



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

OFFICE OF
THE CHIEF STATE'S ATTORNEY

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June 26, 2003

Jonathan C. Benedict, State's Attorney
Judicial District of Fairfield
Office of the State's Attorney
1061 Main Street
Bridgeport, Connecticut 06604

Dear Mr. Benedict:

I have received your report pursuant to C.G.S. Section 51-277a(c) concerning the shooting death of Richard Barber on March 5, 2003 by Trooper Donald Lloyd of the Connecticut State Police, Troop G Bridgeport. Pursuant to statute, I am forwarding copies of that report to Commissioner Arthur Spada of the Department of Public Safety and First Selectman Raymond G. Baldwin of the Town of Trumbull.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Morano".

CHRISTOPHER L. MORANO
Chief State's Attorney

CLM/rpb



JONATHAN C. BENEDICT
STATE'S ATTORNEY

State of Connecticut
DIVISION OF CRIMINAL JUSTICE

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DEADLY FORCE INVESTIGATION REPORT

RE:

Death of Richard Barber, 3/5/03

Pursuant to Connecticut General Statute 51-277a., the undersigned, State's Attorney for the Judicial District of Fairfield, has conducted an investigation of the death by gunshot of Richard Barber in the driveway of his home at 1865 Huntington Turnpike, Trumbull, during the early morning hours of March 5, 2003

Connecticut General Statute 53-277a requires the prosecuting authority to conduct an investigation whenever a peace officer, in the performance of his duties, uses deadly physical force upon another person, which results in the death of such person. Such investigation is conducted for the limited purpose of determining whether the use of deadly physical force was appropriate under C.G.S. sec. 53a-22, which limits the use of deadly physical force by a peace officer to situations where he reasonably believes such force to be necessary to "(1) defend himself or a third person from the use or imminent use of deadly physical force; or (2) effect an arrest or prevent the escape from custody of a person whom he reasonably believes has committed or attempted to commit a felony which involved the infliction or threatened infliction of serious physical injury and if, where feasible, he has given warning of his intent to use deadly physical force,"

Structure of Investigation

Pursuant to Judicial District policy, the Office of the State's Attorney was immediately notified of the incident by the involved agency, Troop G. of the Connecticut State Police. An

“on call” Inspector from the State’s Attorney’s Office responded to the scene to monitor the immediate investigation. This office has continued to monitor the efforts of all assigned agencies. The primary investigation was conducted by the Connecticut State Police Major Crime Squad for the Central District (M.C.S. West), located in Meriden. State Police policy appropriately requires that deadly force investigations be assigned to a unit located outside of the district to which the involved officer is assigned. Other involved agencies were Troop G. (only to preserve the scene until the arrival of M.C.S. West), the Trumbull Police Department, the Office of the Chief Medical Examiner, and the Connecticut State Police Forensic Science Laboratory.

Circumstances

Investigation determined that the decedent was a fifty-three year old resident of 1885 Huntington Turnpike, Trumbull, where he lived with his mother, Ilse Plitt. At about 5:30 P.M., March 4, 2003 he left home, driving to Geunster House, Bridgeport, to attend his court-ordered alcohol rehabilitation (AAA) program. (Mr. Barber’s driver’s licence was currently under suspension.) He departed Guenster House at approximately 7:00 P.M. and proceeded to Bill’s Crossroads Bar in Fairfield where he remained for a brief time, during which he consumed alcoholic beverages. Barber next proceeded to Nu-Barons Bar in Bridgeport where he remained until approximately 11:30 P.M. and played pool and consumed additional alcoholic beverages. He then returned to Bill’s Crossroads Bar, remaining until approximately 12:30 A.M., March 5, 2003. At that time he proceeded to drive home. It was in the course of this trip that the events which culminated in his death took place. Serological testing, subsequently conducted as part of the autopsy protocol, would disclose a blood-alcohol level of 0.17 percent which significantly exceeds the 0.08 percent limit for lawful operation of an automobile.

