

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Concerning
Use of Deadly Force by the Connecticut State Police in Killingly, CT on
December 30, 2023, Resulting in the Wounding of Ruben Muller

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Inspector General

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ACKNOWLEDGEMENTS

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

Connecticut State Police, Troop D

Connecticut State Police, Eastern District Major Crime Squad

Department of Emergency Services and Public Protection, Collision Analysis and Reconstruction Squad

Department of Emergency Services and Public Protection, Division of Scientific Services, Firearms Unit

Bridgeport Police Department Forensics Unit

Windham Judicial District State's Attorney's Office

INTRODUCTION

On December 30, 2023, at approximately 1:16 p.m., at or near Chucky's Mobil gas station, 601 Hartford Pike, Killingly, CT, Trooper Joseph Godbout¹ fired one round from his department-issued firearm striking Ruben Muller² in the chest. As required by statute³, the Office of Inspector General (OIG) investigated this officer-involved shooting. The results of that investigation are contained in this report.

The investigation establishes that, during his efforts to avoid apprehension, Ruben Muller pulled a loaded revolver that was concealed by his right pant leg and pointed it at Trooper Godbout. This presented an imminent threat of death or serious injury to Trooper Godbout. I have determined that his action in firing one shot at Muller to stop that threat was a justified use of deadly force.

INVESTIGATION

Background

On December 28, 2023, at approximately 7:30 p.m. an armed robbery took place at JP's General Store in Foster, Rhode Island. The Foster Police Department investigated and identified the suspect as a white male, 40 years old, 6'-2", with a "raggy" beard, and tattoos on both hands from wrist to fingertips. The suspect vehicle in the robbery was identified as a large, four-door sedan, light in color, with a lighter soft top. During the robbery, the suspect lifted the front of his sweatshirt and grabbed the handle of a pistol that was in the waistband of his jeans. The Foster PD sent an alert regarding the suspect and suspect vehicle to Rhode Island, Connecticut, and Massachusetts.

At 9:15 p.m., on December 28, 2023, Trooper Joseph Godbout contacted the Foster PD and advised them that he was familiar with a male, Mark Heath, Jr., who drives a Mercury Grand Marquis with Connecticut combination plate C257810 and a last known address of 1210

¹ On December 30, 2023, Trooper Joseph Godbout was a Caucasian male, age 45. He had been a State Trooper for approximately 6 years. He had no disciplinary history.

² On December 30, 2023, Ruben Muller was a Caucasian male, age 41.

³ As relevant here, 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."

Hartford Pike, Killingly, CT. Trooper Godbout also related that Heath fit the description of the suspect in the Foster, RI armed robbery. Trooper Godbout sent photographs of Heath and the Mercury Grand Marquis to the Foster PD. He also advised them that on December 28, 2023, he had driven by 1210 Hartford Pike and observed the Mercury Grand Marquis (CT registration C257810) parked in the driveway.

On December 29, 2023, a Rhode Island judge issued an arrest warrant for Mark Heath and a search and seizure warrant for Heath's "4 Door Grand Marquis, color green with a tan soft top covering the rear doors and rear window bearing Connecticut combination C-257810 which was parked in the driveway of 1210 Hartford Pike, Killingly, CT Vehicle Identification Number: is unknown."

On December 30, 2023, at approximately 1:16 p.m., Trooper Godbout observed the Mercury Grand Marquis pull up to the pumps at Chucky's Mobil gas station, 599 Hartford Pike, Killingly, CT. At approximately 1:17 p.m., Trooper Godbout pulled behind the Grand Marquis with his emergency lights activated.

Trooper Joseph Godbout

Trooper Godbout submitted a written police report regarding the events surrounding the shooting of Ruben Muller. That report may be summarized as follows:

The report initially notes that the Mercury Grand Marquis (CT reg C257810) had been involved in a larceny in Putnam, CT and the robbery in Foster, RI. The report then describes the events that occurred on 12/30/23. Specifically, Trooper Godbout's observation of the Grand Marquis entering Chucky's Mobil Gas Station at 599 Hartford Pike. Trooper Godbout pulled behind the vehicle and activated his emergency lights. The operator of the vehicle, Ruben Muller, exited the vehicle and walked toward the convenience store ignoring Trooper Godbout's presence.

