter and Piccirillo.

Officer Teeter had relayed that one suspect fled on foot towards Town Fair Tire (980 New Britain Avenue). Officer Jimenez saw Officer Piccirillo drive across from the south side of New Britain Avenue to Town Fair Tire. Officer Teeter relayed that he had the suspect at gunpoint. Officer Jimenez then observed a vehicle leave Town Fair Tire and drive across the street to the corner of New Britain Avenue and Shield Street. Officer Jimenez heard Officer Piccirillo radio that Officer Teeter and Islay were in the vehicle and that the vehicle had struck a pole. Officer Piccirillo then broadcast over the radio "shots fired."

Officer Jimenez ran toward the vehicle. He saw that Officer Teeter was injured around his neck area and had blood all over him. Officer Teeter advised that he was not hurt and said to tend to the suspect who was wounded by multiple gunshots. Officer Jimenez and Officer Piccirillo got the suspect out of the vehicle. Officers Piccirillo, Grasso, and Rinaldi provided medical aid. Officer Jimenez retrieved a medical bag and chest seals from his cruiser.

Later, while on post guarding the scene, Officer Jimenez was approached by Witness 1. Witness 1 stated that she was in her blue Honda Pilot on New Britain Avenue and South Street.

She saw a blue Hyundai strike a silver vehicle in the middle of the intersection and then strike her vehicle. A suspect wearing a black shirt and red pants exited the blue Hyundai and ran east on New Britain Avenue. Witness 1 said that the suspect attempted to steal another vehicle, but it was locked. The suspect continued to run east on New Britain Avenue. Witness 1 could only see the suspect running until he was near Meineke Car Care on 1012 New Britain Avenue and could not see him further. Officer Jimenez directed Witness 1 to OIG inspectors on scene who took a statement from her.

Lieutenant Thomas Lazure

Lieutenant Lazure monitored the radio broadcasts regarding the stolen Hyundai Elantra that had been identified on a camera, and the deployment of stop sticks. He heard that two of the suspects bailed from the vehicle on foot and one, Lyle Solsbury, was in custody.

Lieutenant Lazure drove eastbound on New Britain Avenue in the direction that the second suspect had been seen running. Over the radio, Lieutenant Lazure heard broadcasts suggesting that an officer was in distress. Lieutenant Lazure then saw a Toyota RAV4 (MA registration 182MPO) drive out of Town Fair Tire at a high rate of speed, exit the parking lot off of the curb, strike a white Nissan Altima (CT registration AT40232) that was traveling westbound on New Briain Avenue, and then crash head-on into a utility pole. Lieutenant Lazure exited his vehicle and heard Officer Piccirillo yell that there were shots fired. Upon getting closer to the RAV4, Lieutenant Lazure saw Officer Teeter and K9 Islay in the vehicle, both were covered in blood. Lieutenant Lazure saw a male in the driver's seat, possibly Hispanic or Black, who was unconscious. Lieutenant Lazure advised arriving officers to render aid to the unconscious male who was removed from the vehicle and CPR was started. Lieutenant Lazure assisted Officer Teeter and the K9 in their exit from the vehicle via the driver's side door. EMS arrived and rendered aid to everyone on scene.

Officer Teeter briefly told Lieutenant Lazure that he was involved in shooting the suspect inside the RAV4.

Inspector Reports

OIG inspectors interviewed several witnesses with relevant information, including the following:

Witness 2

On August 8, 2023, OIG inspectors interviewed Witness 2, district manager for Pep Boys. Witness 2 stated that he had been in his car in the Pep Boys parking lot at 1000 New Britain

Avenue, West Hartford, talking to a customer when he heard a bang from up the street. He assumed that it was a car accident and went back to talking to the customer.

Witness 2 saw a Hispanic male walking really fast past the Pep Boys shop bay. This male unexpectedly jumped into the front passenger seat of Witness 2's car telling him, "Let's go! Let's go!" and "They are trying to kill me! They are trying to kill me!" Witness 2 tried to talk to the male and asked him his name. He told the male that he would have to get out of the car and that he was not going to take him anywhere. The male then reached with his left hand into his left pocket like he was going to do something or pull something out. Witness 2 grabbed the male's hand so he would not be able to move his hand out. The male then started reaching for and grabbing the steering wheel and trying to possibly grab the keys. Witness 2 held onto the male's hand and the male lunged at him from the passenger seat. Witness 2 was able to pin the male against the passenger door while at the same time dialing 911. As he did this, Witness 2 told the male to get out of the car. Witness 2 believed that the 911 operator heard the whole commotion between him and the male in his car.

As officers were running towards Pep Boys, the male tried to grab Witness 2's laptop and bag. The male then got out of Witness 2's car and ran into Auto Max. The police saw him and chased after him. After a few minutes, Witness 2 heard a lot of screaming and yelling.

Witness 2 described the male suspect as a Hispanic male in his mid-20's with a stocky build wearing shorts, tee shirt, and work boots. Witness 2 felt that the male was strung out on some type of drug by the way he was acting. Witness 2 estimated that the male was in his car for maybe two minutes before running towards Auto Zone. Although not injured, Witness 2 was startled by what had happened.

Lyle Solsbury

OIG inspectors interviewed Lyle Solsbury on August 8, 2023. Solsbury was in the custody of the West Hartford Police Department due to his being in a stolen motor vehicle. Solsbury stated that he had been driving a rented truck in Waterbury when the truck broke down. He ran into a guy (Mike Alexander-Garcia) who agreed to take him to Hartford. Solsbury stated that he did not know this person. Solsbury gave the guy \$50 plus gas money. The guy told Solsbury that he came from Willimantic but was recently in Hartford and had been boosting. On the way to Hartford, the driver was smoking a lot of "caine" (slang for crack cocaine). Solsbury said that he had a couple of hits ofaine himself. When they got to Hartford, they stopped at a few places where the guy tried to sell some clippers that he had boosted.⁶ The guy was making Solsbury nervous because of the amount ofaine that he was smoking. Solsbury asked to drive but the guy would not let him. Solsbury said that he couldn't wait to get away from him. They

⁶ Solsbury's reference to "clippers that he had boosted" relates to hair clippers that Alexander-Garcia had stolen.

stopped at Wendy's across from the Westfarms Mall shortly before the incident with the police happened. Solsbury called somebody to sell the rest of the clippers that the guy had boosted. After selling the clippers, they split the money. They then headed down the road where the accident happened. Solsbury stated that the guy became paranoid that someone was after him. As they pulled up to a traffic light, the guy just gunned it. Solsbury did hear a police siren, but did not know that the police were after them. Solsbury stated that after the guy crashed the car, they both got out and ran. Solsbury stated that he ran because he was scared. The guy he was with ran in the opposite direction. Solsbury stated that he didn't do anything wrong and that he had nothing to do with the guy that gave him a ride to Hartford.

Witness 1

A Spanish speaking OIG inspector interviewed Witness 1 who stated that she was driving her Honda on New Britain Avenue when a car struck the front of her vehicle. The operator of the vehicle exited the striking vehicle and ran to a black vehicle that was behind her and attempted to get into it, but the operator was able to lock the door. Witness 1 described the operator of the striking vehicle as a dark-skinned male, wearing shorts, cream-colored boots, black top with black hair.

Witness 3

Witness 3 was in the vicinity of Hertz Car Rental with a friend when he heard a car crash. He then observed a Hispanic male briskly walking/jogging away from the auto accident. The male was wearing red shorts and a long sleeve black shirt. Witness 3 continued to watch the subject as he went behind a furniture business and then toward Pep Boys. Witness 3 then saw a police vehicle responding to the area and pointed out the direction of the subject to the officer.

Witness 4

Witness 4 was the owner of the white Nissan Altima that was traveling west on New Britain Avenue. Witness 4 stated that his vehicle was struck by the RAV4 as it exited the parking lot of Town Fair Tire. He further stated that the vehicle was out of control as it continued across New Britain Avenue striking a traffic control box on the opposite side of the street. During this encounter, Witness 4 realized that an officer was in the passenger side of the vehicle and heard several gunshots.

Witness 5 and Witness 6

Witness 5 and Witness 6 were employees of the Cricket Cell Phone Store at 1022 New Britain Avenue. They indicated that at approximately 5:30 p.m., they heard a crash outside of

their store and observed a blue Hyundai striking a Honda Pilot that was waiting at a red light and what they believed was a silver BMW.

Witness 5 and Witness 6 observed the passenger of the Hyundai exit the car and flee to the rear parking lot of their location. He was subsequently followed by responding West Hartford Police Department (WHPD) cruisers. They also observed the operator of the Hyundai, a Hispanic male, approach the Honda Pilot that he just struck, and which was occupied by a black female operator, attempting to get in the driver's side doors. The Hispanic male was trying to get into the vehicle by repeatedly lifting the door handle. It also appeared that the operator of the Honda was preventing him from entering the vehicle. After repeated attempts, he fled the scene, heading down New Britain Avenue towards Town Fair Tire.

After the suspect fled, the operator of the Honda Pilot was approached by Witness 6. Witness 6 stated that she appeared in shock and came into the store and waited for the arrival of additional WHPD officers.

Statements

Officer Andrew Teeter

On April 5, 2024, West Hartford Officer Andrew Teeter provided a written statement to the Office of Inspector General. The statement may be summarized as follows:

At approximately 4:51 p.m., on August 8, 2023, Officer Teeter became aware that a stolen 2013 Hyundai Elantra was identified as operating near the Westfarms Mall. He was also aware that Officer Grasso saw the vehicle traveling east on New Britain Avenue and that Officer Rousseau had successfully deployed stop sticks, but the vehicle continued driving on New Britain Avenue.

As Officer Teeter responded to the area, he was notified that a crash had occurred, and the occupants of the stolen Hyundai had fled the vehicle. Officer Teeter observed the crash that involved several vehicles. He learned that one party was in custody but at least one other subject was still outstanding. At that time, New Britain Avenue was heavy with vehicle and pedestrian traffic.

Upon exiting his cruiser, witnesses told Officer Teeter that the subject was running east along New Britain Avenue. The subject was described as a Hispanic wearing a long sleeve black shirt and red shorts. Dispatch relayed that the subject had attempted to jump into someone's car but was unsuccessful. Officer Teeter re-entered his cruiser and drove east on New Britain Avenue.

