

INFORMATION

JD-CR-71 Rev. 3-11

STATE OF CONNECTICUT SUPERIOR COURT

Disposition date

Police Case number

2300421472

Agency name

Connecticut State Police-WDMC

Agency number

A600

Title, Allegation and Counts

State of Connecticut vs. (Name of accused) Kehoss, Nicholas, David		Residence (Town) of accused [REDACTED]	Docket number
Address 211 Spring St, Naugatuck, CT 06770		Date of birth 06/12/1987	The undersigned Prosecuting Authority of the Superior Court of the State of Connecticut charges that:
To be held at (Town) Waterbury	Geographical area number 4	Court date	
Count One --- Did commit the offense of: Assault 3rd degree		Continued to	
At (Town) Waterbury	On or about (Date) 10/14/2023	In violation of General Statute number 53a-61	
Count Two --- Did commit the offense of: Cruelty against a Person			
At (Town) Waterbury	On or about (Date) 10/14/2023	In violation of General Statute number 53-20	
Count Three --- Did commit the offense of:			
At (Town)	On or about (Date)	In violation of General Statute number	
<input type="checkbox"/> See other sheet for additional counts		Date 10/30/23	Signed (Prosecuting Authority) <i>[Signature]</i>

Court Action

Defendant advised of rights before plea		Bond	Surety	<input type="checkbox"/> 10 % Election (Date)			
(Judge)	(Date)			<input type="checkbox"/> Cash <input type="checkbox"/> CT <input type="checkbox"/> JY			
<input type="checkbox"/> Attorney <input type="checkbox"/> Public defender	Guardian	Bond change		Seized property inventory number			
Count	Plea date	Plea	Plea withdrawn Date New plea	Verdict finding	Fine	Remit	Additional disposition
1					\$	\$	
2					\$	\$	
3					\$	\$	
Other Court Action							Judge
Date							
Receipt number	Cost <input type="checkbox"/> IMP <input type="checkbox"/> NCI	Bond information <input type="checkbox"/> Bond forfeited <input type="checkbox"/> Forfeiture vacated <input type="checkbox"/> Forfeiture vacated and bond reinstated					
Application fee - receipt number if paid	Circle one W I Q	Program fee - receipt number if paid	Circle one W I Q	Probation fee - receipt number if paid	Circle one W I Q		
Prosecutor on original disposition	Reporter/monitor on original disposition	Signed (Clerk)		Signed (Judge)			

INFORMATION

JD-CR-71 Rev. 3-11

STATE OF CONNECTICUT
SUPERIOR COURT

Disposition date

Police Case number

2300421472

Agency name

Connecticut State Police-WDMC

Agency number

A600
Arrest Warrant

Geographical
area
number

4
State of Connecticut vs. Kehoss, Nicholas, David

To: Any Proper Officer of the State of Connecticut

By Authority of the State of Connecticut, you are hereby commanded to arrest the body of the within-named accused. ("X" all that apply)

☐ A. Accused is ordered to be brought before a clerk or assistant clerk of the Superior Court.

☐ B. Accused is not entitled to bail.

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

☒ C. Bail set at \$50,000 CTS
☐ D. Non-financial conditions of release:

Extradition boundaries
established by prosecutor

☐ E. Conditions of release not determined by court.

By the Court

Signed (Judge of the Superior Court)

Date

10/30/23

Name of Judge (Print or type)

KWAK
Return On Arrest Warrant

Geographical
area
number

4

Town of

Waterbury

Date

10/30/23
State of Connecticut

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

Attest (Officer's signature and Department)

[Signature] #1425
CSP-WDMC

Date

Other Court action

Judge

ARREST WARRANT APPLICATIONJD-CR-64b Rev. 3-11
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

For Court Use Only

Supporting Affidavits sealed

☐ Yes ☐ No

Police Case number 2300421472	Agency name Connecticut State Police-WDMC	Agency number A600
Name (Last, First, Middle Initial) Kehoss, Nicholas, David	Residence (Town) of accused [REDACTED]	Court to be held at (Town) Waterbury
		Geographical Area number 4