At approximately 12:55A.M., March 5, 2003, Trooper Donald Lloyd of the Connecticut State Police, Troop G, Bridgeport, was on duty engaged in traffic enforcement on Route 8, northbound, just south of the Trumbull town line. At that point, a Mercury Topaz automobile, CT reg. 522-JEO passed through the Trooper’s radar at 72 mph. in a posted 50 mph zone. Lloyd activated his overhead lights and caused the operator of the Topaz, later to be determined to be the decedent, Richard Barber, to stop on the right shoulder of the highway. Before Lloyd could either radio the Topaz’ plate number into his barracks or exit his own vehicle, the Topaz sped off northbound on Route 8. The Trooper activated his siren and took pursuit on a course that led from the highway onto local Trumbull streets, ultimately to Route 108 (Huntington Turnpike),

from which the Topaz made a left turn into the driveway of 1885 Huntington Turnpike. The entire pursuit lasted approximately two minutes and never exceeded 60 mph.

As Trooper Lloyd followed Barber into the driveway and stopped his vehicle immediately behind the Topaz, he observed the latter's driver's door open even before that vehicle had come to a complete halt. Next, once Lloyd had exited his patrol vehicle, he saw Barber first lean over into the passenger side of his vehicle, and then step out of the driver's doorway holding a four-socket, cross-shaped tire iron in his right hand. Barber then raised the tire iron over his head and approached the trooper. Lloyd thereupon drew his service weapon, to which Barber stated "Shoot me motherfucker, kill me." Lloyd then yelled "drop it", however, Barber continued to advance upon the Trooper with the tire iron still raised. Lloyd then fired two shots directly at his assailant, striking him both times, once in the throat and once in the right shoulder. Barber immediately fell to the ground in the space between the two vehicles where he quickly expired. Subsequent autopsy examination determined the cause of death to be gunshot wound.

The events in the foregoing account that preceded Trooper Lloyd's traffic stop of Barber's car were developed from interviews of those persons with whom the decedent spent the seven hours immediately preceding his death. The account from the point of the stop to the firing of shots, which lasted all of two and one-half minutes, is essentially based upon the statement of Donald Lloyd. All of it is consistent with and corroborated by the follow-up activities of Major Crime West, the Forensic Science Laboratory and the Office of the Chief Medical Examiner. Most significantly, Lloyd's account is completely corroborated by the tape recorded by his vehicle-mounted video camera which he had activated at the point of the initial traffic stop and which remained on until the culmination of the incident in Barber's driveway. The video tape unambiguously shows the Topaz bolting from the initial stop, and leading pursuit through local streets and into a driveway. There, the tape shows Barber first reaching to his right and then emerging from the Topaz and advancing on Trooper Lloyd's position with a raised tire iron. It then shows Barber speaking (there was no audio) as he continued to advance until, having reached the front end of Lloyd's patrol car, he was shot and collapsed to the ground.

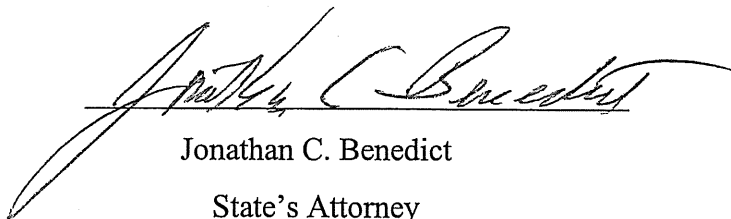
Conclusion

Richard Barber's death took place in the midst of circumstances during which Trooper Lloyd acted completely within the bounds of law, from the incident's onset until its tragic conclusion. Based upon the entire record, the undersigned finds that Trooper Lloyd, in the performance of his duties, used deadly physical force upon another, causing such person's death.

However, he did so under circumstances where he reasonably believed such force was necessary to defend himself from the use of deadly physical by Barber and had no opportunity to first give the latter any warning.

Future Action

None indicated.



Jonathan C. Benedict
State's Attorney