The report continues:

"I called out to MULLER "come here" which he replied, "hold on." I stated "don't hold on, come here and put your hands on the car" to which he finally complied. I asked MULLER if he possessed a driver's license to which he replied he did not. At that time, I observed a clear plastic bag protruding from MULLER's right hip pocket which in my training and experience usually contains illegal narcotics such as "crack" cocaine, powder cocaine, or fentanyl. I advised MULLER he was being detained and to put his hands behind his back. MULLER then shoved me

and began to flee on foot in a full sprint towards Taco Bell Drive Thru.” ... [Trooper Godbout pursued] ...

“I unholstered my TASER and slightly closed the distance. I then deployed the TASER center mass at MULLER’s back in an attempt to obtain Neuromuscular Incapacitation (NMI). I observed the probes strike MULLER however there was no effect. MULLER then turned the corner at the east side of the building, and I followed. MULLER was struggling on the ground when I turned the corner. I advised vehicles in the Taco Bell drive to “hold on” and focused my attention on MULLER who once again began to run away in an easterly direction. I powered my TASER off and back on to switch power to the opposite cartridge and once again deployed the TASER as I did before. NMI was successful and MULLER fell face down. I broadcast “TASER TASER TASER” over the radio to communicate to other patrols that MULLER was resisting. When MULLER struck the ground, he stated something to the effect of “aye aye” but stood back up and began to run again. NMI did not last the full 5 seconds as I expected it to. I gave MULLER loud clear commands to stop which he completely disregarded and continued to run east. I attempted to grasp onto MULLER to stop him to which he shrugged me off and continued running. I broadcasted “troop we are running” because I intended to provide a description and direction to oncoming patrols. I knew my backup was closing in. MULLER was running in the middle of the access road with complete disregard to vehicle traffic. MULLER then ran directly into an oncoming F-150 that was traveling west towards Taco Bell on the access road. MULLER went briefly onto the hood and fell onto the ground in a sitting position. I advised MULLER to get on the ground, which he once again completely refused. I grasped MULLER’s right wrist in an attempt to place him face down on the ground. MULLER’s facial expression became blank and he began to reach toward his right ankle with his right hand. I then observed the imprint of a pistol through his jeans at the base of his right ankle. I did everything I could to stop MULLER from obtaining the pistol. I attempted to grab MULLER’s right arm/wrist which was difficult as I still had my TASER in my right hand. I also advised MULLER [in a] loud clear voice “DON’T” multiple times as his hand continued towards the firearm. It was clearly evident to me that MULLER was an imminent threat to my life, and he was going to shoot me. As MULLER overpowered my attempt to prevent him from obtaining the pistol, I dropped the TASER and unholstered my duty pistol. At the same time, I observed a revolver in MULLER’s right hand, and he was pointing it up towards me. I then pointed my duty weapon center mass on MULLER’s body as that’s how I always been trained to do and discharged one round. MULLER immediately reacted verbally something to the effect of “ahh” then rolled to the left side of his body curling up in the fetal position. The revolver was within reach of MULLER as it landed approximately 3-5 feet to the left of his body. At this point MULLER went from an immediate imminent threat to my life to a possible threat, as he could have still grasped the revolver which was lying within reach to the left side of his body. Due to my familiarity with firearms, I

immediately observed brass bullets in the cylinder of the revolver which indicated that the revolver was loaded with live ammunition and ready to fire. Once I determined MULLER would not reach for the revolver, I radioed to dispatch that shots were fired. I then kicked the revolver out of reach and began to medically assess MULLER. ...”

Witnesses

Ruben Muller’s Passenger

Following the shooting, during the afternoon of December 30, 2023, Killingly Police Officer Michael Bouchard interviewed the woman who was Muller’s passenger in the Mercury Grand Marquis when he drove it into the gas station. She stated that she went to Chucky’s with “Pongo” (Ruben Muller) to get cigarettes, drinks, and gas. While at the gas pumps, a police cruiser pulled up behind them with its emergency lights on. The officer walked up to Pongo, who was in the driver’s seat of the Grand Marquis and told him to get out of the vehicle. The passenger stated that before Pongo got out of the vehicle, he slid a .357 revolver into his front waistband. Pongo was asking the officer what he did, and the officer replied, “you know what you did.”