Application For Arrest Warrant

To: A Judge of the Superior Court

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

Date 10/30/23	Signed (Prosecuting authority) [Signature]	Type/print name of prosecuting authority Maureen Platt
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Affidavit

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

1. That the undersigned affiant, Detective Ferenc Bozso #1425 is a sworn member of the Department of Emergency Services and Public Protection, Division of State Police, presently assigned to the Western District Major Crime Squad, and has law enforcement experience of approximately 8 years. The affiant has conducted numerous investigations of criminal activity including, but not limited to; murder, robberies, sexual assaults, burglaries, arsons, narcotics violations, and has received specialized training in the processing of crime scenes and the investigations of complex criminal cases. At all times mentioned herein, the undersigned is acting in an official capacity as a member of the aforementioned agency. The following facts and circumstances are related from personal knowledge and/or observations and include information related to the affiant by fellow police officers and persons with knowledge of the facts and/or circumstances contained herein.

2. That on October 23, 2023, Connecticut State Police Western District Major Crime Squad met with Naugatuck Police Department's Assistant Police Chief Norck and Captain Bastos. Assistant Chief Norck provided a USB Flash Drive with three (3) Body Worn Camera (BWC) recordings of an officer involved use of force incident. Assistant Chief Norck further provided the department's use of force policy, training and disciplinary records of the officer involved.

3. That on October 24, 2023, I reviewed the BWC recording of Detective John Williams. The Camera was activated on October 14, 2023 at approximately 16:22:34 hours. There is no audio for 2 seconds. A radio transmission can be heard from dispatch: "Should be occupied twice, no description on the passenger".

At 16:22:53, Detective John Williams exits his vehicle.

At 16:22:55, Detective John Williams draws his firearm and aims it at a tan sedan. He yells: "Shut it off! Shut the fucking thing off or die".

At 16:22:59, three people can be seen inside the vehicle. The operator, black male with black jacket, later identified as Jarell Day (DOB: 10/10/1990), black male with yellow jacket in the front passenger

(This is page 1 of a 6 page Affidavit.)

Date 10/30/23	Signed (Affiant) [Signature]
Jurat Subscribed and sworn to before me on (Date) 10/30/2023	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) Det. Sgt. [Signature]

Finding

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

Date and Signature Waterbury	Signed at (City or town) 10/30/23	Signed (Judge/Judge Trial Referee) [Signature]	Name of Judge/Judge Trial Referee KWAK
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ARREST WARRANT APPLICATION

JD-CR-64a Rev. 3-11
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT

SUPERIOR COURT

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Affidavit - Continued

seat, a white female with white jacket in the rear right seat. Several Corona beer cases can be seen on the rear seat.

At 16:22:59, Detective John Williams attempts to open the front passenger side door but unable to do so.

At 16:23:00, the vehicle backs up and Detective John Williams moves with the vehicle.

At 16:23:03, Detective John Williams yells: "Shut it off". The tan vehicle then drives around his patrol vehicle.

At 16:23:06, the tan vehicle strikes Officer Nicholas Kehoss' vehicle and continues to travel in the parking lot onto the main road.

4. That on October 24, 2023, I reviewed the BWC recording of Officer Nicholas Kehoss. All times are to the seconds, retrieved from the BWC embedded time. The video's timeline can be summarized as follows: The Camera was activated on October 14, 2023 at approximately 16:22:44 hours. The first 30 seconds do not have audio. Officer Nicholas Kehoss can be seen driving his police vehicle at up to 69 mph with the emergency lights and siren activated.

At 16:23:34 hours, Officer Nicholas Kehoss activated his radio and informs dispatch: "Crash, crash, crash, on the on-ramp, bail, bail".

At 16:23:40, Officer Nicholas Kehoss opens his driver side door.

At 16:23:42, Officer Nicholas Kehoss exits the police vehicle. The operator of the tan sedan later identified as Jarell Day (DOB: 10/10/1990) is seen in the camera view running away.

At 16:23:42, Officer Nicholas Kehoss is running and heard yelling: "Better fuckin stop, Better fucking stop".