At Town Fair Tire, Officer Teeter observed a Hispanic male with a long sleeve black shirt and red shorts running through the Town Fair Tire lot and into a service bay/garage. Officer Teeter pulled into the lot, deployed K9 Islay from the rear kennel, and went into the service bay. Several employees were in the garage, and one was leaning into an open window of a vehicle parked in a service spot. There were at least two or three employees inside the service bay within a few feet of the two vehicles in the service bay as well as Officer Teeter and K9 Islay. It appeared to Officer Teeter that the employee hanging from the window was in a fight with the subject. Officer Teeter told the employee to move, which he did. Officer Teeter could see the subject in the driver's seat. This appeared to be the subject's second carjacking attempt.

The statement continues:

"I then deployed K9 Islay into the vehicle through the open front passenger window and instructed her to bite the subject and hold him so I could take the subject into custody. While standing outside of the vehicle but leaning in, I now observed that the vehicle had keys in the ignition. I observed that despite the subject being bit by K9 Islay, he was still attempting to put the vehicle in gear. If I attempted to get away from the vehicle, I feared I would be struck by the open door or caught up in the wheels and run over. I entered the vehicle for my own safety as well as to continue to effect the arrest of the subject. I gave multiple commands to the subject to "stop fighting," "stop it," and don't do it" but he made no effort to stop; nor did he make any comments to suggest compliance. I broadcast on my radio that we were in the vehicle and K9 Islay was on the subject.

"At this time, I was backwards in the front passenger seat and across the center console area with K9 Islay between the subject and me while the vehicle was in motion and the passenger door still open. Due to my position and the fight I was engaged in with the subject, I could not determine at all where we were going. The vehicle began to shake in a manner that I knew it was in motion and colliding with objects. I then gave multiple warnings to the subject that "I'm gonna fucking shoot you," "I'm gonna shoot you," "STOP," "I'm gonna fucking shoot you," "STOP," "I'm gonna shoot you" and still the subject observed no change in behavior or attempts by the subject to surrender. The vehicle remained in motion, and I could hear the engine accelerate rapidly as we were bounced around within the vehicle.

"Based on the culmination of events thus far, the subjects complete disregard for my lawful commands and his continued behavior of non-compliance/active resistance, I feared for my safety. If the subject was allowed to continue to operate in a violent reckless manner on a busy and active roadway and pedestrian area, there was a high likelihood of serious injury or death to myself, K9 Islay, and the public. Based on the totality of circumstances, and after numerous warnings, I drew my department issued service weapon and discharged several shots at the subject.

“I observed that the subject was no longer resisting arrest by which I identified that he was no longer an immediate threat, and with the vehicle still in motion, I then immediately attempted to steer the vehicle to safety, away from traffic and pedestrians. Before any tangible change in direction could be made, we violently crashed, and I was thrown into the windshield backward. I immediately notified dispatch of the shots fired incident. I later observed that the vehicle had crashed into a utility pole and electric box.”

Officer Teeter stated that other officers arrived and started to administer medical aid to the subject. Upon examination, no injuries were observed on K9 Islay. Officer Teeter went to the hospital where he was treated for the injuries sustained from the incident that included two damaged discs in his neck, a broken rib, bruising and lacerations on the back of his head, lacerations on the top of his head, bruising around the left eye, a burn mark on the inside of his right elbow, lacerations to his right elbow, along with nerve and sensory issues to his right elbow and hand.

A complete copy of Officer Teeter’s statement is printed in the [Appendix](#).

Scene

West Hartford Police Department Accident Reconstruction Team

The West Hartford Accident Reconstruction Team investigated this incident and completed a Connecticut Uniform Police Crash Report. The Team determined that there were two crash scenes: a first crash scene at the intersection of New Britain Avenue and South Street, and a second crash scene located in the parking lot of Town Fair Tire (980 New Britain Avenue) that continued onto New Britain Avenue near its intersection with Shield Street. The second crash scene was approximately 950 feet east of the first.

At the first crash scene, officers observed a blue 2013 Hyundai Elantra on New Britain Avenue at its intersection with South Street. The vehicle was facing east in the right most westward lane. The front end of the vehicle was wedged between the northern curb and a blue 2013 Honda Pilot that was facing east.



[Hyundai Elantra and Honda Pilot collision]



[Hyundai Elantra and Honda Pilot collision]



[Hyundai Elantra and Honda Pilot collision]



[Hyundai Elantra and Honda Pilot damage]

In the intersection itself, facing north, was a 2006 gray BMW 525xi.



[BMW 525xi damage]



[BMW 525xi damage]

At the second crash scene, officers observed a 2008 gray Toyota RAV4 facing southbound on New Britain Avenue east of its intersection with Shield Street. The front of the vehicle was against a telephone pole that had snapped at the base.



[Toyota RAV4 damage]



[Toyota RAV4 damage]



[Toyota RAV4 damage]

In front of Town Fair Tire on New Britain Avenue, officers observed a 2016 white Nissan Altima.



[Nissan Altima]



[Nissan Altima damage]

From the evidence gathered at the scenes, police reports, statements, and camera footage, the Accident Reconstruction Team determined that events occurred as follows:

On August 8, 2023, at approximately 4:51 p.m., Officer Rousseau received information that a stolen Hyundai Elantra was entering West Hartford near the Westfarms Mall at 1500 New Britain Avenue. In the area of 1061 New Britain Avenue, Officer Rousseau successfully deployed stop sticks that deflated one or more of the Hyundai's tires. The Hyundai continued eastbound 1239 feet toward the intersection of New Britain Avenue and South Street.

The traffic signal for the intersection of New Britain Avenue and South Street was red on New Britain Avenue and green on South Street. The BMW proceeded through the green traffic signal into the intersection. As the BMW entered the intersection, the Hyundai Elantra drove through the red traffic signal and collided with the front of the BMW. After striking the BMW, the Hyundai continued eastbound toward the Honda Pilot that was stopped facing westbound in the right lane at the red traffic signal. The Hyundai collided with the Honda Pilot resulting in the Hyundai becoming wedged between the Honda Pilot and the northern curb of New Britain Avenue.



[Hyundai Elantra and Honda Pilot collision]

Both Mike Alexander-Garcia and Lyle Solsbury exited the Hyundai. Alexander-Garcia ran 948.66 feet east from the crash scene entering the northern garage bay of Town Fair Tire where employees were working. Alexander-Garcia ran counterclockwise around the front of the Toyota RAV4, opened the front door, and entered the vehicle.

After Officer Teeter and K9 Islay entered the RAV4, Alexander-Garcia abruptly reversed out of the garage bay. The RAV4 then drove forward between Officer Teeter's police cruiser, a tree, and a stack of tires, striking the police cruiser, the tree, and knocking the tires from their

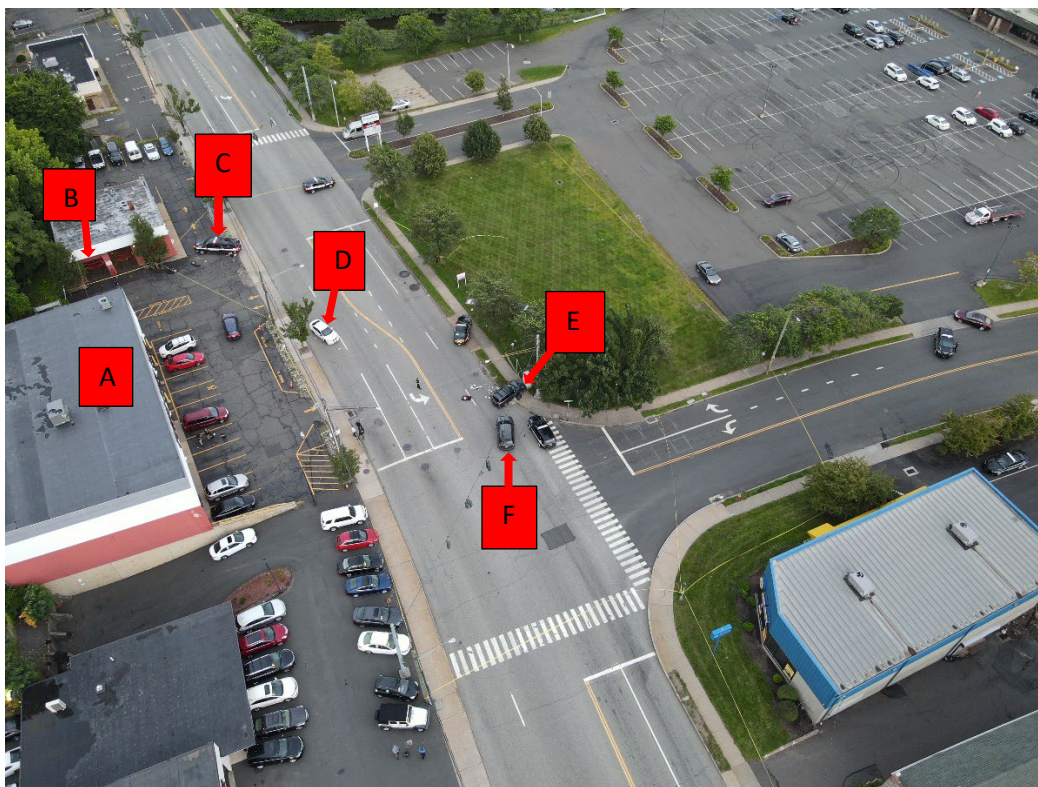
stacks. Alexander-Garcia continued to accelerate out of the parking lot over the curb and onto New Britain Avenue where he collided with the side of the Nissan Altima that was traveling westbound.

The RAV4 continued across New Britain Avenue striking the south curb and then a telephone pole causing the pole to snap at its base. With the exception of the police cruiser, all vehicles sustained disabling damage and had to be towed from the scene.

Connecticut State Police Western District Major Crime Squad

The Western District Major Crime Squad (WDMCS) responded to the scene. Detectives processed the scene that included the Hyundai Elantra, Toyota RAV4 and the Town Fair Tire Facility.

Drone photo:



- A. Town Fair Tire
- B. Service Bay where RAV4 was parked
- C. Officer Piccirillo's police cruiser
- D. White Nissan Altima
- E. Toyota RAV4
- F. Lieutenant Lazure's police cruiser

New Britain Avenue

The RAV4 had sustained heavy front-end damage and was against a snapped off utility pole. On the sidewalk next to the RAV4, detectives located two expended bullet casings.