The passenger stated that the officer told Pongo to put his hands behind his back, but Pongo started running toward Taco Bell. The officer said he was going to tase him. The passenger was not sure if the officer tased Pongo. She then observed Pongo pulling his gun out and that is when the officer shot him in the chest. The passenger said that, after Pongo got shot, she walked to the front of the convenience store and eventually walked home to 1210 Hartford Pike, Killingly, CT.

Civilian Witnesses

Following the incident, police interviewed several people who were at or near the scene of the shooting. The statements of those with relevant information are summarized below.

Witness 1

Witness 1 was driving his vehicle in the Taco Bell drive-thru. A white SUV was in front of him. As the white SUV vehicle went around the corner of the building, it stopped abruptly. The statement continues:

“Right after that I saw the Trooper with his TASER on a guy running away from him. The guy kept running away and ran into a red truck that was coming towards him. The guy running then fell to the ground and was rolling. The Trooper then got near the guy and grabbed the guy’s arm. I saw the guy on the ground moving. Then I saw the Trooper take out his gun and shoot the guy on the ground. I then heard the Trooper on his radio say, ‘shots fired.’”

Witness 2

Witness 2 was in her vehicle near the Taco Bell. She stated:

“I saw a white male rolling off of a red F150 that was traveling west into the driveway on the east side of the Taco Bell building. The male then fell to the ground. I saw a Trooper near the male on the ground. I heard the Trooper saying something to the effect of stay on the ground. Don’t move. The male on the ground was on his side and it appeared the Trooper was holding him. It appeared like the male was trying to get up and move and the Trooper was holding him down. I saw the male on his side move his right arm. I then heard a single gun shot. My reaction was to pull my car up and block the intersection. I then got out of my vehicle. I had a blanket from my truck and offered it to the Trooper if he needed it. I saw the Trooper kick a silver colored gun with a black handle away from the male on the ground.”

Witness 3

Witness 3 was driving his red F-150 toward the area of Taco Bell. His son said something must be going on because he saw the lights. He saw an individual running and saw him fall to the ground. The statement continues:

“The individual then got up and [I] heard the officer tell him to stop but the individual continued to get up and run away from the officer. I then tried to zigzag using my vehicle to try to prevent the individual from leaving. The individual then got in front of my truck putting at least one of his arms on the hood of the truck and turned around to face the officer. I then observed the officer pulling out his firearm and fired one shot at the individual and I observed the individual fall to the ground. I then backed my truck away from the officer and the individual. I then pulled to the left away from the scene. I then stepped out of my vehicle and came around the back of the truck and saw a chrome plated revolver approximately 4 feet away to the left of the individual. I then heard the officer asking the individual, “why did you pull a gun on me” at least three times. At that point, other officers were on scene and I waited on scene as I was asked by another officer if I could provide a statement.”

Witness 4

Witness 4 was a passenger in the red F-150 being driven by Witness 3. He saw flashing red lights coming from the Mobil gas station. His statement continues:

“As I was looking in that direction, I observed a white male slightly stocky, scruffy beard, brown hair, white tank top with a dark sweatshirt. The male appeared to be running from a trooper to the east exit/entrance of the parking lot at the gas station. My father-in-law and I were at the stop sign to the east of the gas station behind pet co. I observed the trooper deploy his taser at the individual next to the taco bell drive through. I witnessed the male fall right in front of the drive through window and sit back up facing east toward myself. The males (sic) left shoulder was to the trooper at this time. The troopers attempted to close the distance on the male. The male quickly got to his feet (sic) within seconds and began running on foot to the east exit of the gas station. Originally we were intending on taking a right to get back on RT-101. Once we observed the individual fleeing from the trooper we decided to go straight in an attempt to cut the individual off. The individual was still running towards our vehicle as we swerved from left to right in attempt to block him from continuing on. We were traveling somewhere between 10 and 15 MPH. Within seconds the individual collided with the passenger side hood of the truck sliding up towards the windshield. Upon impact the individual was bracing using his right side. My father immediately stopped post collision. While sliding on his stomach/side the individual made a large dent and scratches in the hood on the truck removing paint. The individual slid down the hood of the truck landing in front of the truck out of my view. A second or two later the trooper ran over to him began to crouching down towards the individual leaving only his head and shoulders in my sight line. After 3 seconds I heard a gunshot that seemed to come from the front of the truck. About 20-30 seconds after this we began to back up and pull over to the left side close to where the truck is parked currently. It was at this point we saw the exposed weapon. I saw the individual laying on the ground with his feet to the north towards RT-101 and his head facing west toward Killingly Commons. I observed a silver revolver within a foot of the individual’s head to his left. The individual was laying (sic) on his left arm facing the gun within a foot from his face. I noticed the gun was within reach of the individual’s right hand. As we were getting out of the truck the trooper was slowly moving the gun away from the suspect using his feet. I observed blood coming out of the individual’s mouth and chest. I observed the trooper using his radio asking for more backup and telling the individual to breath (sic). The trooper explained to the individual “you can’t pull a gun on me man.” Two cruisers pulled into the east entrance of Killingly Commons and pulled up to the scene. One of the troopers that just arrived escorted the trooper involved to his passenger seat of his cruiser. My father and I contained the scene and blocked the entrance to the car wash. I observed EMS arrive on scene shortly after.”

Witness 5

Witness 5 was pulling out of the car wash behind the Mobil gas station. He had exited out of his truck to adjust the side mirror when he saw a Trooper running after a man. Witness 5 states:

“I could hear the Trooper yell several times to the man to stop. The man did not stop and continued to keep running away. The Trooper was able to get close enough to the man for him to deploy his taser. The man did not seem to be affected by the taser and kept on running. The man ran directly into a red Ford pickup truck that was coming out of the Lowe’s parking area in the Killingly Commons. The man ran into the hood of the red Ford truck and rolled off the hood onto the ground. At this time, the Trooper was able to get close to the man that was on the ground. The man was on his stomach, and it appeared that the man was reaching for something on his right side. The Trooper continued to yell at the man to stop. Then, I heard one single shot from the firearm of the Trooper. The Trooper was then on his radio calling in that there were shots fired. The Trooper was holding the man down. Then I saw another Trooper and a Killingly town Police Officer on scene.”

Witness 6

Witness 6 was in Witness 5’s truck that had just come through the car wash. She states:

“I then saw, from my left, a white man with a dark shirt running. The man ran directly into a moving pickup truck that was coming of the Lowe’s parking area in Killingly Commons. The man fell to the ground after rolling off of the truck. Then, I saw a Trooper catch up to the man that was on the ground. The Trooper was trying to control the man because the man was fighting to get away from the Trooper. The man was laying on his left side and was reaching to his right ankle. I could not see what the man was reaching for. Then I heard a single shot fired by the Trooper. I could see that the Trooper grabbed some object and threw it behind him into the roadway. I saw another Trooper and a Killingly Police Officer arrive on scene.”

Scene

The scene was located at a commercial property on Hartford Pike in the Dayville section of Killingly, Connecticut. The property had two businesses: a Mobil gas station known as “Chucky’s” at 599 Hartford Pike and a Taco Bell at 601 Hartford Pike. The gas station had six aisles with gas pumps on either side. South of the gas pumps was the building containing

Chucky's convenience store and the Taco Bell. The Taco Bell had a drive-thru window on the east side of the building. To the rear of the Taco Bell was a car wash.



[Mobil Gas Station]



[Taco Bell]

Parked at one of the gas pumps was a Mercury Grand Marquis, color green.



[Muller's Mercury Grand Marquis]

Parked behind the Mercury Marquis was Trooper Godbout's cruiser.



[Trooper Godbout's cruiser]



To the southeast of the Taco Bell, a red Ford F-150 pickup truck was parked near the car wash building.