At 16:23:48, Officer Nicholas Kehoss draws his yellow Taser, Electronic Weapon from the holster.

At 16:23:48, Officer Nicholas Kehoss switches the Taser's selector lever from safe to fire (armed).

At 16:23:49, Officer Nicholas Kehoss aims his Taser at the suspect.

At 16:23:49, the suspect can be seen stopped in tall vegetation with both his hands in the air looking at Officer Nicholas Kehoss.

Officer Nicholas Kehoss can be seen approaching the suspect who is stationary with both hands' waist high away from his body and with open hands.

At 16:23:50, Officer Nicholas Kehoss yells: "On the ground, on the ground".

At 16:23:50, Officer Nicholas Kehoss fires his Taser aimed at the suspect.

At 16:23:51, both prongs are seen to strike the suspect who is observed to react to the taser by crossing his arms with an expression on his face.

At 16:23:51, Officer Nicholas Kehoss fires his Taser again aimed at the suspect.

At 16:23:51, the second set of prongs are seen to effect the suspect and begins to fall to the ground onto his back. The suspect can be heard yelling: "Oh, shit, I'm sorry".

At 16:23:53, Officer Nicholas Kehoss informs dispatch: "Taser, taser, taser, one down".

At 16:23:56, Officer Nicholas Kehoss yells: "On your stomach".

(This is page 2 of a 6 page Affidavit.)

Date	10/30/23	Signed (Affiant)	<i>[Signature]</i> 10/30/23
Jurat	Subscribed and sworn to before me on (Date) 10/30/2023	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	<i>[Signature]</i> 112
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
<i>[Signature]</i>	10/30/23	<i>[Signature]</i>	10/30/23

ARREST WARRANT APPLICATION

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

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Affidavit - Continued

At 16:23:57, the taser is disengaged.

At 16:23:58, Officer Nicholas Kehoss yells: "On your fucking stomach now". The suspect turns onto his stomach and states: "I'm sorry". Officer Nicholas Kehoss continues to yell and point to the ground: "On your fucking stomach now".

At 16:24:01, the suspect can be seen turning slowly to his stomach while looking at Officer Nicholas Kehoss who pulls the trigger of the Taser and activates it again.

At 16:24:02, the suspect is heard yelling: "Yeah, ok."

At 16:24:02, Officer Nicholas Kehoss steps forward and stands over the suspect while yelling: "On your fucking stomach". Officer Nicholas Kehoss then touches the back of the suspect and yells: "How many fucking times do I have to tell you"?

At 16:24:06, the Taser disengages, and the suspect is heard stating: "I'm done, I'm done sir, I'm done".

At 16:24:09, Officer Nicholas Kehoss is seen pushing the back of the suspect to the ground while yelling: "Put your fucking hands behind your back".

At 16:24:11, Officer Nicholas Kehoss grabs the suspect's left arm and brings it to the back of the suspect who states: "sorry, sorry".

At 16:24:13, Officer Nicholas Kehoss is seen to let the suspect's arm go, and talks on his portable radio: "John, you still have one in the car, I got this guy taken care of." The camera is seen to aim towards the other officer arriving on scene.

At 16:24:18, the suspect states: "Officer, I am sorry, I don't know what the fuck happened".

At 16:24:19, Officer Nicholas Kehoss is seen grabbing the left arm and left collar bone area of the suspect and bring the arm to the back of the suspect.

At 16:24:19, Officer Nicholas Kehoss puts his right hand over the left face of the suspect and pushes it into the grass and states: "Shut the fuck up".

At 16:24:21, Officer Nicholas Kehoss releases the suspect's head and states: "put your fucking hands... you're getting another ride. You're getting another fucking Taser if you don't put your hands behind your back". The suspect is heard saying: "I got you, sorry sir, I don't know what happened".

At 16:24:26, Officer Nicholas Kehoss is holding the suspect's left arm in the back of the suspect and holding the right arm and pulling up on it.