[Expended bullet casing on sidewalk]



[Expended bullet casing on sidewalk]

Officer Teeter's Equipment

Detectives seized several items assigned to Officer Teeter including his duty belt and Glock 17 9mm firearm. Two spare magazines in the duty belt were each fully loaded with seventeen rounds of ammunition. The magazine in the Glock 17 contained twelve rounds and an additional round was chambered.



[Officer Teeter's duty firearm – Glock 17 9mm]



[Officer Teeter's spare magazines]

RAV4

The RAV4 was towed to the West Hartford Police Department where it was searched pursuant to a search warrant. Blood-like stains were observed throughout the vehicle's interior. From the right floorboard, detectives seized an expended bullet casing. A second expended bullet casing was located on the rear floorboard and a third expended bullet casing was recovered from the rear center floorboard.



[Expended bullet casing in RAV4]



[Expended bullet casing in RAV4]



[Expended bullet casing in RAV4]

The air bag was deployed in the interior of the RAV4, and the windshield had extensive cracking.



[Interior of RAV4]

Projectiles

OIG inspectors turned over to WDMCS detectives four projectiles recovered during the autopsy of Alexander-Garcia.

Hyundai Elantra

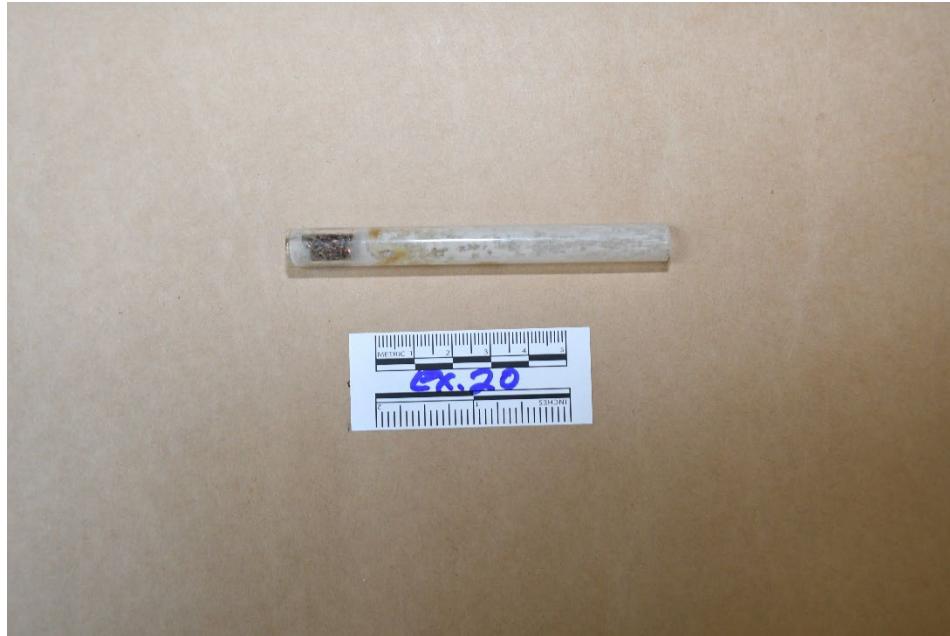
The Hyundai Elantra was towed from the scene to the West Hartford Police Department and searched pursuant to a search warrant. Seized from the vehicle's center console was a crack pipe and an improvised smoking device made from a Jim Beam 50 mL bottle and tin foil.



[Hyundai Elantra center console with crack pipe and improvised smoking device]



[Improvised smoking device]



[Crack pipe]

Autopsy

On August 9, 2023, Associate Medical Examiner Frank Evangelista, M.D. performed an autopsy on Alexander-Garcia. The report's conclusions were as follows:

FINAL DIAGNOSIS: GUNSHOT WOUNDS OF TORSO

CAUSE OF DEATH: GUNSHOT WOUNDS OF TORSO

MANNER OF DEATH: HOMICIDE

The report details five gunshot wounds to the chest and back:

1. An entrance gunshot wound to the mid left upper back located 14" below the top of the head and 2-½" left of the posterior midline. This was a through-and-through wound with an exit wound also on the left upper chest located 13" below the top of the head and 8-½" left of the posterior midline. No projectile was recovered in or along this wound path.
2. An entrance gunshot entrance wound to the right upper back located 10-½" below the top of the head and 3-¼" right of the posterior midline. The wound path perforates the thoracic vertebral column at T 5/6 with injury to the spinal cord and perforates the thoracic aorta. A single metallic projectile is recovered from the chest cavity. There is no exit wound.
3. An entrance gunshot wound located on the mid right back 14-⅝" below the top of the head and 2" right of the posterior midline. The wound path perforates the right ribcage, perforates

the lower lobe of the right lung, and enters the costovertebral junction at T 10/11 where a single metallic projectile is recovered. There is no exit wound.

4. An entrance gunshot wound is located on the mid lateral right back 11- $\frac{3}{4}$ " below the top of the head and 7- $\frac{3}{4}$ " right of the posterior midline. The wound path perforates the right ribcage, perforates the apex of the heart, perforates the thoracic aorta, perforates the left lung, and perforates the left ribcage. Two metallic projectile fragments are recovered from the subcutaneous tissue of the left chest. There is no exit wound.

5. An entrance gunshot wound is located on the right mid back 13- $\frac{1}{4}$ " below the top of the head and 7- $\frac{3}{4}$ " right of the posterior midline. The path of the wound perforates the right ribcage, perforates the lower lobe of the right lung, and extends into the inferior vena cava where a single metallic projectile is recovered. There is no exit wound.

The report describes an injury to the mid aspect of the right forearm consisting of an area 4- $\frac{1}{2}$ " x 3- $\frac{1}{2}$ " of multiple small red-brown and tan-orange abrasions and lacerations. These injuries appear to be dog bite injuries.



The recovered projectiles were turned over to the OIG. Samples of blood, urine and other bodily fluids were sent to NMS labs for toxicological analysis. The toxicology report showed positive findings for benzoylecgonine (1900 ng/mL) (a cocaine degradation product) and cocaine (270 ng/mL). Per the report's notes, these are relatively high levels and exceed the levels in patients admitted to an emergency room for cocaine-related medical complaints.

Digital Evidence

The investigation examined digital evidence from multiple sources including body-worn camera recordings, dashboard camera recordings, and closed-circuit camera recordings from businesses located in the vicinity of the incident. The following digital evidence is most relevant to Officer Teeter's use of deadly force.

Town Fair Tire

A camera inside the Town Fair Tire service garage recorded the activity inside the service bay. At the start of the recording, the RAV4 is parked in the service bay. Alexander-Garcia runs into the garage. He walks around the front of the RAV4 and then enters the driver's seat. The car then starts to rock backward. Officer Teeter and K9 Islay enter the garage. Officer Teeter lifts K9 Islay through the front passenger window and into the RAV4. Officer Teeter then opens the front passenger door and enters the RAV4. The car is seen rocking back and forth.

The RAV4 then backs out of the garage at a fast pace. The passenger door is open.

To view this portion of the Town Fair Tire video, click [here](#).

Officer Teeter Dashboard Camera

The recording starts with Officer Teeter turning his police vehicle into the parking lot of Town Fair Tire. He stops the police vehicle near the service garage. Both garage doors are open. Officer Teeter exits his car and runs with K9 Islay into the garage bay where the RAV4 is parked. Officer Teeter lifts K9 Islay into the RAV4 through the open front passenger window. Officer Teeter then opens the front passenger door and enters the RAV4. He broadcasts over the police radio, "We're in the car."

The RAV4 backs out of the garage bay. The passenger door is still open. The RAV4 then turns to move forward. A Town Fair employee appears to be signaling Alexander-Garcia to stop. The RAV4 drives forward striking some equipment leaning against the garage wall. As the RAV4 approaches the police vehicle, Officer Teeter's back can be seen. The passenger door is still open. The RAV4 collides with the side of Officer Teeter's police vehicle and accelerates out of camera view.

To view this portion of Officer Teeter's dashboard camera recording, click [here](#).

Officer Piccirillo Dashboard Camera

The recording begins as Officer Piccirillo is driving east on New Britain Avenue. Officer Teeter's police car is seen parked in front of the Town Fair Tire service garage. Officer Piccirillo stops her police vehicle facing north in the driveway next to the service garage. Over the police radio you can hear Officer Teeter broadcast, "We're in the car." The RAV4 is then seen backing out of the garage bay.

The RAV4 then turns and drives forward generally toward the dash camera. As it drives forward, the RAV4 strikes Officer Teeter's police vehicle, a tree, and stack of tires. The RAV4 speeds past the camera. Officer Piccirillo comes into the camera's view. She appears to be throwing something at the RAV4. When the RAV4 is out of camera view, multiple gunshots are heard.

To view this portion of Officer Piccirillo's dashboard camera recording, click [here](#).

Lieutenant Lazure Dashboard Camera

The recording begins with Lieutenant Lazure driving his police vehicle east on New Britain Avenue. Officer Piccirillo can be heard broadcasting that the RAV4 crashed into a telephone pole. The RAV4 is seen crashed against the telephone pole and a utility box. Lieutenant Lazure stops his police vehicle near the RAV4. Officer Teeter and K9 Islay are inside the car.

To view this portion of Lieutenant Lazure's dashboard camera recording, click [here](#).

Officer Teeter Body-Worn Camera

As the recording begins, Officer Teeter is putting out a description of the subject and driving east on New Britain Avenue. Officer Teeter stops his police vehicle and gets out. He takes K9 Islay out of the police vehicle, and they run to the service bay where the RAV4 is parked. Officer Teeter directs a Town Fair Tire worker near the RAV4 to move and then lifts K9 Islay into the RAV4 through the open front passenger window. Officer Teeter proceeds to give commands to K9 Islay. Officer Teeter opens the front passenger door and enters the RAV4. K9 Islay appears to be biting Alexander-Garcia's right arm.

The following is a transcription of the verbal interchange between Officer Teeter and Alexander-Garcia as recorded on Officer Teeter's body-worn camera:

T = Officer Teeter

A-G = Alexander-Garcia

T: [Driving, Broadcasts over police radio]

Hey, I'm at Town Fair and Pep Boys.

Oh, I got him ... Town Fair. Going behind Town Fair.