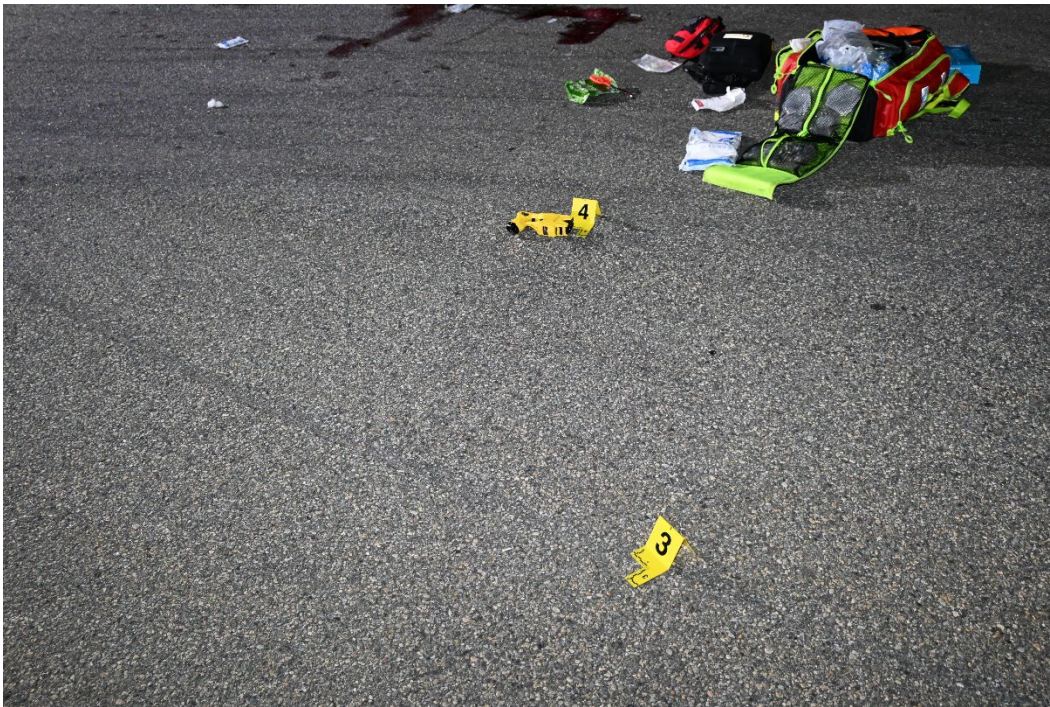
[Civilian's Ford F-150]

In the roadway to the Taco Bell drive through, detectives located a black hat.



[Muller's black hat]

In the rear driveway entrance/exit to Taco Bell, detectives located Taser wire (Yellow Placard 3) and Trooper Godbout's Taser (Yellow Placard 4).



[Trooper Godbout's Taser and Taser wire]

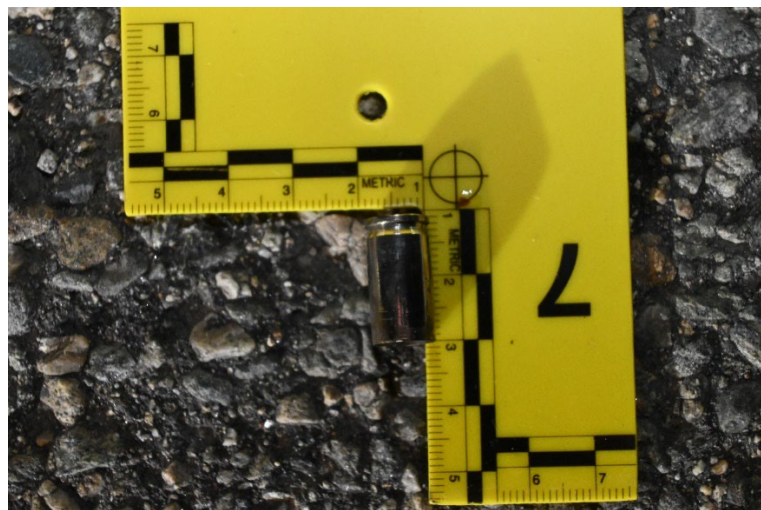


[Trooper Godbout's Taser]

Also in the driveway, detectives located a shell casing (Yellow Placard 7).



[Shell Casing]



[Shell Casing]

Detectives also observed a blood-like substance in the driveway.