At 16:24:29, Officer Nicholas Kehoss releases both arms of the suspect while he states: "Put your... you are getting another fucking ride". The suspect is heard saying: "No, no, please".

At 16:24:30, Officer Nicholas Kehoss engages his Taser by pulling the trigger.

At 16:24:32, Officer Nicholas Kehoss drives the Taser into the upper back of the suspect and continues to push it downward. The suspect is observed holding his left arm behind his back and the right arm next to him. The suspect is heard saying: "stop, stop".

At 16:24:35, the Taser disengages, and Officer Nicholas Kehoss says: "Put your fucking hands behind your fucking back now"! While Officer Nicholas Kehoss yells, his is still holding his Taser in his right hand, aiming it at the back of the suspect and pushing it into the back of the suspect.

At 16:24:37, the suspect puts his right arm on his back.

(This is page 3 of a 6 page Affidavit.)

Date	10/30/23	Signed (Affiant)	<i>[Signature]</i> #1425
Jurat	Subscribed and sworn to before me on (Date) 10/30/2023	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	<i>[Signature]</i> 112
Reviewed (Prosecutorial Official)	Date 10/30/23	Reviewed (Judge/Judge Trial Referee)	Date 10/30/23

ARREST WARRANT APPLICATION

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Name (Last, First, Middle Initial) Kehoss, Nicholas, David	Residence (Town) of accused [REDACTED]	Court to be held at (Town) Waterbury	Geographical Area number 4
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Affidavit - Continued

At 16:24:40, as Officer Nicholas Kehoss holsters his Taser the suspect is heard saying: "They are, don't do that no more". Officer Nicholas Kehoss stated: "Then stop fucking complying fucking asshole". At 16:24:43, Officer Nicholas Kehoss is seen holding his handcuffs in his right hand. The suspect says: "They are behind my back". Officer Nicholas Kehoss says: "Shut the fuck up". The suspect says: "I'm sorry".

At 16:24:45, the suspect's left hand is secured with handcuffs.

At 16:24:49, the suspect's right hand is secured with handcuffs.

At 16:24:50, Officer Nicholas Kehoss states: "You are a fucking idiot, you know that? You turned a larceny into a felony".

At 16:24:52, Officer Nicholas Kehoss turns the suspect to his left side and the suspect asks: "I did not know what happened"? Office Nicholas Kehoss says: "Shut the fuck up". And then the suspect says: "Ok, sorry, ok, I said I'm sorry". Officer Nicholas Kehoss says: "shut up, stop talking".

At 16:25:26, Officer Nicholas Kehoss says on his radio: I'm good, one in custody".

At 16:25:33, Officer Nicholas Kehoss is seen double locking the suspect's handcuffs.

5. That Officer Nicholas Kehoss's BWC shows that the first set of Taser prongs were located in the suspect's left upper chest and left bottom chest. The second set of Taser prongs were located in the suspect's left upper arm and left back.

6. That on October 26, 2023, Detective Clabby #1054 and I conducted an interview with Jarell Day (DOB: 10/10/1990) who was in DOC custody at New Haven Correctional Facility. Day stated that he remembered that he stopped running and put his hands up while saying he was "done", and he gives up. Day stated that he was then tasered by Officer Nicholas Kehoss and he remembers he was tasered several times. Day stated that he was in pain as he fell to the ground. Day stated that he remembers putting his hands behind his back and then he felt pain in his back while being tasered again. Day stated that he did not resist, and he complied with the directions of Officer Nicholas Kehoss.

7. That the Axon Taser 7 with Serial number [REDACTED] assigned to Officer Nicholas Kehoss was downloaded on October 25, 2023. Bay 1 contained TASER 7 Live 12 Cartridge with serial number [REDACTED] and Bay 2 contained TASER 7 Live 3.5 Cartridge with serial number [REDACTED]. The downloaded logs indicate the following:

16:23:19.137 Safety OFF

16:23:21.048 Trigger pulled

16:23:21.059 Cartridge AFID

Serial Number: [REDACTED]

Handle Serial Number: [REDACTED]

Deployment Date/Time: 2023 Oct 14 16:23:21

(This is page 4 of a 6 page Affidavit.)

Date 10/30/23	Signed (Affiant) <i>[Signature]</i> #14025		
Jurat	Subscribed and sworn to before me on (Date) 10/30/2023	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) <i>[Signature]</i> 112	
Reviewed (Prosecutorial Official) <i>[Signature]</i>	Date 10/30/23	Reviewed (Judge/Judge Trial Referee) <i>[Signature]</i>	Date 10/30/23

ARREST WARRANT APPLICATION

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Affidavit - Continued

16:23:21.088 Bay 1 deployed

16:23:21.316 Electricity discharged

16:23:21.734 Trigger pulled

16:23:21.745 Cartridge AFID

Serial Number: [REDACTED]

Handle Serial Number: [REDACTED]

Deployment Date/Time: 2023 Oct 14 16:23:21

16:23:21.775 Bay 2 deployed

16:23:22.052 Electricity discharged

16:23:31.548 Trigger pulled

16:23:31.554 Electricity discharged

16:23:37.157 Safety ON, Disarmed

Bay 1 Cartridge Status: Spent

Bay 2 Cartridge Status: Spent

16:24:00.145 Safety OFF

16:24:01.073 Trigger pulled

16:24:01.085 Electricity discharged

8. That the according to the Use of Force Policy and Procedures of the Naugatuck Police Department Police officers must use only the minimum level of force necessary to achieve a lawful purpose. Any use of force must be reasonable, proportionate to the threat, and employed in a manner consistent with this policy. "Active Resistance" means any physical act undertaken by a subject against an officer that could reasonably impede or defeat the officer's lawful attempt to gain control of the subject. 12.1.5 states that an officer may use less lethal force when reasonable and necessary to overcome the use or imminent use of force against an officer or a third person. The level of less lethal force used must be proportionate to the threat, perceived or existing. Less lethal force may not be used against any person engaged in passive resistance.

9. That Officer Nicholas Kehoss was hired as a Police Officer with the City of Naugatuck in 2011. Since his hire, he has attended several training sessions where he was taught how to use a Taser and trained on the Use of Force policy. On December 6, 2022, Officer Nicholas Kehoss attended training on De-escalation and Taser 7 transition course. On January 18, 2023, Officer Nicholas Kehoss attended Use of Force Training. On February 28, 2023, Officer Nicholas Kehoss attended training on Defensive tactics, OC, Baton and Handcuffing.

10. That the PowerDMS training records indicate that Officer Nicholas Kehoss read and signed the Conducted Electronic Weapon (CEW) on January 4, 2023 at 0942 hours and the Use of Force policy on June 8, 2023 at 0818 hours.

(This is page 5 of a 6 page Affidavit.)

Date	10/30/23	Signed (Affiant)	[Signature]
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Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge-Trial Referee)	Date
[Signature]	10/30/23	[Signature]	10/30/23

ARREST WARRANT APPLICATION

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Name (Last, First, Middle Initial) Kehoss, Nicholas, David	Residence (Town) of accused [REDACTED]	Court to be held at (Town) Waterbury	Geographical Area number 4
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Affidavit - Continued

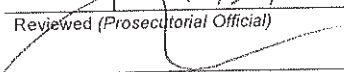

11. 

12. That a State Police Record Check (SPRC) and Interstate Identification Index (III) for Officer Nicholas Kehoss revealed that he has no criminal history.

13. That based upon the aforementioned facts and circumstances, this affiant believes that probable cause exists and requests that an arrest warrant be issued charging the accused, with the charge of Assault in the Third Degree in Violation of C.G.S. 53a-61 and Cruelty against a Person in Violation of C.G.S. 53-20.



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

Date 10/30/23	Signed (Affiant) Detective Sgt. [Signature] 112		
Jurat	Subscribed and sworn to before me on (Date) 10/30/2023	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) Detective Sgt. [Signature] 112	
Reviewed (Prosecutorial Official) 	Date 10/30/23	Reviewed (Judge/Judge Trial Referee) 	Date 10/30/23