T: [Getting K9 out of police car]

Here, here.

T: [To Town Fair Tire employees]

Get out. Move, move, move. Out. Get out of there. Get out. Move.

T: [Lifts K9 into RAV4]

Packen.⁷

Packen, Packen.

Packen.

Get him. Packen.

Get him.

Packen. Get him.

Packen. Get him.

A-G: Please.

T: Packen, get him.

A-G: Ow.

A-G: Help. Please don't.

T: Stop fighting. Stop it.

A-G: Please.

T: Packen. Get him.

A-G: Let go of me.

⁷ "Packen" is a German word meaning seize, or grip. It is my understanding that canine Islay was trained to follow German commands.

T: Don't do it.

A-G: Please ...please.

T: [Broadcasts over police radio]

We're in the car.

Dog's (unintelligible)

[There is movement in the car.]

T: Packen.

A-G: Please.

T: I'm going to fucking shoot you.

T: I'm going to shoot you.

T: I'm going to fucking shoot you.

T: Stop. I'm going to fucking shoot you.

[Car moving, appears to be crashing into things.]

A-G: Oh please.

T: Stop.

A-G: Let me out.

Please.

Please Officer.

T: I'm going to shoot you.

A-G: Ow, (unintelligible)

[Sounds of shots fired. RAV4 comes to a stop.]

T: [Broadcast over police radio]

Shots fired. Shots fired.

To review this portion of Officer Teeter's body-worn camera recording, click [here](#).

Expert

As part of its investigation, the OIG consulted with K9 expert Terry Anderson regarding Officer Teeter's deployment of Islay into the RAV4 and his subsequent use of deadly force. His report is printed in the [Appendix](#).

Anderson is a retired police sergeant previously employed by the Pasadena, Texas Police Department from 1988 to 2013. In 1994, he became the department's lead canine trainer. In that role, he maintained and updated canine policies for the Pasadena PD and assisted numerous other law enforcement agencies in writing/updating their policies. From 2004 to the present, he has served as President of the National Police Dog Association, overseeing the 1500-member organization. From 2019 to the present, Anderson has worked for the Department of Homeland Security as an expert in the deployment of Explosion Detection canines.

Anderson has been consulted as an expert on canine related-issues in multiple cases in state and federal courts.

I posed two questions for Anderson to opine upon. The first was:
Under the circumstances presented, was Officer Teeter's deployment of the K9 into the RAV 4 objectively reasonable and within accepted police practice?

Anderson responded: "In my professional and expert opinion, the utilization of canine Islay as a less lethal use of force to apprehend and arrest Alexander-Garcia was reasonable, lawful, and consistent with modern police practices, industry standards and in accordance with State and Federal law, the West Hartford Connecticut Police Department's (WHPD) General orders, Use of Force and Canine Policy. Officer Teeter's utilization of canine Islay as a less than lethal force option against Alexander-Garcia met all three prongs of *Graham v. Connor*⁸ and is justified."

In Anderson's opinion, "the deployment of canine Islay was dictated by Alexander-Garcia's act of stealing another vehicle, his non-compliance to surrender and the deadly threat he posed to the safety of Officer Teeter and others. Alexander-Garcia's refusal to comply with lawful commands elevated the threat level."

⁸ The three prongs of *Graham v. Connor*, 490 U.S. 386 (1989) are: (1) severity of the crime, (2) whether the subject posed an immediate threat to safety of officers or others, and (3) whether the subject is actively resisting arrest or attempting to evade arrest by flight.

In his conclusion regarding the first question, Anderson noted, "Officer Teeter's deployment of canine Islay through the passenger side window was reasonable and the most efficient/effective less lethal force option. Alexander-Garcia's failure to comply with Officer Teeter's commands and Islay's bite displayed his complete disregard for his safety and the safety of others. Alexander-Garcia's behavior is contrary to others when confronted with a police canine. A lot of criminals when confronted with the potential of being bitten by a police canine immediately surrender. Others fail to surrender until a canine is forced to bite them. Alexander-Garcia can be heard pleading with Officer Teeter to stop the dog from biting him; however, Alexander-Garcia made no effort to surrender and continued his reckless actions while relentlessly trying to escape."

The second question posed to Anderson was:
Under the circumstances presented, was Officer Teeter's use of deadly force objectively reasonable and within accepted police practice?

Anderson responded: "In my professional opinion, Officer Teeter followed the WHPD Use of Deadly Force Policy. From my training and experience as an officer and supervisor in high-stress incidents, Officer Teeter clearly recognized the imminent threat Alexander-Garcia posed and placed himself in a dangerous situation to prevent Alexander-Garcia from escaping or seriously injuring or killing another. Officer Teeter's actions were "Objectively Reasonable" as he believed his use of deadly force was his only option to stop Alexander-Garcia and prevent him from injuring or killing any innocent persons."

In his discussion of this second question, Anderson stated: "Officer Teeter, recognized the imminent threat to himself and others so he escalated his verbal commands to stop; however, Alexander-Garcia totally disregarded his commands. Officer Teeter aggressively and clearly vocalized his intent to shoot him if he failed to stop."

Anderson further stated: "During this short period of time, canine Islay remained on the bite, but this was not enough to stop Alexander-Garcia. Alexander-Garcia fought through canine Islay's bite and continued driving the vehicle with complete disregard for his life, Officer Teeter's life or other uninvolved citizens. Jeopardizing his life, Officer Teeter was forced to stop Alexander-Garcia before anyone else was injured or killed."

In his conclusion regarding the second question, Anderson observed: "Any officer faced with a similar incident has a duty to act to affect (sic) the arrest and prevent any loss of life. Realizing canine Islay's less lethal use of force was not creating the desired effect, Officer Teeter had no other options but to elevate his use of force options to prevent Alexander-Garcia's escape or seriously injuring or killing another person. Officer Teeter pointed his firearm at Alexander-Garcia while aggressively ordering him to stop or he would shoot him. To no avail, Alexander-Garcia made no attempt to stop and forced Officer Teeter to shoot him."

Anderson concluded: “Officer Teeter’s use of deadly force was objectively reasonable in accordance with state statutes, WHPD Deadly Force Policy and current case law. Alexander-Garcia propelled Officer Teeter’s use of deadly force that resulted in his death.”

FINDINGS

The investigation supports the following factual findings:

1. On August 4, 2023, a 2013 blue Hyundai Elantra (CT reg AD56822) was reported stolen from 206 Park Street, Hartford. The keys had been left in the vehicle.
2. On August 8, 2023, at approximately 4:45 p.m., a FLOCK camera identified the stolen Hyundai as entering West Hartford near the Westfarms Mall. The FLOCK system put out an alert to the West Hartford Police Department. Inside the stolen Hyundai were Mike Alexander-Garcia and Lyle Solsbury. Both had been smoking crack cocaine that afternoon.
3. West Hartford Officer Michael Rousseau observed the stolen Hyundai traveling east on New Britain Avenue. In the area of 1061 New Britain Avenue, he successfully deployed stop sticks causing several of the Hyundai’s tires to deflate.
4. The stolen Hyundai continued east on New Britain Avenue driving through a red light at the intersection of New Britain Avenue and South Street. In the intersection, the Hyundai collided with the front of a 2006 gray BMW 525xi that had entered the intersection from South Street through a green light. The Hyundai continued east and collided with a blue 2013 Honda Pilot stopped in the westbound lane of New Britain Avenue. The Hyundai became wedged between the Honda Pilot and the north-side curb of New Britain Avenue.
5. After the crash, the driver of the stolen Hyundai, Mike Alexander-Garcia, abandoned the vehicle and fled east on New Britain Avenue. The passenger, Lyle Solsbury, also abandoned the vehicle and fled into a wooded area north of New Britain Avenue. West Hartford officers quickly apprehended Solsbury and took him into custody. Alexander-Garcia ran to a black vehicle that was behind the Honda Pilot and attempted to get into it, but the doors were locked.
6. Witness 2, a district manager for Pep Boys auto service, was seated in his vehicle in the Pep Boys parking lot at 1000 New Britain Avenue when Alexander-Garcia jumped into the front passenger seat of Witness 2’s car. Alexander-Garcia said, “Let’s go! Let’s go! They are trying to kill me! They are trying to kill me!” Witness 2 called 911 and prevented Alexander-Garcia from grabbing the steering wheel of his car. Alexander-Garcia exited Witness 2’s car and ran east.

7. Alexander-Garcia ran to Town Fair Tire at 980 New Britain Avenue. He entered the service garage and got into the driver's side of a 2008 gray Toyota RAV4. At about this time, Officer Andrew Teeter entered the service garage with K9, Islay, and approached the RAV4. Officer Teeter deployed K9 Islay into the RAV4 through the open front passenger window. Officer Teeter instructed K9 Islay to bite Alexander-Garcia and hold him. Officer Teeter noticed that the RAV4 had keys in the ignition and Alexander-Garcia was attempting to put the vehicle in gear using his left hand. Officer Teeter entered the vehicle and ordered Alexander-Garcia to stop. As the vehicle reversed out of the garage and collided with objects, Officer Teeter threatened to shoot Alexander-Garcia if he did not stop.
8. The RAV4 accelerated out of the garage and collided with Officer Teeter's police vehicle; it then drove forward knocking over a stack of tires. The RAV4 then drove over the curb onto New Britain Avenue and side-swiped a 2016 white Nissan Altima traveling westbound on New Britain Avenue.
9. As the RAV4 drove from the Town Fair Tire parking lot and onto New Britain Avenue, Officer Teeter fired his weapon multiple times striking Alexander-Garcia in the torso.
10. The RAV4 veered across New Britain Avenue and collided with a telephone pole and utility box near the intersection of New Britain Avenue and Shield Street.
11. Officers provided medical assistance to Alexander-Garcia on scene. Later that evening, he was pronounced dead at Hartford Hospital. Officer Teeter was also treated for multiple injuries including two damaged discs in his neck and a broken rib.
12. An autopsy was conducted on August 9, 2023, at the Office of the Chief Medical Examiner. The autopsy report lists five gunshot wounds to Alexander-Garcia's torso which were determined to be the cause of his death. Four projectiles were recovered from his body and turned over to OIG inspectors. One gunshot wound was determined to be through-and-through. A toxicological analysis of Alexander-Garcia's blood was positive for cocaine and benzoylecgonine (a cocaine degradation product).