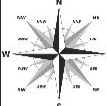


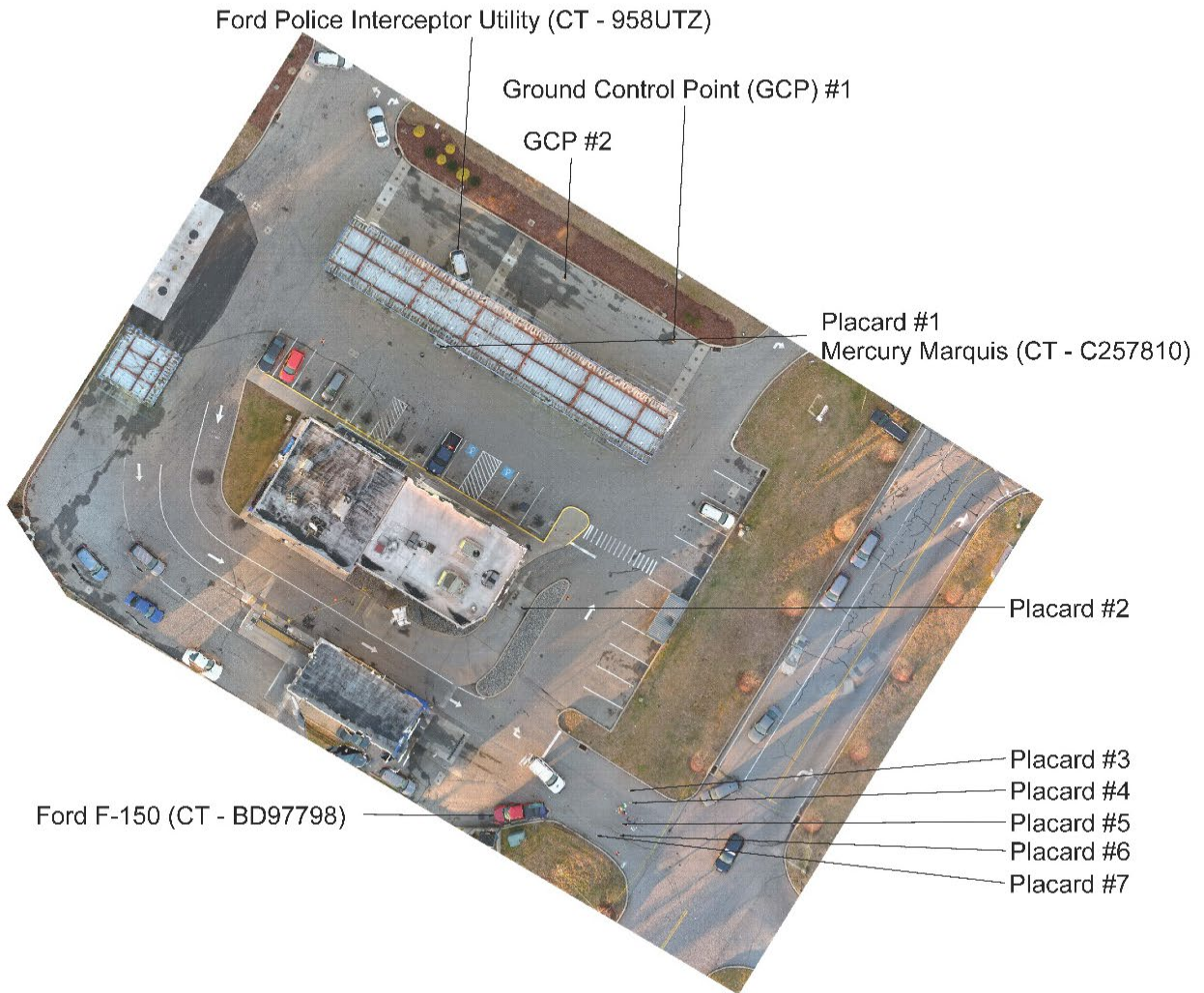
[Blood-like substance on driveway]



[Clear plastic baggie with white substance]

The State Police Collision Analysis and Reconstruction Squad (CARS) created a diagram of the scene.

	Connecticut State Police		
	Collision Analysis and Reconstruction Squad		
	Case Number: 2300509892	Location: 601 Hartford Pike, Killingly	
	Created By: Detective Christopher Ferreira #789	Incident Date: December 30, 2023	



As part of the investigation, Trooper Godbout's Glock Model 45 handgun was collected as evidence as was the Ruger .357 initially located in the driveway to Taco Bell.