LEGAL STANDARD

The use of force by a police officer is governed by General Statutes §53a-22. The version of that statute in effect on August 8, 2023, in relevant part, provides:

(b) [A] peace officer ... is justified in using physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have

committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

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

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

(B) He or she (i) has reasonably determined that there are no available reasonable alternatives to the use of deadly physical force, (ii) reasonably believes that the force employed creates no unreasonable risk of injury to a third party, and (iii) reasonably believes such force is necessary to (l) effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony that involved the infliction of serious physical injury, and if, where feasible, he or she has given warning of his or her intent to use deadly force ..." (Emphasis added).

The statute further provides:

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

Accordingly, a police officer is justified in using deadly physical force upon another person when the officer reasonably believes such force to be necessary to defend the officer or a third person from the use or imminent use of deadly physical force. "Deadly physical force" means "physical force that can be reasonably expected to cause death or serious physical injury." General Statutes § 53a-3(5). "Serious physical injury" means "physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ." General Statutes §53a-3(4).

A police officer is also justified in deadly force to when he or she reasonably believes such force is necessary to arrest a person whom the officer reasonably believes has committed a felony that involved the infliction of serious physical injury, provided there are no reasonable alternatives to the use of deadly force, the force employed creates no unreasonable risk of

injury to a third party, and, where feasible, the officer has given warning of the intent to use deadly force.

Vehicles

Connecticut has a policy that generally prohibits the discharge of a firearm into or at a moving motor vehicle.

General Statutes §14-283a, as relevant here, provides:

“(c) No police officer engaged in a pursuit shall discharge any firearm into or at a fleeing motor vehicle, unless such officer has a reasonable belief that there is an imminent threat of death to such officer, or another person posed by the fleeing motor vehicle or any occupant of such motor vehicle.

“(d) No police officer shall intentionally position his or her body in front of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit that employs such officer.”

The Police Officer Standards & Training Council (POSTC) has promulgated a standard applicable to firing at or into vehicles that provides:

“The discharge of a firearm is prohibited:

(5) When fired at or into a moving or fleeing vehicle, except:

a. To counter an imminent threat of death or serious physical injury from an occupant by means other than the vehicle.

b. When a driver is intentionally placing others in the vehicle’s path causing an imminent risk of serious injury, such as driving into a crowd of assembled persons or into an occupied area not intended for vehicular traffic.

c. When an officer is unavoidably in the path of a vehicle and cannot move to safety. Officers are strongly discouraged from positioning themselves in the actual or potential path of travel of any vehicle.”

POSTC Standards, Use of Force Policy, Section 9.C.(5).

Reasonableness

A police officer's use of deadly force must be objectively reasonable. §53a-22 (c)(1).

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

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

ANALYSIS

The determination of whether Officer Teeter's use of deadly force was objectively reasonable requires consideration of the reasonableness of (1) his decision to deploy the K-9 into the RAV4, (2) his decision to enter the RAV4 himself, and (3) his belief that he faced a threat of serious injury or death while inside the RAV4. I will discuss each of these in turn.

Deploying the K9 into the vehicle

I find persuasive the opinion of Terry Anderson that a reasonable police officer approaching the RAV4 with a trained K9 would consider the deployment of the K9 as a less lethal option to take Alexander-Garcia into custody with a high probability of success.

As Anderson noted in his report, "Officer Teeter's use of canine Islay was the most efficient less lethal option available to apprehend and arrest Alexander-Garcia." Anderson further observed that most subjects when confronted with the potential on being bitten by a police canine immediately surrender. The fact that Alexander-Garcia did not surrender but sped from the garage in an effort to escape, does not undermine the reasonableness of Officer Teeter's initial decision to deploy the K9 into the car. Alexander-Garcia's desperation to escape

is evident from his (1) putting the car into gear despite being bitten by K9 Islay, and (2) refusing to comply with Officer Teeter's multiple commands to stop.

Decision to enter the vehicle

One might assert that Officer Teeter's decision to enter the RAV4 amounted to what is known as officer-created jeopardy. Officer-created jeopardy is a term used to describe "unjustified risk taking that can result in an officer using force to protect themselves from a threat that they were, in part, responsible for creating." Stoughton et al., *Evaluating Police Uses of Force*, note 5 at 157 (2020). One case analogized officer-created jeopardy to walking into a cage with a tiger inside. See *District of Columbia v. Evans*, 644 A.2d 1008, 1021 (D.C. 1994) ("Once you are in the cage, you might have to kill the tiger"). Our Connecticut use of force statute describes officer-created jeopardy as "any unreasonable conduct of a peace officer [that] led to an increased risk of an occurrence of the situation that precipitated the use of ... force." General Statutes §53a-22 (c)(2). Under Connecticut law, officer-created jeopardy is a factor that bears on the reasonableness of the officer's use of deadly force. *Id.*

The classic formulation of officer-created jeopardy is a situation where an officer intentionally takes a tactical position in front of an oncoming motor vehicle and then shoots the driver to negate the threat of being run over. In Connecticut, such use of force would likely be deemed unreasonable based on the officer's decision to place themselves in harm's way.

I do not see Officer Teeter's decision to enter the RAV4 as akin to intentionally standing in the path of an oncoming vehicle. In his statement, Officer Teeter states that he entered the vehicle for his own safety fearing that if he attempted to get away, he would have been struck by the open door or run over. He also stated that he entered the vehicle to affect an arrest of the subject. Whether his safety would have been endangered if he had remained outside of the RAV4 is a close question. Officer Teeter himself opened the car door to enter the vehicle. Had he not opened the door and stood back as the car backed out of the garage, he would likely have been in the same position as the Town Fair Tire workers in the garage that were close to the RAV4. This split-second decision, however, was not unreasonable.

His efforts to effect the arrest of Alexander-Garcia, however, were reasonable and required decisive action. Alexander-Garcia was not identified at that point. It was not a situation where the police simply could have sought a warrant and arrested him later. He had engaged in multiple crimes preceding the encounter in the service bay: (1) operating the stolen Hyundai Elantra, (2) crashing into two vehicles at the intersection of New Britain Avenue and South Street and then fleeing the scene, (3) attempting to enter the vehicle positioned behind the Honda Pilot, (4) attempting to violently carjack Witness 2's vehicle, and (5) was in the act of stealing the RAV4. Officer Teeter's entry into the car was not a form of unreasonable risk taking on his part, but rather an appropriate police action to stop a crime in progress.

Moreover, allowing the RAV4 to drive away with the K9 in the vehicle actively biting Alexander-Garcia would have created a serious hazard. The K9's continued biting could have rendered the RAV4 essentially driverless and a serious hazard to other motorists and pedestrians in the area.

Threat inside the RAV4

While I do not believe that the jeopardy faced by Officer Teeter was officer-created, it was serious jeopardy. He was in a moving vehicle, unsecured by any type of restraint, with his back to the open passenger door. His repeated commands to Alexander-Garcia to stop the car coupled with warnings that Alexander-Garcia would be shot if he did not stop, were ignored. The car was crashing into multiple objects. Alexander-Garcia was being actively bitten by a K9. While Alexander-Garcia repeatedly asked Officer Teeter to call off the K9, he was not stopping the car or making any effort to surrender.⁹ Indeed, according to Witness 4 and the various digital recordings, he accelerated the car as it drove out of the Town Fair Tire parking lot and onto New Britain Avenue. Pursuant to §53a-22(c)(2), one factor that bears on the reasonableness of the use of deadly force is whether the subject has a deadly weapon. Alexander-Garcia's extreme reckless operation of the RAV4 essentially turned the vehicle into a deadly weapon. Under these circumstances, Officer Teeter's stated fear that he or others could be seriously injured was not unfounded. The force with which the RAV4 crashed into and snapped the telephone pole is clear evidence of its potential to injure or kill others.

Summary

Officer Teeter's decision to deploy K9 Islay into the RAV4 to take Alexander-Garcia into custody was a less lethal option with a high probability of success. His decision to enter the RAV4 to affect the arrest Alexander-Garcia did not amount to officer-created jeopardy. Finally, his use of deadly force inside the RAV4 was a reasonable response to a legitimate threat of serious injury or death to himself and others posed by the chaotic and reckless actions of Alexander-Garcia.

In sum, I find Officer Teeter's use of deadly force to be justified under Connecticut law.

⁹There is an incongruity between Alexander-Garcia's pleas for help while in the car and his continued reckless operation. I suspect that such reckless operation of the RAV4 and refusal to comply with the orders to stop were at least partially due to the effects of the crack cocaine in his system.

CONCLUSION

The investigation establishes that the use of deadly force by Officer Andrew Teeter was justified. The Office of Inspector General will take no further action in this matter.

Submitted this 19th day of December 2024.

A handwritten signature in blue ink, reading "Robert J. Devlin, Jr.", is written over a horizontal line.

ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

Appendix



STATE OF CONNECTICUT
OFFICE OF INSPECTOR GENERAL



Officer's Statement

Date: <u>4/5/24</u>	Time Started:	Time Ended: <u>11:00</u>	CFS #:
Location: <u>HARTFORD</u>			Statement taken by: <u>V. Adams</u>

I, ANDREW TEETER Date of Birth: W/D
of HARTFORD Town/City: _____ State: CT

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-157b and is punishable by law.

On 8-8-23 at approximately 1651 hrs. Dispatch notified units that a FL01 Stolen Vehicle, CT REG AD56822 a 2013 Hyundai Elantra was operating near the Westfarms Mall. Several units responded into the area to check for the vehicle but it was not located. A short time later, Ofc. Grasso stated he observed the vehicle traveling east on New Britain Ave. in the Mayflower St. area but lost sight of it. Shortly after that Ofc. Rousseau stated he had successfully deployed stop sticks and the vehicle was continuing east on New Britain Ave. from New Park Ave.

I proceeded towards the area and while enroute was notified that a crash had occurred and multiple occupants had fled the vehicle, at least one of which had fled into a small wooded area near Meineke Auto, 1012 New Britain Ave. Upon my arrival into the area I observed the crash that had taken place, which involved several vehicles. At approximately this time it was relayed that the first party was being taken into custody but there were other subject(s) still outstanding. The area was heavy with vehicle and pedestrian traffic at the time.

I exited my cruiser and had multiple witnesses on the street indicating to me that a subject was east of my location. One witness indicated that a subject was actively running east along New Britain

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

Officer:

Name

ANDREW TEETER

Signature

#331

Date Signed

4/5/24

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein.
If notarized, endorse here:

Oath Administered By:

Name

John V. Adams

Signature

[Signature]

Date Signed

4-5-2024



STATE OF CONNECTICUT
OFFICE OF INSPECTOR GENERAL



Ave. and was described as a Hispanic male wearing a long sleeve black shirt with red shorts. I notified dispatch of this information. It had been broadcasted over the radio that the subject had attempted at least one carjacking at this point but was unable to complete the crime. Dispatch had relayed that the subject had attempted to jump in someone's car but then relayed shortly after that a witness reported that the subject was now running again, indicating that this first attempted carjacking had been unsuccessful. At this point the subject had been in constructive possession of a stolen vehicle, crashed that stolen vehicle into multiple other cars and had fled from that scene. When I observed this crash scene upon my initial arrival into the area, and based on the damage I observed, I believed that at a minimum, minor injuries would have been sustained by the victims inside the other vehicles. This subject, after initially running into the wooded area behind Meineke Auto had continued to flee from Officers who had taken the other occupant from the stolen vehicle into custody. I then continued east on New Britain Ave. in my fully marked Police K9 vehicle.

While slowed on New Britain Ave. by Town Fair Tire I observed a Hispanic male with a long sleeve black shirt and red shorts, running east through the lot and into a service bay/garage on the north side of the road. I notified dispatch that I saw the subject and of our location. I then pulled my cruiser into the lot and immediately deployed K9 Islay from her rear kennel while holding on to her and into the service bay to search for the subject. Upon pulling up to the service bay I first believed that the subject would attempt to hide within the structure and that K9 Islay and I would search the immediate area for the subject. As we got closer to the building, I observed that the service doors on the opposite side were opened and believed the subject would likely continue through the bay and that if he did not comply with my commands to stop, K9 Islay would be deployed to apprehend the subject until myself and other officers could close that distance. I observed several employees in the garage and then observed one employee hanging from an open passenger window of a vehicle parked in a service spot. I recall at least 2-

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Name

James Vindao

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STATE OF CONNECTICUT
OFFICE OF INSPECTOR GENERAL



3 employees directly inside the service bay between two vehicles in service spots which were in close proximity to one another as well as close proximity to K9 Islay and I, within a few feet. The employee was hanging from the window and I believed him to be in a fight with the subject, as I could see the employee's legs and body flailing from the window with his feet not on the ground. I commanded the employee to move which he was able to do and I now observed the subject in the driver's seat. This incident made it the subject's second carjacking attempt, which ultimately became successful.

I then deployed K9 Islay into the vehicle through the open front passenger window and instructed her to bite the subject and hold him so I could take the subject into custody. While standing outside of the vehicle but leaning in I now observed that the vehicle had keys in the ignition. While giving reinforcement commands to K9 Islay I made several unsuccessful attempts to pull the keys from the ignition. I observed that despite the subject being bit by K9 Islay he was still attempting to put the vehicle in gear. If I attempted to get away from the vehicle, I feared I would be struck by the open door or caught up in the wheels and run over. I entered the vehicle for my own safety as well as to continue to effect the arrest of the subject. I gave multiple commands to the subject to "stop fighting," "stop it" and "don't do it" but he made no efforts to stop; nor did he make any comments to suggest compliance. I broadcasted on my radio that we were in the vehicle and that K9 Islay was on the subject. At this time I was backwards in the front passenger seat and across the center console area with K9 Islay between the subject and me while the vehicle was in motion and the passenger door still open. Due to my position and the fight I was engaged in with the subject I could not determine at all where we were going. The vehicle began to shake in a manner that I knew it was in motion and colliding with objects. I then gave multiple warnings to the subject that "I'm gonna fucking shoot you," "I'm gonna

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Signature

[Signature]

Date Signed

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Oath Administered By:

Name

Jones Viada

Signature

[Signature]

Date Signed

4-5-2024



STATE OF CONNECTICUT
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shoot you," "STOP," "I'm gonna fucking shoot you," "STOP," "I'm gonna shoot you" and still observed no change in behavior or attempts by the subject to surrender. The vehicle remained in motion and I could hear the engine accelerate rapidly as we were bounced around within the vehicle.

Based on the culmination of events thus far, the subject's complete disregard for my lawful commands, and his continued behavior of non-compliance/active resistance, I feared for my safety. If the subject was allowed to continue to operate the vehicle in a violently reckless manner on the busy and active roadway and pedestrian area, there was a high likelihood of serious physical injury or death to myself, K9 Islay and the public. Based on the totality of circumstances, and after numerous warnings, I then drew my department issued service weapon and discharged several shots at the subject. I observed that the subject was no longer resisting arrest, by which I identified that he was no longer an immediate threat, and with the vehicle still in motion, I then immediately attempted to steer the vehicle to safety, away from traffic and pedestrians. Before any tangible change in direction could be made we violently crashed and I was thrown into the windshield backward. I immediately notified dispatch of the shots fired incident. I later observed that the vehicle had crashed into a utility pole and electrical box.

Additional officers arrived to our location immediately after and attempted to pull the subject from the vehicle to begin rendering aid, however the subject was stuck and arriving officers could not free the subject from the vehicle. While still holding onto K9 Islay, who was now in the backseat of the vehicle, I was able to free the leg of the subject from under the steering wheel and help push him from the vehicle so medical aid could be administered. I was then able to retrieve my firearm which had been knocked from my hand during the final collision. The passenger door was stuck closed due to the multiple impacts sustained during the incident so K9 Islay and I ultimately exited through the driver's door.

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I secured K9 Islay in her cruiser after quickly checking her for obvious injuries and found none. I was then transported to a local hospital for assessment and treatment of my injuries. My injuries include, but are not limited to the following: I sustained two permanently damaged discs in my neck, a broken rib, significant lacerations/bruising to the back of my head, significant lacerations to the top of my head, lacerations and bruising around my left eye, a burn mark to the inside of my left elbow, significant bruising/lacerations to my right elbow, nerve/sensory related issues to my right elbow and right hand. This report was completed based on my recollection of the incident as well as the viewing of various BWC and dashcam footage.

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Officer:

ANDREW TEETER
Name

Signature

#331

4/5/24
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Oath Administered By:

James Vindas
Name

Signature

4-5-2024
Date Signed

Case: Officer Andrew Teeter Canine Use of Force and his Use of Deadly Force.

Name: Terry Anderson

Company: Keli's K9's LLC

PO Box 521

Hillister, Texas 77624

INTRODUCTION

I, Terry Anderson, have been retained as an expert witness by the Connecticut Office of the Inspector General regarding Officer Teeter's use of canine Islay as a less than lethal force option and Officer Teeter's use of deadly force. I have been asked to consider the facts in this case and form opinions regarding his uses of force which resulted in the death of Mike Alexander-Garcia.

I have been asked to answer the following questions:

1. Under the circumstances presented, was Officer Teeter's deployment of the K9 into the Rav4 objectively reasonable and within accepted police practice?

2. Under the circumstances presented, was Officer Teeter's use of deadly force objectively reasonable and within accepted police practice?

After reviewing the all the material provided to me, I have formed several opinions regarding the use of force based upon the facts in this case.

I

BACKGROUND and EXPERIENCE

I am the Trainer/Handler for Keli's K9's LLC. We train single purpose and dual-purpose canines for Law Enforcement (LE) Agencies. I also train dogs for private citizens in Basic, Intermediate and Advance Obedience.

- We work our own service dogs in the private sector searching for narcotics and explosives.
- We provide Training for LE agencies regarding all areas of police service dogs and tactics.

- I began my career in 1988 at Pasadena Police Department (PPD) where I worked until I retired as a Sgt. in 2013. I became a certified instructor through the State of Texas Commission on Law Enforcement Standards in 1989.
- I became a canine handler in 1991 and attended numerous canine training schools. I became a certified canine trainer in 1994 and head trainer for PPD that same year. I remained the head trainer for PPD canine Program until just prior to my retirement in 2013. I was responsible for canine procurement, testing and evaluations, budgets, weekly unit training, selection of handlers, handler training programs, monthly departmental reports, medical consultations, policy and procedures, mission specific training and operational deployments, and personnel evaluations as well as proficiency assessments.
- I was elected President of National Police Canine Association (NPCA) in 2004, a position that I continue to retain as I have been reelected. I spent three years on the Standards Committee (SC) for NPCA. The SC was responsible for developing certification standards for NPCA. I oversee a 1500-member organization with an annual budget exceeding \$200,000.00, where we provide training and certifications to LE entities. I annually attend a legal update class that we provide to our members, as well as teach all disciplines related to canine training to our members.
- I also was a member of PPD SWAT team from 1994-2013. I remained on SWAT following my promotion and was moved to PPD Special Operations Division Sergeant and was responsible for forty operators in Canine, SWAT and Explosive Ordinance Division (EOD). This responsibility entailed overseeing unit training of all three units, budgets, procurement of equipment, personnel selections, and operational deployments.
- Between 1994 and 2013, I was responsible for maintaining and updating my police department's canine policies. I have assisted numerous law enforcement agencies throughout the United States in writing or updating their canine manuals.
- I am employed as an instructor for Swat K9 Interacting During Deployments (SKIDDS) and travel all over the United States teaching SWAT operators and canines how to interact during tactical deployments.
- Over the years, I've been asked to teach at SWAT and K9 association seminars and workshops throughout the United States.
- During my career I have testified in City, State and Federal Courts and have been retained previously as an expert witness and consultant where I have provided opinions, depositions, and testimony on canine related issues such as proper utilization of detection canines and patrol deployments.
- I have been accepted and certified through Federal Court as an expert Witness in the field of Police Dog Training/Handling and Operations. (Refer Covington V. US)
- I am on six Federal Boards which are responsible for developing industry best practices. I was on the Executive Board for Scientific Working Group on Dogs and Orthogonal (SWGDOG) and National Explosive Detector Canine Advisory Board

(NEDCAB). Previously I was one of 25 members for Organization of Scientific Area Committees (OSAC); however, due to demanding schedules in our business I chose to move to an affiliate position on OSAC.

- I have been employed for the Department of Homeland Security since 2019 as a subject matter expert/evaluator in the field of Explosive Detection canines and The Limited integration of explosive canine teams in an Active Shooter Situation.
- Since 2021 I have volunteered as an Adjunct Instructor for Warren High School Criminal Justice Program where I teach students LE techniques in SWAT operations and Building Searches.

II

MATERIAL CONSIDERED

Below are the documents I considered in forming my opinions:

1. 911 dispatch
 1. 911 Pos 1 phone
 2. 911 Pos 3 phone
 3. Dispatch phone
 4. Dispatch radio Transmissions (16,17,21,22,23,24,and 25)
2. AutoMax Video
3. Inspector Reports
 1. Capozzi 081123
 2. Gonzalez 081023 #2
 3. Gonzalez 081023
 4. Hunt 081123
 5. Viadero 051024
4. Interviews
 1. West Hartford PD interview BWC
 2. After RAV4 Crash Interview
 3. Alfredo Rivera- Nissan Altima interview
 4. Andres Roldon- witness interview
 5. Arash Behfar- Pep Boys interview
 6. Cricket Wireless- interview
 7. Lyle Solsbury- interview
 8. Ivana Santiago and Richard Perez- witness interview
5. Lyle Solsbury
 1. Criminal History
6. Mike Alexander-Garcia
 1. Arrest warrant for Escape

- 2. Criminal History
 - 3. Booking photo
- 7. OCME
 - 1. Report
- 8. Press Release Video
 - 1. Lazure-MVR
 - 2. Piccirillo-MVR
 - 3. Piccirillo-BWC
 - 4. Teeter-BWC
 - 5. Teeter-MVR
 - 6. Town Fair Tire
- 9. Statements
 - 1. Officer Andrew Teeter
- 10. Town Fair Tire Video
 - 1. Channel 1
 - 2. Channel 2
- 11. WDMCS Binder
 - 1. Processing of the scene
 - a. FARO
 - b. Reports
 - i. Backup photo report (W. Hartford scene)
 - ii. Exhibit report (W. Hartford scene)
 - lii. Primary photos report (W. Hartford scene)
 - iv. Scene report (W. Hartford scene)
 - v. Scene Video report (W. Hartford scene)
 - c. Scene Photos
 - i. backup scene photos
 - ii. Drone
 - iii. Primary scene photos
 - d. Scene Video
 - 2. Processing of vehicle
 - a. Hyundai
 - i. Attachments
 - ii. Hyundai Inventory
 - iii. Search warrant
 - iv. Hyundai Photos
 - v. Reports
 - b. Rav4
 - c. Exhibit repots
- 12. W. Hartford Binder

1. Detective Division
 - i. Det. Daniel Raywood
 - ii. Lt. Thomas Lazure
2. Patrol Division
 - i. Ofc. Alexis Marcelo
 - ii. Ofc. Angelina Piccirillo
 - iii. Ofc. Blake Zimmerman
 - iv. Ofc. Blake Zimmerman
 - v. Ofc. Delionel Jimenez
 - vi. Ofc. Michael Rousseau
3. Photos
4. Traffic Division Crash report
13. Activity reports for canine Islay
 1. 2022 Bite
 2. Teeter Islay canine stats 2019 through 2023
 3. Use of Force Report
14. W. Harford Canine Policy
15. W. Hartford Use of Force Policy
16. W. Hartford Use of Deadly Force Police

III

FACTS PRESENTED TO ME

Any fact summary is provided for convenience and does not necessarily itemize every single fact relied upon by this expert in the formation of my opinions-conclusions in this matter. It is based on my review of the materials. I do not contend to have direct personal knowledge of the incident facts.

Primary Participants:

Mike Alexander-Garcia: (deceased) b/m DOB 05-01-1989

Lyle Solsbury: w/m DOB 10-02-75, passenger in the stolen RAV4

Officer Andrew Teeter: canine officer, West Hartford Police Department

Mike Alexander-Garcia's Actions:

1. Alexander-Garcia was driving a stolen vehicle motor vehicle when he offered a ride to Lyle Solsbury.
2. Lyle accepted the ride, and they drove to Hartford.
3. According to Lyle, while driving Alexander-Gacia took multiple hits from a crack pipe and told him about "boosting" stolen property. (*refer to Lyles in custody testimony*),
4. Lyle advised he uses illegal drugs, and he took several hits from the crack pipe also.
5. Lyle stated Alexander-Garcia was driving erratically when he ran a red light and struck several vehicles.
6. Immediately following the crash, Alexander-Garcia exited the vehicle, but he didn't know what he did or where he went.
7. Lyle stated he didn't want to get in any more legal trouble, so he got out and ran but decided he didn't do anything wrong, so he stopped and was arrested.
8. Lyle declined any knowledge of the vehicle being stolen or what happened to Alexander-Garcia after he fled the wreck.
9. Through witnesses and interviews, along with local video recordings, it was determined that Alexander-Garcia fled the wreck and tried to enter several other vehicles.
10. He attempted to enter one vehicle but couldn't because the door was locked so he kept moving.
11. He then entered an occupied, parked vehicle but was not able to force the driver to take him away from the area.
12. Alexander-Garcia fled again and was captured on video running through a parking lot and entered the service bay for Town Fair Tire where he stole another vehicle.
13. Alexander-Garcia was confronted by a store employee who attempted to stop him from stealing that vehicle.
14. His attempt to stop Garcia was not successful.

Officer Teeter's Incident Report:

1. Officer Teeter responded to the area of 1012 New Britain Ave. in reference to a stolen vehicle that had been involved in an accident.
2. As he arrived in the area, he received a description of the suspect that had fled the accident scene.
3. As he began checking, the area he observed a subject running that matched the description of the suspect driving the stole vehicle.
4. He observed the suspect run into a service bay at Town Fair Tire.
5. Officer Teeter observed several persons gathered around a vehicle and one employee partially inside the passenger window of that vehicle parked inside the service bay.

6. After ordering the employee to move from the vehicle he deployed canine Islay inside in an attempt to stop the suspect from stealing another vehicle.
7. Observing the vehicle had keys in the ignition, Officer Teeter made several attempts to remove the keys to prevent him from stealing the vehicle.
8. While Islay was actively biting the suspect, officer Teeter observed the suspect putting the stolen vehicle in gear.
9. In fear of his life from being run over by the stolen vehicle, Officer Teeter entered the passenger side door of the vehicle.
10. Alexander-Garcia fought through canine Islay's bite and backed out of the bay at a high rate of speed.
11. The suspect intentionally struck his patrol vehicle several times with reckless/careless disregard for anyone's safety and began fleeing the scene.
12. Due to Alexander-Garcia's reckless abandon in his escape and his complete failure to comply with commands, Officer Teeter drew his duty weapon and threatened to shoot him if he refused to stop.
13. Confronted with this potentially deadly situation and Alexander-Garcia's failure to comply to his lawful orders, Officer Teeter was forced to discharge his firearm to prevent his escape, and to avoid any serious bodily injuries or loss of another person's life.

IV

ANALYSIS

The following are my professional and expert opinions, which I will offer in this case, and the basis and reason for those opinions. My professional and expert opinions are based on the information I reviewed as well as my training, experience, expertise, education, and familiarization with professional publications. If I receive other materials, I reserve the right to supplement my report.

(Answer to question #1)

1. Under the circumstances presented, was Officer Teeter's deployment of the K9 into the Rav4 objectively reasonable and within accepted police practice?

In my professional and expert opinion, the utilization of canine Islay as a less lethal use of force to apprehend and arrest Alexander-Garcia was reasonable, lawful, and consistent with modern police practices, industry standards and in accordance with State and Federal Law, the West Hartford Connecticut Police Departments (WHPD) General orders, Use of Force Policy and Canine Policy.

Officer Teeter's utilization of canine Islay as a less than lethal force option against Alexander-Garcia met all three prongs of Graham vs. Conner¹ and is justified.

Police Service Dogs

Police Service Dogs have a significant role in Law Enforcement. Their role is multi-faceted and encompasses responsibilities from public relations, education, detection of hidden odors, a static presence of deterrence and use of force options. State and Federal Laws, individual departmental policies and procedures and departmental guidelines govern how police service dogs are utilized on the streets and in the industry. Industry standards are observed by agencies that utilize canine teams in Law Enforcement. Canines are commonly deployed to detect hidden human odors as well as other illegal substances or dangerous items such as explosives.

Their intelligence, willingness to learn and proven ability to accept and obey commands provides officers with another tool to successfully complete their tasks. Their physical capabilities such as agility, speed, temperament, and inherent character traits improve officers' ability to locate hidden criminals, and increase the safety of officers, the person they are searching for and citizens. The force used by the K9 handler must be reasonable under the facts and circumstances of each incident, based on the reasonable officer standard outlined in the United States Supreme Court decision of *Graham v. Connor*, 490 U.S. 386, 394 (1989).

The operative question in this analysis is whether the K9 officer's actions were "objectively reasonable" considering the facts and circumstances confronting him. To answer that question, officers are taught they must balance the amount of K9 force applied against the need for that force. The law enforcement industry standard is to make sure the use of any force is measured by examining three core *Graham* factors as well as the totality of the circumstances: a) The severity of the crime at issue; b) Whether the suspect poses an immediate threat to the safety of the officers or others; and c) Whether he is actively resisting arrest or attempting to evade arrest by flight.

Relevant Facts

As Officer Teeter arrived in the area, he observed a subject running away from the accident scene and entering the Town Fair Tire. That subject matched the description

¹ The three prongs of *Graham v. Connor*, 490 U.S. 386 (1989) are (1) severity of the crime, (2) whether the subject posed an immediate threat to safety of officers or others, and (3) whether the subject is actively resisting arrest or attempting to evade arrest by flight.

WHPD gave to officers. WHPD further advised that the vehicle which caused the crash was stolen.

Recognizing the fleeing suspect, later identified as Alexander-Garcia, matched the description of the driver of the stolen vehicle, Officer Teeter followed him into Town Fair Tire. Not knowing if anyone was seriously injured or killed in the crash, he had a duty to apprehend the fleeing suspect.

Officer Teeter, facing an unknown situation inside the business, exited his police unit with canine Islay under his physical control and entered the business's shop area. Upon entering the business, he observed several people standing near a vehicle and an employee halfway inside the front passenger side window. *(Toyota Rav 4 #182MPO)*

Officer Teeter clearly observed that Alexander-Garcia was stealing another vehicle and ordered the employee to get out of the way and he deployed canine Islay into the vehicle. Canine Islay entered through the passenger side open window and bit Alexander-Garcia on his right lower forearm above his wrist. Officer Teeter opened the passenger side front door and entered the vehicle himself. *(refer to Officer Teeter's BWC and the interior video inside the Town Fair Tire shop area)*

K9 Policy

The International Association of Chiefs of Police says, *"officers may not be aware of the mental state or condition of an individual, but even when this information is available it may be necessary to deploy a canine when the severity of the crime warrants this action and alternative measures are either not available or inadequate to gain control of the individual"* **(IACP Law Enforcement Policy Center – Patrol Canines Revised May 2015).**

The International Associations of Chiefs of Police also says K9 bites typically cause injury to suspect but sometimes the injury is needed in order to gain compliance. Regardless of whether Officer Teeter knew Alexander-Garcia was under the influence of alcohol, on drugs, or mentally ill, the deployment of canine Islay was dictated by Alexander-Garcia's act of stealing another vehicle, his non-compliance to surrender and the deadly threat he posed to the safety of Officer Teeter and others. Alexander-Garcia's refusal to comply with lawful commands elevated the threat level.

West Hartford Canine Policy

I have reviewed the W. Hartford Canine Policy, Use of Force Policy and Deadly Use of Force Policy. Its policies are like ones I have previously reviewed from other police departments. The W. Hartford policies meet the industry standards for such policies based on Law Enforcement standards, K9 industry standards, best practices, and case law for agencies throughout the United States (*refer to the following WHPD Policies*)

Professional Reference Directory

Chapter: 18 Specialized Teams

Section: 18.5

Title: K-9 Unit Policy

Date: 6/10/2015

Fleeing Suspect

The K-9 will be released for non-muzzle deployment to apprehend a fleeing felony or violent misdemeanor suspect only. The K-9 may be released for muzzle deployment to help apprehend non-violent misdemeanor suspects who are fleeing. Prior to the K-9 being used for the apprehension of criminal suspects, the handler will consider the severity of the crime, whether the suspect(s) poses an immediate threat to the safety of officers or others, and whether the suspect is actively resisting arrest or attempting to evade arrest.

Conclusion – Question #1

Officer Teeter's deployment of canine Islay through the passenger side window was reasonable and the most efficient/effective less lethal force option. Alexander-Garcia's failure to comply with Officer Teeter's commands and Islay's bite displayed his complete disregard for his safety and the safety of others. Alexander-Garcia's behavior is contrary to others when confronted with a police canine. A lot of criminals, when confronted with the potential of being bitten by a police canine immediately surrender. Others fail to surrender until the canine is forced to bite them. Alexander-Garcia can be heard pleading with Officer Teeter to stop the dog from biting him; however, Alexander-Garcia made no effort to surrender and continued his reckless actions while relentlessly trying to escape. (*refer to Officer Teeter's BWC*)

(Answer to question #2)

2. Under the circumstances presented, was Officer Teeter's use of deadly force objectively reasonable and within accepted police practice?

*In my professional opinion Officer Teeter followed the WHPD Use of Deadly Force Policy. From my training and experience as an officer and supervisor in high stress incidents Officer Teeter clearly recognized the imminent threat Alexander-Garcia posed and placed himself in a dangerous situation to prevent Alexander-Garcia from escaping or seriously injuring or killing others. **Officer Teeter's actions were "Objectively Reasonable" as he believed that his use of DEADLY FORCE was his only option to stop Alexander-Garcia and prevent him from injuring or killing any innocent persons.***

West Harford Use of Force Policy

Professional Reference Directory

Chapter: 7 Use of Force

Section: 7.0

Title: General Use of Force

Date: 6/13/17, 07/09/20

I. POLICY

The main responsibility of department officers is to protect the life and property of civilians. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. There is a compelling public interest that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by our Constitution and applicable law.

II. DEFINITIONS

Active Resistance: Any physical act, or failure to act, undertaken by a subject, against an officer, that could reasonably interfere with or defeat a lawful attempt by the officer to gain physical control of the subject.

Imminent Threat: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

Objectively Reasonable Force: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using an objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. (See, *Graham v. Connor*, 490 US 388 (1989).) In determining the appropriate level of force to be used, officers shall evaluate each situation in light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the seriousness of the crime or suspected offense; the level of threat or resistance presented by the subject; the risk or apparent attempt by the subject to escape; and whether the subject was posing an imminent threat to officers or others.

III. PROCEDURES

A. General

1. Officers shall use verbal commands or advisements, warnings, verbal persuasion, and verbal instructions when possible before resorting to force.

2. All officers are required to deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force with such actions subject to concerns of officer and public safety.

B. Use of Force Authorization and Limitations

Officers of the department are authorized to use only the amount of force necessary to accomplish lawful objectives. Objectively reasonable force may be used:

- 1. To effect an arrest or prevent the escape from custody of a person whom the officer reasonably believes has committed an offense.*
- 2. To defend the officer or others from the use, or imminent use, of physical force.*
- 3. To take persons into protective custody when authorized by law, such as persons who are a danger to themselves or others, persons incapacitated by alcohol, and/or runaway children.*
- 4. To prevent someone from committing suicide or inflicting serious physical upon themselves*
- 5. To assist a licensed physician or psychologist in providing necessary medical treatment.*
- 6. To control a situation, and to overcome passive or active resistance to a lawful order.*
- 7. To neutralize an unlawful assault and defend themselves or others from harm.*
- 8. The authorized use of physical force ends when resistance ceases and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force is used, including levels of resistance, suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options.*

C. Verbal Warnings

When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in exigent circumstances where the officer has to make a split second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy.

D. Use of Deadly Force in Defense of Human Life

An officer is justified in using deadly physical force only when he or she reasonably believes such force is necessary to:

1. Defend the officer, or a third person, from the imminent threat of death or serious bodily injury.

2. Effect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed, or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons. Where feasible, the officer should give warning of the intent to use deadly physical force. In reference to Tennessee v. Garner, 471 U.S.1, 85 (1985.), the United States Supreme Court ruled that the use of deadly force.

Relevant Facts

Alexander-Garcia backed out of the stall and immediately began driving forward ramming Officer Teeter's marked unit several times. Officer Teeter was in the front passenger seat with the door partially open while Alexander-Garcia drove erratically, intentionally trying to escape and throw Officer Teeter from the moving vehicle. *(refer to his MVR and primary scene photos)*

Officer Teeter, recognized the imminent threat to himself and others so he escalated his verbal commands to stop; however, Alexander-Garcia totally disregarded his commands. Officer Teeter aggressively and clearly vocalized his intent to shoot him if he failed to stop. *(refer to his BWC)*

During this short period of time, canine Islay remained on the bite, but this was not enough to stop Alexander-Garcia. Alexander-Garcia fought through canine Islay's bite and continued driving the vehicle with complete disregard for his life, Officer Teeter's life or other uninvolved citizens. Jeopardizing his life, Officer Teeter was forced to stop Alexander-Garcia before anyone else was injured or killed. The threat Alexander-Garcia posed, and his intentional non-compliance resulted in Officer Teeter shooting him 5 times. Officer Teeter's DEADLY Use of Force resulted in Alexander-Garcia's death. *(Refer to OCME autopsy report)*

Conclusion – Question #2

When determining the reasonableness of the use of deadly force one must consider the totality of the circumstances confronting officers at the time of the incident. Officer Teeter was in fear for his life and the lives of others. Officer Teeter's response was consistent with modern police training. He acted in a manner consistent with a reasonable police officers training considering the facts and circumstances known to him during this tense, uncertain and rapidly evolving situation that required a split-second decision.

Officer Teeter acted reasonably and prudently as any other officer having a similar background of training and experience, when confronted with similar facts and circumstances, would make the same decision. Alexander-Garcia can be heard pleading with Officer Teeter to stop the dog from biting him; however, Alexander-Garcia made no effort to surrender and continued his reckless actions while relentlessly trying to escape.

Any officer faced with a similar incident has a duty to act to affect the arrest and prevent any loss of lives. Realizing canine Islay's less lethal use of force was not creating the desired effect, Officer Teeter had no other options but elevate his use of force options to prevent Alexander-Garcia's escape or seriously injuring or killing another person. Officer Teeter's pointed his firearm at Alexander-Garcia while aggressively ordering him to stop or he would shoot him. To no avail, Alexander-Garcia made no attempt to stop and forced Officer Teeter to shoot him. (*refer to Officer Teeter's BWC*)

Officer Teeter's use of deadly force was objectively reasonable in accordance with state statutes, WHPD Deadly Force Policy and current case law. **Alexander-Garcia propelled Officer Teeter's use of deadly force that resulted in his death.**

I have testified as an expert witness at trial or deposition in the preceding 5 years.

- 2021 Solomon Coley and Arshakne Hall vs. City of Bossier City No. 5:17-cv-01553-EEF-MLH, Canine Use of Force, report, and deposition.
- 2022 Allen Woodard v. Deputy Eddie Carol, Deputy Hall, Unknown Deputy, Sheriff Tony Mancuso, Calcasieu Parish Sheriff's Department Civil Action: USDC, WDLA, No: 2:21CV00059-TAD-KK Active case, report, deposition.
- 2022 United States v. Davis et al., United States District Court for the Eastern District of Pennsylvania, Crim. No. 19-636: United States District Court Qualified as an

- expert in Law Enforcement Canine Handling, Training and Certification, Including Narcotic Detection. (Covington Case)
- 2023 Notice of Appeal of Termination of Dereck Frasier ADPS, Plaintiff. Reviewed case and testified in Administrative Hearing.
- 2023 Julian Valenzuela (Plaintiff) v. The City of Las Cruces, and Officer Mathew Dollar (Defendant)
Case no. D-307-CV-2022-01147, reviewed case, Report, Depo Testimony
- 2024 Eric Lopez (Plaintiff) v. The City of Las Cruces and Officer Mathew Dollar (Defendant)
Case no. D-307-CV-2023-00780, reviewed case, Report, Depo Testimony

I am prepared to testify to the opinions expressed in this report. I may have additional opinions if I am provided with further documentation for review, and I reserve the right to augment my report in the event I am asked to provide additional opinions.

Date: 11.19.2024

TERRY ANDERSON

Terry Anderson – Keli's K9's

Terry Anderson

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