[Trooper Godbout's firearm]



[Muller's firearm]

Firearms Analysis

Ruger Revolver

The Eastern District Major Crime Squad (EDMCS) conducted a firearm survey of the Ruger, SP 101, .357 Magnum silver revolver (serial number 574-4603) recovered near Muller. The weapon had a capacity of five rounds and was fully loaded with five rounds of .38 ammunition.

The Ruger was submitted to the Division of Scientific Services Firearms Unit for examination. The revolver was test fired and determined to function properly.

Glock

The EDMCS conducted a firearm survey of Trooper Godbout's issued Glock, model 45, 9mm pistol (serial number BYZU362). The weapon had a capacity of seventeen rounds in the magazine and plus one chambered round. At the time of the survey, the pistol had sixteen rounds in the magazine plus one chambered round. This is consistent with one shot having been fired.

The Glock model 45 9mm firearm and the spent shell casing recovered at the scene were submitted to the Bridgeport Police Department Forensics Unit for examination and cartridge case comparison. During a test fire, the firearm functioned properly. A comparison of the cartridge case from the test fire and the cartridge case recovered from the scene was conducted. A side-by-side microscopic comparison of the two cartridge casings was a clear match indicating that both had been fired from the same firearm, namely Trooper Godbout's Glock model 45 9mm pistol (serial number BYZU362).

Medical Records

Muller was taken by ambulance from the scene to Day Kimball Hospital in Putnam, CT. He arrived on 12/30/23 at 1:23 p.m. Upon assessment, the hospital staff determined that his injury required a higher level of care than Day Kimball could provide. At 2:41 p.m. he was discharged to UMass Memorial Medical Center – University Campus, 55 Lake Avenue North, Worcester, MA.

Muller was admitted to UMass Memorial Medical Center – University Campus on 12/30/23 as a level 1 trauma patient and discharged seven days later on 1/6/24. He was treated for the gunshot wound to his chest. While X-Ray imaging showed a bullet and fragments in the anterior superior mediastinum⁴, all the great blood vessels were intact, and he suffered no cardiac damage. He did suffer multiple rib fractures but, other than the insertion of a chest tube, no surgery was performed. He was monitored closely and by 1/6/24 had sufficiently recovered to be discharged to police custody.⁵

Digital Evidence

Chucky's

The convenience store at the gas station had a camera that overlooked the gas pumps. Channel 20 covered the pump where Muller pulled up in the Mercury Marquis. The video depicts the arrival of Muller, the arrival of Trooper Godbout, and their interaction. The video ends with Muller running out of the camera view. To view this portion of the store video, click [here](#).

Taco Bell

The video depicts the drive through window from the perspective of inside the store. Through the window you see the vehicles as they move up to the window and make their purchases. At one point, a white vehicle is seen stopping abruptly and then Muller is seen falling and then getting back up and fleeing. To view this portion of the video, click [here](#).

Trooper Body-Worn Camera

Trooper Godbout's body-worn camera records his interaction with Muller from the initial confrontation at the gas pumps through the chase and then the shooting. To view this video, click [here](#).

⁴ The mediastinum is the area in the thorax that contains a group of organs (including the heart), vessels, nerves, and surrounding connective tissue. It is located between the lungs.

⁵ As of the date of this report, Muller remains in custody in the Worcester House of Correction in Massachusetts. Connecticut has lodged a detainer with the Massachusetts authorities. Muller's estimated release date is January 20, 2026, and it is expected that, at that time, he will be extradited to Connecticut to face criminal charges.

FINDINGS

1. On December 28, 2023, an armed robbery occurred in Foster, Rhode Island. The Foster Police Department obtained a description of the suspect, and the vehicle used in the robbery. That information was contained in an alert sent to police agencies in Rhode Island, Connecticut, and Massachusetts.

2. Connecticut State Trooper Joseph Godbout recognized the description as matching a subject that he knew named Mark Heath, Jr. who operated a Mercury Grand Marquis (Connecticut combination registration C 257810) and had a last known address of 1210 Hartford Pike, Killingly, CT.

3. On December 28, 2023, Trooper Godbout drove by 1210 Hartford Pike and observed the Mercury Marquis (CT reg C 257810) parked in the driveway.

4. On December 30, 2023, at approximately 1:16 p.m., Trooper Godbout observed the Mercury Marquis pull up to the pumps at Chucky's Mobil gas station, 599 Hartford Pike, Killingly, CT. Trooper Godbout pulled behind the Mercury and activated the emergency lights on his cruiser. The gas station was part of a commercial complex that included a convenience store, a Taco Bell and a car wash. An access road to the east of the Taco Bell allowed entry/exit to the property.

5. The driver of the Mercury Marquis, later identified as Ruben Muller, exited the vehicle and walked toward the convenience store. Prior to exiting the Mercury, Muller placed a .357 revolver into his front waistband.

6. At Trooper Godbout's direction, Muller returned to the Mercury Marquis. Protruding from Muller's right hip pocket was a plastic bag containing suspected narcotics. Trooper Godbout advised Muller that he was being detained and to put his hands behind his back. Muller fled on foot. Trooper Godbout pursued.

7. Near the Taco Bell store, Trooper Godbout deployed his Taser at Muller. The probes appeared to strike Muller but had no effect. At the drive through lane for the Taco Bell, Trooper Godbout deployed his Taser a second time causing Muller to fall. The neuromuscular incapacitation, however, was brief, and Muller got up and continued to flee.

8. At the access road, Muller ran into an on-coming Ford F-150 pickup truck. He went up onto the hood and fell to the ground. A struggle then ensued between Muller and Trooper Godbout. During the struggle, Muller retrieved a revolver from his right pant leg and pointed it at Trooper

Godbout. Trooper Godbout then fired one round from his duty weapon center mass on Muller striking him in the chest. Muller rolled to his side. Trooper Godbout kicked the revolver out of Muller's reach.

9. Muller initially was taken to Day Kimball Hospital in Putnam, CT, but after an initial assessment he was discharged to UMass Memorial Medical Center – University Campus in Worcester, MA. He spent seven days at UMass Memorial Medical Center – University Campus before being discharged to police custody. While X-Ray imaging showed a bullet and fragments in his chest cavity, no organs or blood vessel were seriously damaged. The hospital elected not to perform surgery to remove the bullet.

10. Firearm analysis determined that both Trooper Godbout's Glock pistol and the Ruger revolver recovered next to Muller functioned properly. The analysis further determined that the shell casing recovered at the scene was fired from Trooper Godbout's Glock pistol.

LAW

The use of force by a police officer is governed by General Statutes §53a-22. The version of that statute in effect on December 30, 2023, in relevant part, provides:

“(b) Except as provided in subsection (a) ... of this section, 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 ...” (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 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). 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, based on 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: “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

When Ruben Muller fled from Trooper Godbout at the gas pumps of Chucky’s Mobil, Trooper Godbout had the right to pursue and detain him. He was operating a vehicle involved in a recent armed robbery and appeared to possess narcotics on his person. Despite two Taser

deployments, Muller continued to flee. He was only stopped when he ran into an on-coming pickup truck.

As Trooper Godbout attempted to take Muller into custody, Muller resisted and pulled a revolver from underneath his right pant leg. He pointed the revolver at Trooper Godbout. In his statement, Trooper Godbout related that, at this point, he believed that he faced an imminent threat to his life. I find that that belief was reasonable because a reasonable police officer, under the same circumstances, would believe the same thing. Trooper Godbout's use of deadly force to eliminate that threat was also objectively reasonable.

The additional reasonableness factors in the statute do not require a different result. Muller was armed with a fully loaded functional revolver. Under the circumstances, there was no reasonable opportunity for de-escalation and Trooper Godbout's earlier efforts to employ less lethal force had been unsuccessful. Finally, this was not a situation of officer-created jeopardy where a police officer precipitates the use deadly force.

In sum, I find the use of deadly force in this case to be justified.

CONCLUSION

The investigation establishes that the use of deadly force by Trooper Joseph Godbout on December 30, 2023, was justified. The Office of Inspector General will take no further action in this matter.

Submitted this 27th day of June 2025.



ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL