

Minnesota Bureau of Criminal Apprehension

Case Master Report 2021-399

Date Initiated 06/03/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Agency:	MINNESOTA BUREAU CRIMINAL APPREHENSION
Division:	Investigations
Section:	Force Investigations
Lead LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Type Of Case:	Force Investigations
Case Sub Type:	L.E. U of F Firearm Used - Fatal
Case Description:	Force Investigation/UDF - Winston Smith Jr - US Marshal Taskforce

Tips				
Number	Entry Date	Occurred Date	Status	Description
2021-94	06/05/2021 23:04	06/04/2021 19:00	Closed	Caller reporting Wintson Smith may have wanted Suicide by Cop
2021-106	09/09/2021 09:52	09/09/2021 09:52	Closed	Crime Stoppers Tip - Winston Smith Firearm

Case Status	
Case Status:	Open
Case Status Date:	06/03/2021
Dissemination:	Chain of Command

Minnesota Bureau of Criminal Apprehension

Initial Report 2021-399

Report Date: 06/04/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Request for BCA Crime Scene and Investigative Services - US Marshal and Hennepin County Sheriff
Occurrence From: 06/03/2021 14:30
Occurrence To: 06/03/2021 22:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/05/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

Agency	Case/File Number
MN BCA Forensic Laboratory-St Paul	S21-09577

Synopsis

On 06/03/2021, the US Marshal's Service and Hennepin County Sheriff's Office jointly requested BCA investigative and crime scene assistance at the scene of a fatal law enforcement use of force encounter in the city of Minneapolis. No exhibit(s) by virtue of this initial report.

Weapons

Weapon Type	Weapon Sub-Type	Firearm Finish	Caliber	Related Offense
FIREARM	---	---	---	

Address #1 - Occurred #1 - 1405 W LAKE ST

Primary Information

Address: 1405 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Calhoun Square Parking Ramp

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Minnesota Bureau of Criminal Apprehension

Initial Report 2021-399

Report Date: 06/04/2021

Subject #2 - SUBJECT #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #3 - SUBJECT #3 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: SUV
Vehicle Description: 2019 MASERATI
Vehicle Style: 4 DOOR
Vehicle VIN Number: ZN661XUS1KX337376
Tag Number: FRB657
Tag State: MN

Officers

LEO
Mueller, Scott (1305 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
McGinnis, Sam (1380 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Johnson, Dawn (1388 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Nelson, Rachel (1364 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Thomas, Ross (Minnesota Bureau of Criminal Apprehension)
Granger, Ashley (Crime Scene Team Member / Minnesota Bureau of Criminal Apprehension)

Minnesota Bureau of Criminal Apprehension

Initial Report 2021-399

Report Date: 06/04/2021

Officers - Continued

LEO

Swenson, Steve (MN BCA Lab)

Waite, Katherine (3224 / Deputy Chief/Investigations Bureau / Minneapolis Police Department)

Narrative begins on the following page.

On 06/03/2021 at approximately 1430 hours, Senior Special Agent (SSA) Brent Petersen received a telephone call from Deputy Chief Kathy Waite with the Minneapolis Police Department. Deputy Chief Waite informed SSA Petersen that members of the United States Marshal's Service Taskforce were involved in a fatal encounter with a person. Deputy Chief Waite informed SSA Petersen that no members of the Minneapolis Police Department were involved in the incident and that the fatal shooting occurred in a parking ramp in the Uptown area of Minneapolis, 1405 W. Lake St.

SSA Petersen learned that Special Agent In-Charge (SAIC) Scott Mueller also received notification of the incident and ultimately it was determined that the BCA would lead the investigation in which two Marshal's Taskforce members fatally shot a person they were attempting to arrest. The BCA Crime Scene Team, led by Team Leader Ross Thomas, was contacted and responded to the scene. SSA Petersen arrived on scene at 1405 W. Lake St at approximately 1610 hours and met with SAIC Mueller and Assistant Special Agent In-Charge (ASAIC) Mike Phill.

SSA Petersen entered the crime scene at approximately 1617 hours and observed the scene to be the upper deck (5th floor) of a parking garage. SSA Petersen observed a Maserati sport utility vehicle with numerous defects in it and a black male lying supine on the pavement, deceased. Numerous undercover law enforcement vehicles surrounded the Maserati. While on scene, it was learned that two deputies, one from Hennepin County Sheriff's Office and one from Ramsey County Sheriff's Office, were involved in the shooting and that numerous members of the taskforce were present when the shooting occurred.

SSA Petersen learned that a witness was present in the Maserati when the incident occurred and was currently at Hennepin Healthcare Emergency Room. SSA Michelle Frascone and SSA Sam McGinnis identified and interviewed this witness, which is documented separately in this case file.

The deceased male was tentatively identified as **Winston Smith Jr, DOB/04-08-1989**. The deputies who used deadly force were identified to SSA Petersen as **Deputy [REDACTED]** with Hennepin County and **Deputy [REDACTED]** with Ramsey County. Both deputies are members of the Marshal's Taskforce.

At approximately 1640 hours, SSA Petersen left the crime scene and went to the federal courthouse in downtown Minneapolis where the involved deputies were meeting with their respective attorneys. SSA Petersen and assisting Agents later processed the taskforce members, to include the two deputies who used force, at the courthouse in the Marshal's Service office. Those activities are documented under separate investigative supplement.

A death notification was later made by SSA Petersen and SSA McGinnis to the family of Winston Smith in Brooklyn Center. That activity is documented under separate investigative supplement.

ASAIC Mike Phill remained on scene with the crime scene team. ASAIC Phill's observations on the scene are documented in a separate investigative supplement.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/1

Report Date: 07/12/2021

Primary Information

Description: **Crime Scene Report**
Occurrence From: **06/03/2021 15:00**
Occurrence To: **06/03/2021 23:00**
Reporting LEO: **Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/12/2021**
Approved By: **Mueller, Scott (1305 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 3rd 2021, ASAIC Phill responded to the Calhoun Square Parking Garage for an OIS involving the US Marshal's Task Force. Preliminary information was that 2 TF members shot at Winston Smith who also fired a gun at them. The BCA CST and FIU was requested to respond. The scene was on the top/5th floor of the parking garage and was processed by the BCA CST. No items of evidence acquired with this report.

Address #1 - Occurred #1 - 3001 HENNEPIN AVE

Primary Information

Address: **3001 HENNEPIN AVE, MINNEAPOLIS, Minnesota 55408**

Subject #1 - SUBJECT #1 - Smith, Winston JR

Primary Information

Subject Name: **Smith, Winston JR**
Record Type: **Person**
Bio: **32 yr. old, Black, Male**
Birth Date: **04/08/1989**
Juvenile: **NO**

Personal Information

Height: **509**
Weight: **140**
Eye Color: **Brown**
Hair Color: **Black**

Subject #2 - ASSC OF SUSPECT #1 - Askar, Norhan Ashraf

Primary Information

Subject Name: **Askar, Norhan Ashraf**
Record Type: **Person**
Bio: **27 yr. old, White, Female**
Birth Date: **01/27/1994**
Juvenile: **NO**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/1

Report Date: 07/12/2021

Subject #2 - ASSC OF SUSPECT #1 - Askar, Norhan Ashraf - Continued

Personal Information

Height: 505
Weight: 170
Eye Color: Brown

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	6680 CENTRAL AVE NE, Fridley, Minnesota 55432 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(763) 312-9898 (CELLULAR)

Vehicle #1 - Suspect's Vehicle #1 - FRB657

Primary Information

Vehicle Type: SUV
Vehicle Description: 2019 MASERATI
Vehicle Style: 4 DOOR
Vehicle VIN Number: ZN661XUS1KX337376
Tag Number: FRB657
Tag State: MN

Narrative begins on the following page.

On Thursday, June 3rd 2021, at about 1520hrs, Assistant Special Agent in Charge (ASAIC) Phill was notified by Bureau of Criminal Apprehension (BCA) Operations that there was a critical incident involving shots fired by police in Minneapolis. Initial reporting was that the US Marshal's (USMS) Task Force had members involved in a fatal shooting in which the decedent was still on scene on the top floor of a parking ramp.

ASAIC Phill later learned the Hennepin County Sheriff's Office requested the BCA respond to the scene and conduct a Use of Deadly Force (UDF) Investigation as one of their deputies fired his weapon at the decedent, later identified as Winston Smith. The Minneapolis Police Department were not involved in the incident in any way other than post-incident security.

ASAIC Phill notified Special Agents from the Force Investigations Unit as well as the BCA Crime Scene Team (CST) led by Team Leader Ross Thomas, to respond to the area of 1405 W Lake St.

Upon arrival on scene at about 1615hrs, ASAIC Phill observed a silver 4-dr Maserati on the top of the parking ramp in the northwest corner, pinned against a fence railing by about 5 unmarked police vehicles, some of which with their emergency lights flashing. Also observed was Winston Smith laying supine on the concrete ground to the right of the Maserati, from the passenger side door. It was clear to ASAIC Phill that Smith sustained some bullet wounds that were addressed medically by EMS or responding law enforcement personnel. Smith had a tourniquet on his left arm up above the bicep level. He also had wound dressings on his upper left chest area.

ASAIC Phill saw what appeared to be blood evidence on and near Smith as well as on the concrete and in several places in the Maserati. The Maserati also had several defects in and through its windows, on the driver's side door and rear hatchback. Also observed were several cartridge casings on the ground around the Maserati and near some squad vehicles.

ASAIC Phill was advised by on-site USMS supervisors that all law enforcement that were directly involved were removed from the scene and on the way to the the USMS Office in Minneapolis. ASAIC Phill saw a black semi-automatic pistol on the driver's side floor between the door and the driver's seat of the Maserati. ASAIC Phill did not touch or remove any of the evidence observed on scene.

Senior Special Agent (SSA) Reyerson wrote a search warrant to allow for the processing of the scene on the parking ramp and for the Maserati on scene and at the BCA CST garage in St Paul, which was later signed. The CST arrived at about 1730hrs and began processing the scene on the 5th floor of the ramp.

ASAIC Phill advised the Hennepin County Medical Examiner (HCME) of the incident and the need for them to respond to take custody of Winston Smith. HCME took custody of Smith sometime after 1830hrs and the CST cleared the scene at about 2200hrs. ASAIC Phill

followed the tow of the Maserati to the CST garage where it was secured for later analysis. Please refer to reports by CST TL Ross, SSA Reyerson, SA Petersen and SA Nelson for actions mentioned above. No evidence was acquired with this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/2

Report Date: 06/08/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Photographs and Documentation of US Marshal's Taskforce Personnel
Occurrence From: 06/03/2021 17:30
Occurrence To: 06/03/2021 18:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Johnson, Dawn (1388 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/09/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/03/2021, SSA Petersen and assisting agents photographed 9 members of the US Marshal's Taskforce that were identified as witnesses to the incident. Photos saved to a disc. A bloody pair gloves was turned over by one of the witness officers and acquired as exhibit 2021-399/2.1. Photos acquired as exhibit 2021-399/2.2. ACISS receipt attached.

Address #1 - Occurred #1 - 300 S 4th StRm 402

Primary Information

Address: 300 S 4th StRm 402 Federal Courthouse, Minneapolis, Minnesota 55415 United States

Subject #1 - LAW ENFORCEMENT OFFICER #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Email: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED]

Subject #2 - LAW ENFORCEMENT OFFICER #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/2

Report Date: 06/08/2021

Subject #3 - LAW ENFORCEMENT OFFICER #3 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #4 - LAW ENFORCEMENT OFFICER #4 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #5 - LAW ENFORCEMENT OFFICER #5 - Kvam, Thomas

Primary Information

Exempt From Disclosure: YES
Subject Name: Kvam, Thomas
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Deputy/Marshall Taskforce
Juvenile: NO
LEO ID: 260

Subject #6 - LAW ENFORCEMENT OFFICER #6 - Novak, Jonahs

Primary Information

Exempt From Disclosure: YES
Subject Name: Novak, Jonahs
Record Type: Law Enforcement Official
Bio: Black, Male
Rank/Position: US Marshall Taskforce
Juvenile: NO
LEO ID: 2303

Subject #7 - LAW ENFORCEMENT OFFICER #7 - [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/2

Report Date: 06/08/2021

Subject #7 - LAW ENFORCEMENT OFFICER #7 - [REDACTED] - Continued

Primary Information - Continued

Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Juvenile: NO

Subject #8 - LAW ENFORCEMENT OFFICER #8 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #9 - LAW ENFORCEMENT OFFICER #9 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Property #1 - Gloves- US Marshal [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Gloves- US Marshal [REDACTED]
Property Status: BCA / HQ
Status Date: 06/07/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/2.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 22:35

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/2

Report Date: 06/08/2021

Property #2 - Photos of 9 LE Officers on Marshal Taskforce

Primary Information

Property Class: **Evidence**
Property Type: **Photo / Negative / Slide / Film**
Description: **Photos of 9 LE Officers on Marshal Taskforce**
Property Status: **BCA / HQ**
Status Date: **06/07/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/2.2)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/03/2021 22:35**

Officers

LEO
Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
McGinnis, Sam (1380 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Narrative begins on the following page.

On 06/03/2021, beginning at approximately 1730 hours, Senior Special Agents (SSA) Brent Petersen, Dawn Johnson, Michelle Frascone and Sam McGinnis met with and processed nine (9) members of the US Marshal's Taskforce who were identified as witnesses to some or all of the incident under investigation. This took place at the US Marshal District Office in the federal building, downtown Minneapolis.

SSA Petersen and SSA Johnson photographed the following task force members, to include their respective firearms:

- Deputy US Marshal [REDACTED]
- Task Force Officer/MN Dept. of Corrections Jonahs Novak
- Task Force Officer/Ramsey County Deputy [REDACTED]
- Task Force Officer/Anoka County Deputy Thomas Kvam
- Task Force Officer/Ramsey County [REDACTED]

SSA Frascone and SSA McGinnis photographed the following task force members:

- Deputy US Marshal [REDACTED]
- Task Force Officer/Homeland Security Agent [REDACTED]
- Task Force Officer/Ramsey County Deputy [REDACTED]
- Task Force Officer/Ramsey County Deputy [REDACTED]

At the conclusion of photos, Deputy Marshal [REDACTED] turned over a pair of gloves he had been wearing during the incident that contained a bloodlike substance. Deputy Marshal [REDACTED] stated that the blood came from the deceased as they were performing emergency first aid after the shooting.

Gloves acquired as exhibit 2021-399/2.1.

Photos saved to a disc and acquired as exhibit 2021-399/2.2.

ACISS evidence receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/2

Case Agent: Petersen, Brent

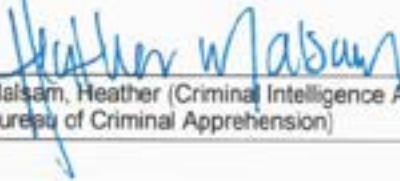
Item	Quantity	Description
1	1.00	Gloves- US Marshal [REDACTED]
2	1.00	Photos of 9 LE Officers on Marshal Taskforce

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/8/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/3

Report Date: 06/04/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Collection of Equipment and Photographs - Hennepin County Sheriff's Deputy [REDACTED]
Occurrence From: 06/03/2021 18:30
Occurrence To: 06/03/2021 19:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/05/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/03/2021, SSA Petersen and SSA Frascone photographed and collected duty equipment and clothing from Hennepin County Sheriff's Deputy [REDACTED] Acquisition of exhibit 2021-399/3.1 through 2021-399/3.7 by virtue of this activity and report. Receipts attached.

Address #1 - Occurred #1 - 300 S 4th StRm 402

Primary Information

Address: 300 S 4th StRm 402 Federal Courthouse, Minneapolis, Minnesota 55415 United States

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - ATTORNEY #1 - Ellis, Deborah

Primary Information

Subject Name: Ellis, Deborah
Record Type: Person
Bio: White, Female
Juvenile: NO

Employment Information

Occupation: Lawyer

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/3

Report Date: 06/04/2021

Subject #2 - ATTORNEY #1 - Ellis, Deborah - Continued

Addresses

Relationship	Address
BUSINESS LOCATION	101 E FIFTH ST #2626, St Paul, Minnesota 55101 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	deborahellis2626@gmail.com (24 HOUR)
SUBJECT'S PHONE	(651) 288-3554 (BUSINESS)

Property #1 - 9 - Photos of Deputy [REDACTED]

Primary Information

Property Class:	Evidence
Property Type:	Photo / Negative / Slide / Film
Description:	9 - Photos of Deputy [REDACTED]
Property Status:	BCA / HQ
Status Date:	06/04/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/3.1)
Collected By:	Petersen, Brent
Collected Date/Time:	06/03/2021 19:00

Property #2 - S&W M&P 9mm Pistol

Primary Information

Property Class:	Evidence
Property Type:	Weapon - Firearm
Weapon Sub-Type:	PISTOL-SEMIAUTOMATIC
Firearm Caliber:	9mm
Firearm Finish:	BLUE/BLACK
Description:	S&W M&P 9mm Pistol
Property Status:	BCA / HQ
Status Date:	06/04/2021
Make:	Smith & Wesson
Model:	M&P
Quantity:	1
Serial No:	NDJ7385
Possessor:	[REDACTED]
Owner Comment:	Service Weapon
Submitted To:	Property & Evidence (2021-399/3.2)
Collected By:	Petersen, Brent
Collected Date/Time:	06/03/2021 19:00

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/3

Report Date: 06/04/2021

Property #3 - Red T-Shirt - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Red T-Shirt - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/3.3)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:00

Property #4 - Pants - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pants - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/3.4)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:00

Comments

Biohazard - blood like substance

Property #5 - Pair of Boots - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pair of Boots - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/3.5)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:00

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/3

Report Date: 06/04/2021

Property #6 - Taser 7

Primary Information

Property Class: Evidence
Property Type: WEAPON (NOT FIREARM OR KNIFE)
Weapon Sub-Type: ELECTRIC SHOCK GUN
Description: Taser 7
Property Status: BCA / HQ
Status Date: 06/04/2021
Make: TASER
Quantity: 1
Serial No: X400060XW
Owner: Hennepin County Sheriff
Possessor: [REDACTED]
Owner Comment: Department-issued Taser
Submitted To: Property & Evidence (2021-399/3.6)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:00

Property #7 - Outer Vest Carrier - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: CLOTHING ACCESSORY
Description: Outer Vest Carrier - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/3.7)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:00

Narrative begins on the following page.

On 06/03/2021 at approximately 1830 hours, Senior Special Agents (SSA) Brent Petersen and Michelle Frascone met with Hennepin County Sheriff's Deputy [REDACTED] and his attorney, Deb Ellis, at the US Marshal's Service office at the federal courthouse in downtown Minneapolis.

SSA Petersen took several photographs of Deputy [REDACTED] and collected from him his duty weapon, equipment and clothing. SSA Petersen observed bloodlike substance on Deputy Inglett's pants and boots. Deputy [REDACTED] did not have any injuries.

No statement was obtained from Deputy [REDACTED] during this processing.

Photos later saved to a disc. Deputy [REDACTED] firearm was submitted to the BCA laboratory on 06/04/2021 for testing (see ACISS supplement 2021-399/9 for details).

Deputy [REDACTED] clothing and equipment was secured in the property and evidence room at BCA headquarters.

Acquisition of exhibits 2021-399/3.1 through 2021-399/3.7 by virtue of this activity or report.

BCA evidence receipts and ACISS receipts, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/3

Case Agent: Petersen, Brent

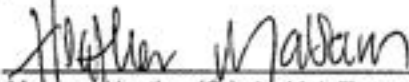
Item	Quantity	Description
1	1.00	9 - Photos of Deputy [REDACTED]
3	1.00	Red T-Shirt - Dep [REDACTED]
4	1.00	Pants - Dep [REDACTED]
5	1.00	Pair of Boots - Dep [REDACTED]
6	1.00	Taser 7
7	1.00	Outer Vest Carrier - Dep [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/4/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

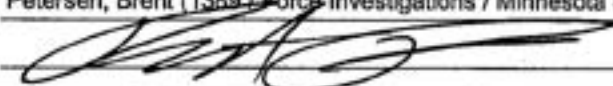
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By





DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVE. EAST, ST. PAUL, MINNESOTA 55106

EVIDENCE RECEIPT

Bureau No. 2021-399	Laboratory No. S20-09577	Evidence No.
------------------------	-----------------------------	--------------

Item No.	S.W. Item No.	Lab Item No.	Quantity	Name of Person From Whom Property is Obtained	Purpose For Which Obtained
				[Redacted]	UDF evidence
DESCRIPTION OF ARTICLES					
1			1	S+W m+p 7mm	S/N: NDJ 7385 (3.0 compact)
2				Red - T-shirt	
3				Grey Pants/Belt	
4				Boots (Black)	
5				TASER 7 x4000boxw	
6				Outer Vest Carrier	
 					

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time 06/03/21 c 1900	Signature 	Storage Site
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CHAIN OF CUSTODY

Item No.	Date	Relinquished By	Received By
1	6/4	Signature	Signature BCA Lab
2-6	6/4	Signature	Signature Heather Malcom

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/4

Report Date: 06/03/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Collection of Equipment and Photographs - Ramsey County Sheriff's Deputy [REDACTED]
Occurrence From: 06/03/2021 19:00
Occurrence To: 06/03/2021 19:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/05/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/03/2021, SSA Petersen and SSA Frascone photographed and collected the duty equipment and clothing from Ramsey County Sheriff's Deputy [REDACTED]. Acquisition of exhibits 2021-399/4.1 through 2021-399/4.8 by virtue of this activity and report. Receipts attached.

Address #1 - Occurred #1 - 300 S 4th StRm 402

Primary Information

Address: 300 S 4th StRm 402 Federal Courthouse, Minneapolis, Minnesota 55415 United States

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: [REDACTED]
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - LAW ENFORCEMENT OFFICER #1 - Schaber, Allison

Primary Information

Exempt From Disclosure: YES
Subject Name: Schaber, Allison
Record Type: Law Enforcement Official
Bio: White, Female
Rank/Position: Deputy/Union President
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/4

Report Date: 06/03/2021

Subject #3 - ATTORNEY #1 - Short, Kevin J

Primary Information

Subject Name: **Short, Kevin J**
Record Type: **Person**
Bio: **White, Male**
Juvenile: **NO**

Employment Information

Employed: **YES**
Occupation: **Attorney**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	150 5TH ST S #3260, Minneapolis, Minnesota 55402 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 333-9006 (CELLULAR)

Property #1 - Glock 17, Gen 4 w/ Tac Light

Primary Information

Property Class: **Evidence**
Property Type: **Weapon - Firearm**
Weapon Sub-Type: **PISTOL-SEMIAUTOMATIC**
Firearm Caliber: **9mm**
Firearm Finish: **BLUE/BLACK**
Description: **Glock 17, Gen 4 w/ Tac Light**
Property Status: **BCA / HQ**
Status Date: **06/04/2021**
Make: **GLOCK, INC**
Quantity: **1**
Serial No: **TXU032**
Possessor: **[REDACTED]**
Owner Comment: **Service Weapon**
Submitted To: **Property & Evidence (2021-399/4.1)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/03/2021 19:30**

Property #2 - Taser X26

Primary Information

Property Class: **Evidence**
Property Type: **WEAPON (NOT FIREARM OR KNIFE)**
Weapon Sub-Type: **ELECTRIC SHOCK GUN**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/4

Report Date: 06/03/2021

Property #2 - Taser X26 - Continued

Primary Information - Continued

Description: Taser X26
Property Status: BCA / HQ
Status Date: 06/04/2021
Make: TASER
Quantity: 1
Serial No: X00355192
Owner: RAMSEY COUNTY SHERIFF'S OFFICE
Possessor: [REDACTED]
Submitted To: Property & Evidence (2021-399/4.2)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Property #3 - Duty Belt w/ Holsters - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: CLOTHING ACCESSORY
Description: Duty Belt w/ Holsters - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.3)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Property #4 - Outer Vest Carrier - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: CLOTHING ACCESSORY
Description: Outer Vest Carrier - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.4)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/4

Report Date: 06/03/2021

Property #5 - Pair of Boots - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pair of Boots - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.5)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Property #6 - Green T-Shirt - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Green T-Shirt - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.6)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Property #7 - Pair of Jeans - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pair of Jeans - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.7)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Property #8 - 7 - Photos Saved to Disc - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Photo / Negative / Slide / Film

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/4

Report Date: 06/03/2021

Property #8 - 7 - Photos Saved to Disc - Dep [REDACTED] - Continued

Primary Information - Continued

Description: 7 - Photos Saved to Disc - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/4.8)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 19:30

Narrative begins on the following page.

On 06/03/2021 at approximately 1830 hours, Senior Special Agents (SSA) Brent Petersen and Michelle Frascone met with Ramsey County Sheriff's Deputy [REDACTED] and his attorney, Kevin Short, at the US Marshal's Service office at the federal courthouse in downtown Minneapolis. Also present was Deputy Mickelson's union representative, Deputy Allison Schaber.

SSA Petersen took several photographs of Deputy [REDACTED] and collected from him his duty weapon, equipment and clothing. Deputy [REDACTED] did not have any injuries.

No statement was obtained from Deputy [REDACTED] during this processing.

Photos later saved to a disc. Deputy [REDACTED] firearm was submitted to the BCA laboratory on 06/04/2021 for testing (see ACISS supplement 2021-399/9 for details).

Deputy [REDACTED] clothing and equipment was secured in the property and evidence room at BCA headquarters.

Acquisition of exhibits 2021-399/4.1 through 2021-399/4.8 by virtue of this activity or report.

BCA evidence receipts and ACISS receipts, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/4

Case Agent: Petersen, Brent

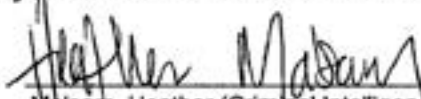
Item	Quantity	Description
2	1.00	Taser X26
3	1.00	Duty Belt w/ Holsters - Dep [REDACTED]
4	1.00	Outer Vest Carrier - Dep [REDACTED]
5	1.00	Pair of Boots - Dep [REDACTED]
6	1.00	Green T-Shirt - Dep [REDACTED]
7	1.00	Pair of Jeans - Dep [REDACTED]
8	1.00	7 - Photos Saved to Disc - Dep [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/4/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address


City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By

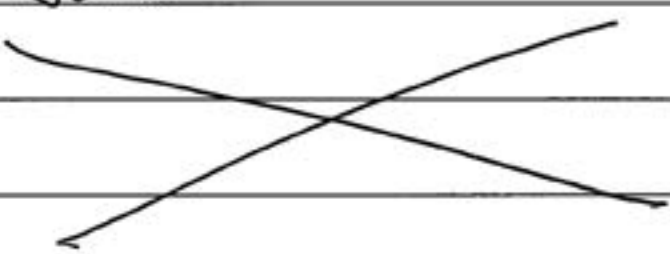




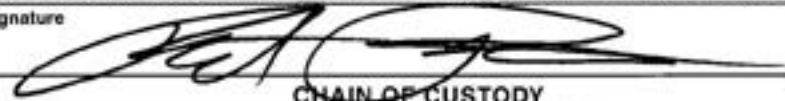
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVE. EAST, ST. PAUL, MINNESOTA 55106

EVIDENCE RECEIPT

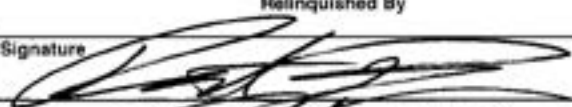

Bureau No. 2021-399	Laboratory No. 521-09577	Evidence No.
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Item No.	S.W. Item No.	Lab Item No.	Quantity	Name of Person From Whom Property is Obtained	Purpose For Which Obtained
					UDF Evidence
DESCRIPTION OF ARTICLES					
1			1	[Redacted]	s/n TX4032 Block 17, Gen 4, Tac Light 7mm
2			1	[Redacted]	s/n-X00355192 Taser - X 26
3			1	[Redacted]	Duty Belt w/ Gun + Taser Holster
4			1	[Redacted]	External Vest Carrier
5			1	[Redacted]	Boots
6			1	[Redacted]	Green T-shirt
7			1	[Redacted]	Jeans
					

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time 06/03/21 @ 1920	Signature 	Storage Site
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CHAIN OF CUSTODY

Item No.	Date	Relinquished By	Received By
1	6/4	Signature 	Signature BCA Lab
2-7	6/4	Signature 	Signature [unclear]

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/5

Report Date: 06/04/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Consensual Blood Samples - Deputy [REDACTED] and Deputy [REDACTED]
Occurrence From: 06/03/2021 19:30
Occurrence To: 06/03/2021 20:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: McGinnis, Sam (1380 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/05/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/03/2021, SSA Petersen and SSA McGinnis accompanied Deputy [REDACTED] and Deputy [REDACTED] to Hennepin Healthcare Hospital in Minneapolis for consensual blood draws. Both deputies gave blood samples, which were acquired as exhibits 2021-399/5.1 and 2021-399/5.2. Signed consent forms attached.

Address #1 - Occurred #1 - 730 S 8TH ST

Primary Information

Address: 730 S 8TH ST, Minneapolis, Minnesota 55415 United States
Description: Emergency Department

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - SUBJECT #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/5

Report Date: 06/04/2021

Subject #2 - SUBJECT #2 - [REDACTED] - Continued

Primary Information - Continued

LEO ID: [REDACTED]

Subject #3 - MENTION IN REPORT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Property #1 - Kit #B437370 - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Blood Collection Kit
Description: Kit #B437370 - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/5.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 21:30

Property #2 - Kit #B437379 - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Blood Collection Kit
Description: Kit #B437379 - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/04/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/5.2)
Collected By: Petersen, Brent
Collected Date/Time: 06/03/2021 21:30

Narrative begins on the following page.

On 06/03/2021 at approximately 1930 hours, Senior Special Agents (SSA) Brent Petersen and Sam McGinnis were present at Hennepin Healthcare Hospital in Minneapolis to facilitate the drawing of blood samples from Deputy [REDACTED] and Deputy [REDACTED] respectively.

At approximately 2000 hours, Registered Nurse Ryan Burch drew a blood sample from Deputy [REDACTED] using BCA blood evidence kit number B437370. After the blood draw, agents sealed the blood samples in the evidence box. SSA Petersen retained custody of the blood sample.

At approximately 2007 hours, Nurse Ryan Burch drew a blood sample from Deputy [REDACTED] using BCA blood evidence kit number B437379. After the blood draw, agents sealed the blood samples in the evidence box. SSA Petersen retained custody of the blood sample.

On 06/04/2021 at approximately 1300 hours, SSA Petersen submitted both blood samples to the BCA laboratory. See ACISS supplement 2021-399/9 for details.

Acquisition of exhibits 2021-399/5.1 and 2021-399/5.2 by virtue of this activity and report.

Signed consent forms and medical personnel certificates are attached to this supplement.

2021-399

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1246 University Avenue, St. Paul, Minnesota 55104-4197
Phone: 651.642.0610 FAX: 651.642.0618 TTY: 651.282.6555
Internet: <http://www.dps.state.mn.us/bca>

CONSENT TO PROVIDE CHEMICAL TEST OF BLOOD OR URINE

I, [REDACTED]
hereby authorize SSA Puterger / LSA Frascione
a Special Agent with the Bureau of Criminal Apprehension, and/or any other duly
appointed law enforcement officer to administer a test of my (blood) (urine). This
written permission is given by me voluntarily. I am not taking this test because of
threats made or pressure exerted on me by my employer, anyone associated with
my employer, or any other individual. No consideration or reward has been
promised to me in exchange for my agreement to take the test.

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

[REDACTED]

6/3/21
(DATE)

[Signature]
(WITNESS)

6/3/21
(DATE)

Peace Officer

2021-399

MEDICAL PERSONNEL CERTIFICATE

Peace Officer's Copy - Retain with Enforcement Agency's Records

Do NOT Send This Form to the BCA

Pursuant to Minn. Stat. §634.15, I certify as follows: at the request of the undersigned peace officer, I withdrew a sample of blood from:

DP- [Redacted] Full Name

[Redacted] Date of Birth

I withdrew the sample of blood after preparing the withdrawal site with a non-alcohol substance. I used a sterile needle and container in withdrawing and receiving the blood sample. After withdrawing the blood sample, I gave the blood sample to the undersigned peace officer.

I withdrew the sample of blood at: HCNC - MPLS Location

at 9:07 A.M. (P.M.) on 06 / 03 / 2021. Time Date

I am authorized and qualified to draw blood samples pursuant to Minnesota Statutes § 169A.51, Subd. 7, because my occupation is (check applicable):

- Physician
 - Registered Nurse
 - Medical Technician
 - Medical Technologist
 - Laboratory Assistant
 - Medical Laboratory Technician
 - EMT/Paramedic
 - Phlebotomist
 - Other Qualified Person(s)*
- *Medical Personnel trained in a Licensed Hospital or Educational Institution to withdraw blood.

X [Signature] Signature of Medical Personnel

Ryan Burch Printed Name

Peace Officer's Copy - Retain with Enforcement Agency's Records
Do NOT Send this Form to the BCA

X [Signature] Signature of Peace Officer Receiving Blood Sample

Brent Petersen Officer's Printed Name

1389 Badge Number

BCA Arresting Agency

2021-399

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension
1246 University Avenue, St. Paul, Minnesota 55104-4197
Phone: 651.642.0610 FAX: 651.642.0618 TTY: 651.282.6555
Internet: <http://www.dps.state.mn.us/bca>

CONSENT TO PROVIDE CHEMICAL TEST OF BLOOD OR URINE

I, [REDACTED]
hereby authorize SSA Peterson + SSA Frascone
a Special Agent with the Bureau of Criminal Apprehension, and/or any other duly
appointed law enforcement officer to administer a test of my (blood) ~~(urine)~~. This
written permission is given by me voluntarily. I am not taking this test because of
threats made or pressure exerted on me by my employer, anyone associated with
my employer, or any other individual. No consideration or reward has been
promised to me in exchange for my agreement to take the test.

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

[REDACTED]

06/03/2021
(DATE)

devalius
(WITNESS)

6.3.21
(DATE)

* Police Officer/Deputy

2021-399

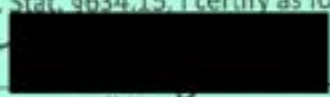
MEDICAL PERSONNEL CERTIFICATE

Peace Officer's Copy - Retain with Enforcement Agency's Records

Do NOT Send This Form to the BCA

Pursuant to Minn. Stat. §634.15, I certify as follows: at the request of the undersigned peace officer, I withdrew a sample of blood from:

UPD



Full Name

_____/_____/_____
Date of Birth

I withdrew the sample of blood after preparing the withdrawal site with a non-alcohol substance. I used a sterile needle and container in withdrawing and receiving the blood sample. After withdrawing the blood sample, I gave the blood sample to the undersigned peace officer.

I withdrew the sample of blood at:

HCMC - MALS

Location

at 8:00

Time

A.M./P.M., on 06 / 03 / 2021

Date

I am authorized and qualified to draw blood samples pursuant to Minnesota Statutes § 169A.51, Subd. 7, because my occupation is (check applicable):

- Physician
- Registered Nurse
- Medical Technician
- Medical Technologist
- Laboratory Assistant
- Medical Laboratory Technician
- EMT/Paramedic

- Phlebotomist
- Other Qualified Person(s)*
- *Medical Personnel trained in a Licensed Hospital or Educational Institution to withdraw blood.

X

[Signature]

Signature of Medical Personnel

Ryan Burch

Printed Name

Peace Officer's Copy - Retain with Enforcement Agency's Records

Do NOT Send this Form to the BCA

X

[Signature]

Signature of Peace Officer Receiving Blood Sample

Brent Peterson

Officer's Printed Name

1389

Badge Number

BCA

Enforcing Agency

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/6

Report Date: 06/08/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Death Notification to Next-of-Kin of Winston Smith Jr
Occurrence From:	06/03/2021 21:10
Occurrence To:	06/03/2021 21:30
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO:	McGinnis, Sam (1380 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 06/03/2021, SSA Petersen and SSA McGinnis made contact with family members of Winston Smith Jr and notified them of his death. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 4550 58TH AVE N
<i>Primary Information</i>
Address: 4550 58TH AVE N APARTMENT #350, Brooklyn Center, Minnesota 55429 United States

Subject #1 - MENTION IN REPORT #1 - Adam, Biiftuu
<i>Primary Information</i>
Exempt From Disclosure: YES
Subject Name: Adam, Biiftuu
Record Type: Law Enforcement Official
Rank/Position: Victim Service Coordinator
Juvenile: NO

Subject #2 - PARENT #1 - Wilson, Elissa Tijuana				
<i>Primary Information</i>				
Subject Name: Wilson, Elissa Tijuana				
Record Type: Person				
Bio: 55 yr. old, Black, Female				
Birth Date: 01/02/1966				
Juvenile: NO				
Addresses				
<table border="1"><thead><tr><th>Relationship</th><th>Address</th></tr></thead><tbody><tr><td>HOME ADDRESS</td><td>4550 58TH AVE N APARTMENT #350, Brooklyn Center, Minnesota 55429 United States</td></tr></tbody></table>	Relationship	Address	HOME ADDRESS	4550 58TH AVE N APARTMENT #350, Brooklyn Center, Minnesota 55429 United States
Relationship	Address			
HOME ADDRESS	4550 58TH AVE N APARTMENT #350, Brooklyn Center, Minnesota 55429 United States			

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/6

Report Date: 06/08/2021

Subject #2 - PARENT #1 - Wilson, Elissa Tijuana - Continued

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(612) 407-9993 (CELLULAR)

Subject #3 - SIBLING #1 - Cooper, Shatana Qwunette

Primary Information

Subject Name: **Cooper, Shatana Qwunette**
Record Type: **Person**
Bio: **21 yr. old, Black, Female**
Birth Date: **10/26/1999**
Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	4550 58TH AVE N APARTMENT #350, Brooklyn Center, Minnesota 55429 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(763) 327-5594 (CELLULAR)

Subject #4 - SIBLING #2 - Wilson, Tamara Shanice

Primary Information

Subject Name: **Wilson, Tamara Shanice**
Record Type: **Person**
Bio: **29 yr. old, Black, Female**
Birth Date: **02/21/1992**
Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	1410 CALIFORNIA ST NE, Minneapolis, Minnesota 55413 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(612) 239-8819 (CELLULAR)

Narrative begins on the following page.

On 06/03/2021 at approximately 2110 hours, Senior Special Agents (SSA) Brent Petersen and Sam McGinnis went to 4550 58th Ave N, apartment 350, in Brooklyn Center to make personal contact with Elissa Wilson, the mother to Winston Smith Jr.

On arrival, agents made contact with Shatana Cooper who identified herself as the half-sister to Winston Smith. SSA Petersen inquired about Elissa Wilson, but Cooper stated that Wilson has not been seen nor heard from in approximately 2 days. SSA Petersen showed a photograph of Winston to Shatana. She confirmed that Winston is her brother and that Elissa Wilson is their mother.

SSA Petersen notified Cooper of the death of her brother during an encounter with law enforcement. Cooper was understandably upset and tried to call her mother numerous times with no success. Cooper called one her sisters, Tamara Wilson, who arrived at the apartment. SSA Petersen provided both women with a business card and also with a card for BCA Victim, Family and Community Relations Coordinator Biiftuu Adam.

SSA Petersen and SSA McGinnis left the apartment at approximately 2130 hours.

SSA Petersen called the Hennepin County Medical Examiner's Office and informed them that next-of-kin had been identified and notified of the death. SSA Petersen provided the family contact information to the investigator with the Medical Examiner's Office.

SSA Petersen also notified Ms. Adam of the death notification and provided her with the family contact information as well.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/7

Report Date: 06/23/2021

Primary Information

Description: Interview of Norhan Askar
Occurrence From: 03/03/2021 00:00
Occurrence To: 03/03/2021 00:00
Reporting LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: McGinnis, Sam (1380 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/23/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 4th 2021, Senior Special Agents Michelle Frascone and Sam McGinnis conducted an interview of Norhan Askar at the Hennepin County Medical Center. The interview was audio recorded, transcribed and attached to this report. As a result of this activity, exhibit 2021-399/7.1, 2021-399/7.2021-399/7.4 were obtained.

Address #1 - Occurred #1 - 730 S 8TH ST

Primary Information

Address: 730 S 8TH ST, Minneapolis, Minnesota 55415 United States
Description: Emergency Department

Subject #1 - WITNESS #1 - Askar, Norhan Ashraf

Primary Information

Subject Name: Askar, Norhan Ashraf
Record Type: Person
Bio: 27 yr. old, White, Female
Birth Date: 01/27/1994
Juvenile: NO

Personal Information

Height: 505
Weight: 170
Eye Color: Brown

Addresses

Relationship	Address
BUSINESS LOCATION	6680 CENTRAL AVE NE, Fridley, Minnesota 55432 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(763) 312-9898 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/7

Report Date: 06/23/2021

Property #1 - Dress- Askar

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Dress- Askar
Property Status: BCA / HQ
Status Date: 06/07/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/7.1)
Collected By: Frascone, Michelle
Collected Date/Time: 06/04/2021 10:33

Property #2 - Sandals- Askar

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Sandals- Askar
Property Status: BCA / HQ
Status Date: 06/07/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/7.2)
Collected By: Frascone, Michelle
Collected Date/Time: 06/04/2021 10:33

Property #3 - Interview of Norhan Askar

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Interview of Norhan Askar
Property Status: BCA / HQ
Status Date: 06/07/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/7.3)
Collected By: Frascone, Michelle
Collected Date/Time: 06/04/2021 10:33

Property #4 - Photographs- Askar

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/7

Report Date: 06/23/2021

Property #4 - Photographs- Askar - Continued

Primary Information - Continued

Description:	Photographs- Askar
Property Status:	BCA / HQ
Status Date:	06/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/7.4)
Collected By:	Frascone, Michelle
Collected Date/Time:	06/04/2021 10:33

Narrative begins on the following page.

On June 3rd 2021, Senior Special Agents Michelle Frascone and Sam McGinnis conducted an interview of Norhan Askar at the Hennepin County Medical Center. Askar was being treated and released for injuries she sustained during the shooting.

Askar stated that she has been dating Winston Smith for approximately 3 weeks, but did not know his last name. Askar said that she was aware that Smith had trouble with the police, but stated that Smith brushed it off when she asked more questions. Askar stated she and Smith were having lunch at Stella's, and they walked to Smith's vehicle so he could drive her (Askar) to her vehicle. Askar said they were kissing and hugging in the vehicle, when they were surrounded by police officers and told to put their hands up.

Askar said she put her hands up, but Smith did not. Askar said that Smith started sweating and stated, "I don't want to go to jail. I don't want to go to jail." Askar said that she told Smith to put his hands up, but he did not, stating he was going to die. Askar said that Smith used his cell phone to go on Facebook live, and officers directed Smith to put his hands up.

Askar said she doesn't know if the police shot the vehicle or if they broke the window, but glass broke on the driver side of the vehicle. Askar said that Smith told her to duck down. Askar said that she ducked down and something almost came at her head. Askar said she was taken out of the vehicle by law enforcement, and handcuffed. Askar was asked if she saw any weapons she stated just by law enforcement. Askar stated she did not hear any gunshots, but stated she felt there was a shooting based on medical questions she was asked. Askar stated she was in shock.

Askar told Agents that her dress and shoes she had on were in the garbage, and we could take them if we wanted. Askar also agreed to have a couple of photographs taken of her injuries. Askar stated that she would be treated and released for her injuries, and wished to return home.

Askar's interview was audio recorded, transcribed, and attached to this report. Above is a summary only. For exact words and verbiage, please refer to the recording and/or transcript.

As a result of this activity, exhibit 2021-399/7.1 (dress), 2021-399/7.2 (sandals), 2021-399/7.3 (Statement), and 2021-339/7.4 (photographs) were obtained.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/7

Case Agent: Petersen, Brent

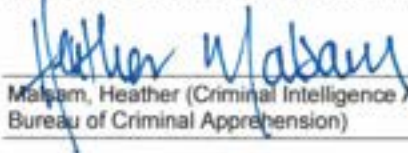
Item	Quantity	Description
3	1.00	Interview of Norhan Askar

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/8/2021

Name

Malcom, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/7

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Dress- Askar
2	1.00	Sandals- Askar

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/7/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/7

Case Agent: Petersen, Brent

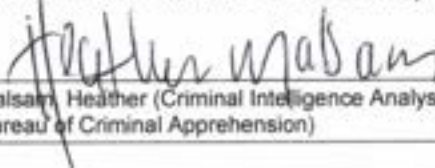
Item	Quantity	Description
4	1.00	Photographs- Askar

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/23/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



MINNESOTA DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

INVESTIGATIVE INTERVIEW

BCA Case Number:	2021-399	Person(s) Interviewed:	NA – Norhan Askar
Date/Time of Interview:	06-03-21 00:00		
Interviewed By:	(MF) Michelle Frascone, Special Agent, BCA		
Others Present:	(SM) Sam McGinnis, Special Agent, BCA		
Reviewed By/Date:	SSA Michelle Frascone/ 06.23.21		

MF So I mentioned that my name is Michelle. I'm with the state police, the Minnesota BCA. Sometimes people have heard of us sometimes they haven't, but we work for the state and we investigate the officer involved shooting portions of these cases.

NA Thank you.

SM There ya go.

MF So um this is Sam and we, you know a lot more about what occurred um then we do and I know that you had a chance to talk with Minneapolis a little bit but we're wondering if maybe you can just kind of give us the background, I know this is very traumatic and stressful, but I want to make sure that I can get you the resources that you need, so that we can um get you healed up and get you back home, wherever home is.

NA I'm just so upset.

MF So tell me about that.

NA I'm scared.

MF Okay.

NA Well I was dating this guy for only like three weeks and he told me like he had a little bit of trouble with the police but he never told me everything, he would just brush it off and he'd tell me the case is dismissed and stuff like that, so I never thought nothing of it and I tried to go search him on the internet to see like you know, on Google. And I couldn't find anything and that I said like we were just, we were really bonding, we were good together like I was really liking him that's all it was, I didn't know anything about him. And then we were at Stella's having lunch and we were having a really good time (crying). And then we were going to his car and like he dropped me off at my car and all of a sudden like 50 police cars and people like come to the car and they're like put your hands up, put your hands up and I put my hands up like really high and he didn't want to put his hands up and I'm like just put your hands up, please just put your hands up, they're going to kill me and I have nothing to do with this, just put your hands up and he started sweating really bad. He's like I don't want to go to jail, I don't want to go to jail. I'm like it's okay, it'll be okay like just – you wanna like die instead of like you know, like and then I just, he went online on Facebook and then I put, I kept my hands up and the police was like put your hands up where we can see it. I know they were talking about Winston because you can clearly see my hands up like I was cooperating. I put my hands all the way up and he wouldn't put my, his hands up. He's like I'm going to die, I'm going to die and then he went on Facebook live and then all of a sudden I don't know if the police shot the car or if they like broke it open but the, the glass like something shot in the car and then I, I felt like something coming towards my head. So then I, I went like this and then it, it glazed right here and right here, so it would've hit my head if I didn't move. But like I'm just so happy that the police didn't shoot me, because I moved, because I just wasn't trying to die and then, and then he looks likes can you guys just let her out, can you guys just let her out and then police officer grabbed me, he was mad, put me in handcuffs.

I'm like I don't know what's going on. He's like - - I was like I don't know what's going on and then my purse was on the floor and it's like can I grab my purse? He's like are you kidding me? He was like, 'cause like I've never been in a situation like that, like I have no problems with the law. Like I don't even have no speeding tickets. Like I don't even know anything like about that shit, like I just keep to myself, like and he like just threw me in the car and then like I was like bleeding everywhere and I was terrified because I thought it was a gun shot and I thought I was going to die and I just kept thinking about my son and then that was it. It just happened so quickly like I was just on a date. (Crying.)

MF I'm so sorry.

NA Like I was just (inaudible...) like how am I supposed to ever be okay? Like and I don't know if they killed him or not, like I don't know if he's dead or not, like this is just so traumatizing like.

MF So can I, can I ask you some questions?

NA Yeah.

MF How did you meet him?

NA I met him through my best friend.

MF Okay.

NA So when we used to like, we were friends before but like not really good friends, like just friends of friends like I would see him at my friend's houses, like I'd seen him at Friendsgiving, and we danced a little bit on Friendsgiving. You know, we were like really cool like we were like, and then like I just got out of a relationship with my baby dad like a month ago and when I used to go out with my best friend, like my best friend told me that my baby dad was cheating on me and he was right there and he was always just like you know kind of like oh okay I like you, blah, blah, blah, but so then we just you know after me and my baby dad broke up like a month ago, we just kind of reconnected and he took me out on like one date before and we were like really starting to like like each other and then, I don't know. I guess, I don't know what's wrong with him. I don't know what, what he did.

MF What's his name?

NA Winston.

MF Okay.

NA That's all I know, I don't even know his last name that's why I couldn't find him on Google.

MF Do you know where he lives? Okay.

NA He doesn't have a house.

MF Okay.

NA That's why I thought he was lying to me and he was like a cheater because like he would tell me that he has like he would go to his like baby momma's houses and stuff like that and he would get hotels a lot, you know, so like, I kinda like, I never got like the, like a, like a felon vibe or anything, like always thought like maybe he was a cheater you know, like but I guess it all makes sense now, you know. I'm just so confused. I just don't want to talk to guys anymore at all. I'm disgusted. Men are horrible. (Crying.)

MF What time do you think you went to lunch?

NA We went at like 1:00.

MF Okay.

NA 'Cause I work at 3.

MF Okay.

NA So we were just going for like a quick lunch.

MF Mm-hmm. And then where do you think the first time you saw the police? Were you in your vehicle or his vehicle?

NA No, his vehicle and they like all came out of no where.

MF Okay.

NA Like - -

MF Where were you when they - -

NA In the ramp, we were in the ra-, no, it was like a top of the, like it was a ramp but it was like the top part, like it wasn't a ramp that was covered, like the bottoms are covered, it was like the (inaudible...), you know and it's crazy you guys.

MF Okay.

NA We were just like kissing and hugging, we were like really binding and then we got into his car and then I don't know where like 50 police pulled up like scary, it was so scary, 'cause they like put your hands up, put your hands up and they were so intimidating like it was so scary like for real.

MF And did Winston say anything that you remember?

NA He said I (inaudible, crying) wanna die and he doesn't wanna go to jail. And I'm like I told him it's okay, it'll be okay, just put his hands up and (inaudible...) but they'll help him. (Crying.)

MF And then what happened?

NA Then he went on live on Facebook and then, and then the police was - -

MF How did, how did you know that he went live on Facebook?

NA Because he did it on his phone like he went on live and the police started breaking the car. I don't know if they shot us, it happened so quick. I think they shot it because it had to have been a rubber bullet.

MF Okay.

NA 'Cause that, what else is going to break a car window? You know?

MF So your window broke.

NA The window on his, they broke his side of the window.

MF Okay.

NA And that's what hurt me.

MF Okay, understood. You have to remember Sam and I haven't been out there, so his window is broken.

NA Yeah.

MF Okay, and you were sitting in the.

NA In the passenger seat and um.

MF In the front?

NA Yeah.

MF Front passenger seat.

NA Yeah.

MF Okay.

NA I think they sh-, I don't know if they, I think they broke it first and then I don't know, they broke, they broke the car window with something and then I got hurt, that's all I know.

MF Okay.

NA They broke the car with something and then the officer, and then he come- he was like can you guys just take her away? Can you guys take her away like 'cause knew like you know, I had nothing to do with this, and then the officers were like, it was like a little bit, and then they were like, and then finally that's

when they broke the door and then the officer, I heard the officer say we're going to take her away, we're going to take her away, and then they took me from the passenger side and then they put handcuffs on me, and then I was like can I grab my purse because like you know me, like I'm not like thinking like anything other like I've done anything, you know, so I'm like just terrified, oh my god I gotta get my purse, I got, you know. They're like are you kidding me. He's like do you have a gun? I was like I (inaudible) I don't 'cause I got like offended, you know, like - -

SM Who, who asked you that?

NA The officer. Like I was, you know, I was offended, which I get it was their job and then he threw in the back of the car and it's just like so traumatized. I was like shaking and everything that I saw and then they came and then he was like then the officer came and he was like are you okay, and I was like no, like I'm bleeding really bad and then um all of a sudden two other, other two officers that were here, they came and they were really nice and I was so happy and they helped me because I didn't like the other officers, I could, like which I don't blame 'em, like they're doing their job but they were kind of like aggressive like you know like you see, like you know I'm not armed or anything and like I'm terrified, you know, like you can tell if somebody's a bad person, you know, so I was just really happy to see those officers and they helped me and they even calmed me down to the point, where I didn't even need any medication, like I just drank some water and now I'm here.

MF What's the last thing you remember was, was it stepping out of the vehicle?

NA When it, when it happened?

MF Yeah.

NA I just remember them breaking the glass with either something either like a rubber bullet or like the something like you know long things that the officers have, I mean, that's what he broke the window with but all I know, no, I know, I felt shots or something, something came in the car.

MF Okay.

NA Because obviously that's how I got hurt. I was on the passenger side.

MF Mm-hmm.

NA And then, and then the police just took me away. I don't know what they did to Winston.

MF So your injuries appear that they're on the left side of your body. Do you have any injuries on the right side that you noticed on your wrist? Okay. Would it be okay if once we're done talking if I just take a couple of pictures?

NA Yeah, of course.

MF Okay.

SM What were you wearing clothing-wise?

NA I had a dress on, it's in the garbage.

MF Would we be able to take that?

NA I don't care.

MF Okay.

NA I don't want it. I'm just so upset you guys and it's like, like how am I supposed to be okay after this, like how am I supposed to trust anybody? I already have really bad anxiety, that's what was horrible for me you guys like I have a really bad anxiety like really bad like I have anxiety attacks, so I'm surprised I'm okay. Like honestly.

MF You're doing really well and we do appreciate you speaking with us because I know it's hard to go back over this. How can Sam and I help you tonight or today? They need to get you cleaned up and then what's.

NA I want my purse.

MF Okay.

NA My phone and I need to go to my car, that's parked next to a park on Aldrich, in Minneapolis.

MF Okay, tell me about your car.

NA It's my dad's car, it's a black Jeep.

MF Okay. And where are the keys for that, in your purse?

NA Yeah.

MF Okay, and the purse is in Winston's vehicle.

NA No. The purse when they took me out of the car, it dropped on the floor.

MF On the ground.

NA Yeah.

MF Of the parking ramp. Okay. So that's on the ground. What does that look like?

NA It's the black Juicy Couture backpack.

MF Okay.

NA I just don't know how I'm going to like, if he's dead, it's going to be kind of traumatizing for me too. Because we have friends of friends too you know like (crying) - -

MF Is that, is that how you met?

NA Yeah, through my friends, through my best friend. Like we have mutual friends.

MF Does your best friend know Winston real well or was it?

NA They're just friends of friends, so like we all just like, we were like the type of friends that we would all hang out together, even if it's boys and girls, and we're just cool together, you know, that's what it was, and I don't really know him at all, so I can't even like tell you guys really anything about him, like we just started talking (inaudible) but I can tell you is he did seem like a really good guy and he does have three kids.

MF Okay. Do you know approximately how old he is?

NA 32, that's what he told me.

MF Okay. And what's your birthdate?

NA 1-27-94.

MF Do the math for me. How old are you?

NA 27.

MF 27. And do you um have a house to go to?

NA Yeah, I live with my mom and dad.

MF And what is that address?

NA 6680 Central Avenue Northeast, Fridley.

MF Okay. 55.

NA 432.

MF What's a good cell for you? I know it's out on the scene but.

NA 763-312-9898.

MF Got, that's a good number, okay.

NA You guys have been so funny.

MF Um let's do.

NA I'm just so scared because I feel like I almost died.

MF And that's a totally normal reaction.

NA Like there was so (inaudible) like what the fuck did I do, and like I'm just so disgusted by like Winston and everything but like I just feel so sick to my stomach like, it was, I just wish you could have see it. It was so scary. It was so intimidating. I think something shot in the car.

MF After.

MF After the windows broke.

NA That's where, that's when shot, that's when I like.

MF After the window broke.

NA Yeah.

MF Like what did Winston say?

NA After the window broke, Winston was like got down, and I ducked down like this because it almost came to my head and then it went right here, and I was like oh, my god, I was like (inaudible) please get me out of here, this has nothing to do with me. Please get me out of here, please, please, please, please, please, and then that's when the officer opened my door, it's like the officer who opened my door is like he wanted to save my life because I could've died, and I couldn't have been able to tell you guys any of this you know and nobody would have heard my side of the story you know, so I'm just and I remember the officer telling, (inaudible...) like they went into the car, I remember the officer telling the other officer like move a little bit over there 'cause I felt like they were trying to not get me injured, you know, - -

MF Mm-hmm.

NA - - so I'm just so happy that the officer that took me out, took me out when he did you know, it's like it wasn't my time to go.

MF Do you recall seeing any weapons at all?

NA Just from the officers.

MF Okay. Any, anything else you think we should know because again, we haven't been there um that we should know about things you've seen or you felt or you heard.

NA From the officers?

MF Yes.

NA No, they're just mean. I mean, I mean, they probably thought that I was like, you know, with him, that's probably why they were mean, but like.

MF And you don't know anything about Winston.

NA No, I don't know anything about him and that's the crazy part, like I'm just like wondering is he a fucking killer, like it was like 50 officers there, it was like a whole SWAT team like what the hell did he do wrong, you know, so I'm just like wondering like, like if he's dead, like if, like what he did. Like am I going to know like is there a way I, is there like can I know what happened, why they're after him or no?

MF We don't know and if I knew, I would tell you. Um I don't know, I also don't know his status.

NA 'Cause damn, there was like 50 officers and like a SWAT team, I think I heard helicopters, were there helicopters going?

MF I don't know.

NA It was fuckin nuts like honestly.

SM Is that the car that is, the car you were in was that Winston's car?

NA I don't know. Honestly, I don't even know that.

SM Has, has he picked you up before in it?

NA Oh he - - um I think he did maybe honestly. I'm not really good with cars at all, like I got, I just got my license two years ago but I think he did pick me from it in it before but he does have different cars all the time.

MF Is your child at home, okay, boy or girl?

NA Boy.

MF How old?

NA 5.

MF Aww. What's his name?

NA They almost killed me. (Crying.) (Inaudible...). Why me? (Crying.) This is not okay, like I wanna go home.

SM Are you good?

MF Yeah.

SM (Inaudible...) my camera (inaudible)?

MF Okay, um I'm going to have you stay seated 'cause I don't know the extent of your injuries. Is this your mask, let me pick that off for you. Do you want me to hold on to this and I'll give it all back to you? Do you want some more water?

NA No, I'm okay right now. I just have to pee.

MF Okay, I can only imagine. Um I'm just going to, you don't need to anything.

NA They thought it was gunshots. Oh, so they did shoot because of the officers were asking, they were trying to make sure there wasn't a bullet inside me.

MF Okay, yeah.

NA So they did shoot.

MF Do you recall hearing gunshots or just from that information?

NA Just from that information because it was like I was in like shock, - -

MF Okay.

NA - - so I don't even know, you know, like they were trying to make sure there wasn't a bullet inside of me.

MF Okay, okay. Do you mind if I just take a picture of your arm too? That's perfect. And then do you have any on your back, can I just take a peek? Is it okay if I take a photograph of your back?

NA Yeah. I don't care.

MF Okay. There you go, we'll cover you back up. I'm going to give you my card. We're going to collect your dress and then is there a phone number of somebody that I could call to get a, get a hold of you?

NA All my numbers are in my phone, so I don't know what I'm going to do.

MF Oh, careful.

NA How am I supposed to reach anybody right now?

MF Yeah, I know, that's what - -

NA I don't have any numbers memorized at all.

MF How about a home number like a family - -

NA I don't have a house phone anymore, nobody does that anymore.

MF I know. Um I'm a little bit older than you. Um.

NA What am I supposed to do?

MF Is it okay if I come over to your house? Would that be okay if I came to your home in Fridley and brought your stuff?

NA Brought my stuff to my house?

MF Mm-hmm.

NA Yeah.

MF Is that okay?

NA Yeah, I just don't know if I want to go home.

MF Okay. Where would - -

NA I'm like I don't know if I'm like ready to face like everybody right now, like I just want to be alone.

MF I understand.

NA You know and I don't have my phone, so I don't know what I'm going to do or where I'm going to go, and I'm just hurt right now, and I'm like scared like I'm like traumatized like.

MF Okay. Let me - -

NA And I don't know if I want my son seeing me like this right now.

MF They're going to get you cleaned up. Let me see if I can get maybe someone from the scene to get you your, at least your phone here, - -

NA Yeah.

MF - - um I'm not sure about other stuff right now but if I can at least get you a cell phone.

NA Can I drive without my ID?

MF Um yeah. I'm going to give you my card, but I'll try and get you as much as I can today. It's, it's 5:00, so, so this is me. And I'm going to put it over there that's my cell number. I know you don't have a cell right now but um when you get one. We have an individual who's a victim witness coordinator, her name Bichu (?), she's fantastic, um and she will be the one who will be able to process through all of this with you, to get you any resources that you need, um as you kind of start to realize everything that you've gone through, and I um am going to see if she can meet with you down here before you go home. Um she lives really close.

NA Okay, what about my car? The keys are in my purse too.

MF Okay, let me work on that too. Um if I can't get you your cell phone, I'm going to see if maybe I can just get you a phone for tonight so that you can stay in contact with us. Um is there anything else you think I should know before we collect your equipment? Or your equipment, goodness. Your, your dress?

NA I don't even have shoes.

MF I know. They'll get you all that here.

NA Okay.

MF Yeah, they're going to still take care of you.

NA My shoes are bloody, they're in the garbage too.

MF Okay. We'll grab them. Anything else?

NA I just want my phone and my car so I can go be alone is what I want.

MF Okay.

NA I'm not ready to go home like this, like.

MF Is your first name spelled N-o-r-h-a-n?

NA Yeah.

MF Middle name is A-s-h-r-a-f and last name is A-s-k-a-r? Okay. And January 27th of '94. Got it. All right, I'm going to end our interview at 17:08.

(End of audio.)

STATE OF MINNESOTA

Bureau of Criminal Apprehension

FILE NUMBER: 2021-399

CERTIFICATION

Interview with Norhan Askar

I, Patty Mesenbrink, do hereby certify that I am officially contracted to the Bureau of Criminal Apprehension (BCA) to provide transcription services in the preparation of verbatim type-written transcripts from proceedings recorded on a digital recording device; that in such capacity I transcribed the testimony and proceedings herewith into typewriting; that the foregoing transcript, consisting of 10 pages, including certification page, constitutes a full, true and correct transcript of all testimony offered or received in said trial to the best of my ability. Dated this 13th day of June 2021. All transcripts provided by Word Tech Secretarial Service are confidential and private.

Patty Mesenbrink

Patty Mesenbrink
Word Tech Secretarial Service
(612) 349-9214

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/8

Report Date: 06/08/2021

Primary Information

Description: Identification and Recovery of Stolen Firearm - Minneapolis
Occurrence From: 06/04/2021 11:30
Occurrence To: 06/07/2021 09:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/08/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
DES MOINES POLICE DEPT.	20-0032551

Synopsis

On 06/04/2021, SSA Petersen confirmed that the handgun recovered from inside the 2019 Maserati is a stolen firearm from Des Moines, Iowa. On 06/07/2021, SSA Petersen received the Des Moines police report documenting the original theft from 11/17/2020. Copy of NCIC hot files queries and Des Moines police report attached to this supplement.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Address #2 - RELATED #1 - 1405 W LAKE ST

Primary Information

Address: 1405 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Calhoun Square Parking Ramp

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
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Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/8

Report Date: 06/08/2021

Subject #1 - SUBJECT #1 - Smith, Winston Jr - Continued

Addresses - Continued

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Subject #2 - MENTION IN REPORT #1 - Steinkuehler, Jaelyn Rae

Primary Information

Subject Name: **Steinkuehler, Jaelyn Rae**
Record Type: **Person**
Bio: **22 yr. old, Black, Female**
Birth Date: **04/23/1999**
Juvenile: **NO**

Telephones / E-Addresses

Relationship	Number/E-Address
Email address	Jaelynraesteinkuehler@gmail.com (Email address)
SUBSCRIBER	(515) 612-3617 (CELLULAR)

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2019 MASERATI**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **ZN661XUS1KX337376**
Tag Number: **FRB657**
Tag State: **MN**

Narrative begins on the following page.

On 06/04/2021 at approximately 1130 hours, Senior Special Agent (SSA) Brent Petersen requested that the serial number on the firearm recovered from inside the 2019 Maserati on 06/03/2021 be run through NCIC. Analyst Heather Malsam ran the serial number, NHD9367, and received a hit that the firearm was reported stolen out of Des Moines, Iowa. Analyst Malsam confirmed the stolen status with Des Moines Police Department via NCIC.

SSA Petersen made a data request for the police report from Des Moines Police regarding the theft of this firearm, which is a Smith and Wesson, M&P 380 caliber handgun.

On 06/07/2021, SSA Petersen received a copy of the requested police report from Des Moines Police. The incident report documents that the firearm was one of a number of items stolen during a burglary on 11/17/2020.

Des Moines Police case number: 20-0032551

On 06/08/2021, SSA Petersen interviewed the owner of the stolen firearm, Jaelyn Steinkuehler. Refer to ACISS report 2021-399/16 for details.

A copy of the NCIC queries and Des Moines police report are separately attached to this supplement.

Case Summary Report

Agency: DMPD

Case Number: 2020-0032551

Date: 6/7/2021 07:44:50

Last Modified: 3/16/2021 10:49:05

Incident Information

Date/Time Reported 11/17/2020 16:21	Date/Time Found 11/17/2020 16:21	Date/Time Found 11/17/2020 16:21	Officer (716442) WILSHUSEN, TODD
Incident Location 1802 FRANCIS AVE, DES MOINES, IA 50314			Supervising Officer (714176) QUINN, COLLIN
Case Status EXCEPTIONALLY CLEARED			Disposition PROSECUTION DECLINED

Charges

1	Charge Type State	Description DOMESTIC ABUSE ASSAULT IMPEDING AIR/BLOOD FLOW CAUSING	Statute 708.2A(5)	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. Personal Weapons (hands, 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
2	Charge Type State	Description BURGLARY 3RD DEGREE	Statute 713.6(A)	UCR 220	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

1	Seq. #	Type INDIVIDUAL	Injuries Other Major Injury	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) STEINKUEHLER, JAELYN RAE				Race B	Sex F
				DOB	Age 19
SSN			Victim of Crimes 1,2		
Address 1802 FRANCIS AVE, DES MOINES, IA 50314					Home Phone
Employer Name/Address					Business Phone

Case Summary Report

Agency: DMPD

Case Number: 2020-0032551

Date: 6/7/2021 07:44:51

Last Modified: 3/16/2021 10:49:05

Notes/Narratives

Victim: Steinkuehler, Jaelyn DOB 4/23/99, 1802 Francis DSM, Ph# 612-3617

Offender: Dudley, Jamaal DOB 2/5/96, 1005 Phillips ST Polk City, Ph# 988-6079,795-7113

Dispatched to 1802 Francis on a report of a burglary. On arrival I spoke with victim, Jaelyn Steinkuehler, who stated her ex-boyfriend Jamaal Dudley came to her house last night and the two began to argue. She stated during the argument, Dudley choked her and attempted to spread her legs apart while saying " they have sex all the time so it wouldn't be rape". She stated they continued arguing and then he was trying to get into her phone. When she refused to let him into her phone, he stated he would come back and take her safe. She stated her mother then showed up and Dudley then left the residence at around 2320hrs. Jaelyn stated her and her mother remained at her residence until around 0036hrs when they heard 4 gunshots near the back of her house. She stated she called 91 and responding officers located Jamaal in the alley behind her house but stated the officers let him go.

Jaelyn stated she then went with her mother and stayed at her house the remainder of the night. Today, she returned home and noticed her Sentry Safe containing her .380 M&P Shield pistol (SER# nhd9367), two magazines with .380 ammo, SS Card, birth certificate and \$25,000 in cash was gone. She stated she thinks Jamaal entered the house through a basement window that was unlocked and then took the safe and left through the front door. She stated she is certain it was him due to him telling her he would take her safe during the dispute, and the fact that he is the only one that knows that she had a safe and where it was located. Jaelyn stated she had touched the window and put everything back to its original location so I called for photographs of basement window and of any possible injuries she may have sustained during the assault (Jaelyn stated she may have bruises on inside of her legs, and I did not observe marks or bruises on he neck).

Jaelyn stated she has been in contact with Jamaal via text about the assault and the missing safe and believes the safe may be at Jamaal's brothers house (Damian Dudley) who resides somewhere on Allison Ave in Des Moines.

*Jaelyn seemed more upset and concerned about the safe missing than the possible domestic assault.

Wilshusen

#5090

Case Summary Report

Agency: DMPD

Case Number: 2020-0032551

Date: 6/7/2021 07:44:51

Last Modified: 3/16/2021 10:49:05

From: [Waterkamp, Will \(DPS\)](#)
To: [Petersen, Brent \(DPS\)](#)
Subject: Gun
Date: Friday, June 4, 2021 11:55:47 AM

TO: [REDACTED]-00829849 20210604 11:48:36 024C0CA999
FROM: NI [REDACTED]-10721510 20210604 11:48:36 49B0A398E6
YR. IA0770300.
09:48 06/04/2021 16326
09:48 06/04/2021 63680
MNBCA0000.*MRI0129407.TXT

[REDACTED]

William Waterkamp
Director of Operations
MN Bureau of Criminal Apprehension
1430 Maryland Ave. E.
Saint Paul, MN 55106
Desk 651-793-1076
Cell 651-249-4170

TO: [REDACTED]-00033801 20210604 11:38:24 1165008409
FROM: NCIC1-12534803 20210604 11:38:24 1165007C50
1L011165007C502QG
MNBCA0000

MKE/STOLEN GUN

[REDACTED]

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/9

Report Date: 06/04/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Submission of Blood Kits and Firearms to BCA Laboratory
Occurrence From: 06/03/2021 13:00
Occurrence To: 06/03/2021 13:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/05/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/04/2021, SSA Petersen submitted two blood sample kits and two firearms to the BCA laboratory for further testing. No exhibit(s) by virtue of this activity or report. Receipts attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - SUBJECT #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/9

Report Date: 06/04/2021

Narrative begins on the following page.

On 06/04/2021 at approximately 1300 hours, Senior Special (SSA) Agent Brent Petersen submitted two blood evidence kits to the BCA laboratory for further testing. The blood kits are the following:

- Kit #B437370 – Deputy ██████████ (ACISS evidence number 2021-339/5.1)
- Kit #B437379 – Deputy ██████████ (ACISS evidence number 2021-339/5.2)

SSA Petersen also submitted the following firearms to the lab for testing:

- Smith and Wesson, M&P, 9 mm pistol (serial number NDJ7385) – ACISS evidence number 2021-399/3.2
- Glock 17, Gen 4, 9mm pistol (serial number TXU032) – ACISS evidence number 2021-399/4.1

ACISS evidence receipts and BCA lab intake receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/3

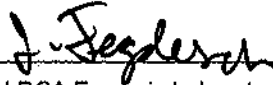
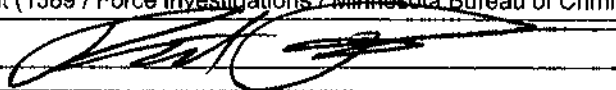
Case Agent: Petersen, Brent

Item	Quantity	Description
2	1.00	S&W M&P 9mm Pistol

State authority to release or manner of disposition:

LAB - BCA

I hereby certify that I have received the above listed property

Signature  Date Received 6/4/2021
Name MN BCA Forensic Laboratory-St Paul Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/5

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Kit #B437370 - Dep [REDACTED]
2	1.00	Kit #B437379 - Dep [REDACTED]

State authority to release or manner of disposition:

LAB - BCA

I hereby certify that I have received the above listed property

Signature



Date Received

6/4/2021

Name

MN BCA Forensic Laboratory-St Paul

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/4

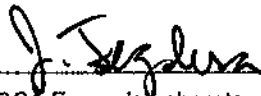

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Glock 17, Gen 4 w/ Tac Light

State authority to release or manner of disposition:

LAB - BCA

I hereby certify that I have received the above listed property

Signature  Date Received 6/4/2021
Name MN BCA Forensic Laboratory-St Paul Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Agency Case Number
2021399

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Laboratory Number
S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin
TELEPHONE: (651) 793 - 1100
TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows include Alcohol, Firearms, and Toxicology.

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Evidence received from SA Brent Petersen on 06/04/21 at 13:00. Upon delivery, evidence was stored in a secure location until entry into the laboratory information management system.

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Lists Smith, Jr., Winston and Askar, Norhan Ashraf.

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Lists items 46 through 49.

Submitted By

Received By



06/04/2021 14:59

SA Brent Petersen

Jeff Tegdesch

Submission Date and Time

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/10

Report Date: 06/05/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Offer Reiterated to LEO Witnesses to Provide Interviews to BCA Agents
Occurrence From: 06/04/2021 20:00
Occurrence To: 06/04/2021 22:30
Reporting LEO: Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/16/2021
Approved By: Mueller, Scott (1305 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 6/4/2021 at about 2022hrs, ASAIC Phill contacted all witness LEOs in this case to confirm whether they will consent to interviews or provide written statements in furtherance of the Use of Deadly Force Investigation. Most said they would consult with attorneys and get back to the BCA.

Address #1 - Occurred #1 - 3001 HENNEPIN AVE

Primary Information

Address: 3001 HENNEPIN AVE, MINNEAPOLIS, Minnesota 55408

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #2 - WITNESS #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #3 - WITNESS #3 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/10

Report Date: 06/05/2021

Subject #4 - WITNESS #4 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #5 - WITNESS #5 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #6 - WITNESS #6 - Kvam, Thomas

Primary Information

Exempt From Disclosure: YES
Subject Name: Kvam, Thomas
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Deputy/Marshal Fugitive Task Force
Juvenile: NO
LEO ID: 260

Subject #7 - WITNESS #7 - Novak, Jonahs

Primary Information

Exempt From Disclosure: YES
Subject Name: Novak, Jonahs
Record Type: Law Enforcement Official
Bio: Black, Male
Rank/Position: US Marshals Fugitive Task Force
Juvenile: NO
LEO ID: 2303

Subject #8 - WITNESS #8 - [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/10

Report Date: 06/05/2021

Subject #8 - WITNESS #8 - [REDACTED] - Continued

Primary Information - Continued

Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #9 - WITNESS #9 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #10 - WITNESS #10 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Narrative begins on the following page.

On Friday, June 4th 2021, Assistant Special Agent in Charge (ASAIC) Phill was tasked by Special Agent in Charge (SAIC) Mueller with contacting each Law Enforcement Witness Officer (LEO) that was present for the Use of Deadly Force shooting on Lake St in Minneapolis the previous evening.

An assertion was made by the MN Department of Corrections (DOC) US Marshal's Fugitive Task Force member, Jonahs Novak, that he was never asked to provide an interview to investigative Agents of the Bureau of Criminal Apprehension (BCA). This information was relayed up his chain of command to the Minnesota Department of Public Safety. It was then ordered that it be made clear to all LEO Witnesses that the BCA would like to conduct interviews with all of them as soon as possible in order to find out what happened before, during, and after the officer involved shooting.

At about 2045hrs, SAIC Muller provided the names and numbers of all Marshals Task Force members for immediate contact regarding interviews. ASAIC Phill was able to either speak to, or leave Voicemail messages with 10 LEO Witnesses.

This began at about 2115hrs, and ASAIC Phill reached all 10 LEOs and received various responses. Overall, the witnesses declined to consent to interviews and instead said they would contact whatever legal or agency guidance they could and get back to ASAIC Phill. Only Ramsey County Deputy Kvam said he would provide an interview on Tuesday, June 8th at a time to be determined.

Task Force Agent Novak conversed via Text with ASAIC Phill and did not offer a response as to when and where he would like to provide an interview as was relayed by to the BCA by his Commissioner.

At about 2230hrs, ASAIC Phill completed contacts with all 10 LEOs. None were willing or available to provide interviews in the next few days and wanted to coordinate their response with the US Marshals Service.

No evidence acquired with this report.

US Social Security
Crime Scene Supplement 2021-399/11

Report Date: 06/07/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Maserati vehicle processing at HQ
Occurrence From:	06/07/2021 09:00
Occurrence To:	06/07/2021 15:00
Reporting LEO:	O'Brien, Joseph (1332 / Financial Crimes Investigation / US Social Security)
Report Status:	Approved
Report Status Date:	06/21/2021
Approved By:	KATZOVITZ, Michael (Minnesota Bureau of Criminal Apprehension)

Response Information	
Time Call Received:	06/06/2021 12:19
Time Arrived:	06/07/2021 09:00
Time Completed:	06/07/2021 15:00
Weather Upon Arrival:	N/A
Work Status:	COMPLETE
Call Received By:	PHONE
Investigator:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Investigator Status:	NOT AT SCENE

Agency Reference Numbers	
<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - EMPLOYEE #1 - Granger, Ashley	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Granger, Ashley
Record Type:	Crime Scene Team
Rank/Position:	Crime Scene Team Member
Juvenile:	NO

US Social Security
Crime Scene Supplement 2021-399/11

Report Date: 06/07/2021

Subject #2 - EMPLOYEE #2 - Thomas, Ross

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Thomas, Ross**
Record Type: **Crime Scene Team**
Juvenile: **NO**

Subject #3 - EMPLOYEE #3 - Swenson, Steve

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Swenson, Steve**
Record Type: **Forensic Scientist**
Bio: **White, Male**
Juvenile: **NO**

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2019 MASERATI**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **ZN661XUS1KX337376**
Tag Number: **FRB657**
Tag State: **MN**

Property #1 - USB drive

Primary Information

Property Class: **Evidence**
Property Type: **Media storage device**
Description: **USB drive**
Property Status: **BCA / HQ**
Status Date: **06/14/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/11.1)**
Remote Bin: **Locker**
Collected By: **O'Brien, Joseph**
Collected Date/Time: **06/07/2021 09:44**

Narrative begins on the following page.

On Sunday June 6, 2021, at 12:19 P.M., SA O'Brien received a text message from MN BCA Communications Center. The remarks of the text informed SA O'Brien that one vehicle was going to be processed as evidence in the BCA Crime Scene Garage at HQ on June 7, 2021, in reference to the US Marshals Task Force officer-involved shooting investigation.

SA O'Brien met BCA Crime Scene Team Leader Ross Thomas and Technicians Ashley Granger and Steve Swenson at the BCA Crime Scene garage on June 7, 2021, at 9:00 A.M. SA O'Brien documented the vehicle (MN LIC/FRB-657) using photography, acquisition of flash drive described as MN BCA Exhibit 2021-399/11.1. SA O'Brien maintained custody of the exhibit until entered into the MN BCA Evidence System for its respective care and storage. A copy of the photos was also provided to SA Kaneko for processing.

Acquisition of exhibit 2021-399/11.1 by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/11

Case Agent: Petersen, Brent

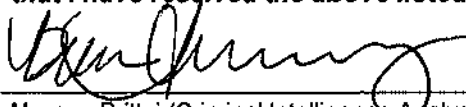
Item	Quantity	Description
1	1.00	USB drive

State authority to release or manner of disposition:

INVENTORY

I hereby certify that I have received the above listed property

Signature



Date Received

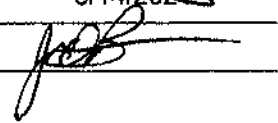
6/17/2021

Name

Alvarez, Brittni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

~~6/14/2021~~



Address

City/State

Telephone

Released By

O'Brien, Joseph (1332 / Financial Crimes Investigation / US Social Security)

Verified By

Minnesota Bureau of Criminal Apprehension

Crime Scene Supplement 2021-399/12

Report Date: 06/07/2021

Primary Information

Description: **Crime Scene - 1405 W. Lake St. Minneapolis, MN**
Occurrence From: **06/03/2021 15:39**
Occurrence To: **06/03/2021 20:55**
Reporting LEO: **Nelson, Rachel (1364 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/08/2021**
Approved By: **KATZOVITZ, Michael (Minnesota Bureau of Criminal Apprehension)**

Response Information

Weather Upon Arrival: **HOT**
Work Status: **COMPLETE**
Call Received By: **PHONE**
Investigator: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Investigator Status: **ARRIVED**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Minnesota Bureau of Criminal Apprehension	S21-09577

Address #1 - Occurred #1 - 1405 W LAKE ST

Primary Information

Address: **1405 W LAKE ST, Minneapolis, Minnesota 55408 United States**
Description: **Calhoun Square Parking Ramp**

Address #2 - RELATED #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Property #1 - Item 2021-399/12.1 raw crime scene photos and videos

Primary Information

Property Class: **Evidence**
Property Type: **Computer Storage Media / Device**
Description: **Item 2021-399/12.1 raw crime scene photos and videos**
Property Status: **BCA / HQ**
Status Date: **06/07/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/12.1)**
Location Found: **Files copied from camera to storage media on SA Nelson's laptop**

Minnesota Bureau of Criminal Apprehension

Crime Scene Supplement 2021-399/12

Report Date: 06/07/2021

Property #1 - Item 2021-399/12.1 raw crime scene photos and videos - Continued

Primary Information - Continued

Collected By: **Nelson, Rachel**
Collected Date/Time: **06/07/2021 10:18**

Narrative begins on the following page.

On June 3, 2021, at approximately 3:06 p.m., Special Agent (SA) Rachel Nelson was contacted by the Bureau of Criminal Apprehension (BCA) operations center to respond to a crime scene located at the top of the parking ramp at Lake Street and Girard Avenue in the City of Minneapolis. Agents and the BCA Crime Scene Team (CST) responded to the scene at 1405 W. Lake Street.

The CST was comprised of Team Leader Ross Thomas and team members Steve Swenson and Ashley Granger. The CST was requested to assist with the investigation of an officer-involved use of force scene on the top level of the parking ramp.

SA Nelson arrived at the scene at 3:39 p.m. SA Nelson documented the crime scene, using both digital video and photographs. SA Nelson later transferred the digital video and photographs onto a USB drive at BCA headquarters in St. Paul. SA Nelson submitted the USB drive to BCA evidence, resulting in the acquisition of evidence item 2021-399/12.1.

SA Nelson provided the BCA Technical Service Unit with a copy of all digital video and photograph files. The BCA Technical Service Unit later processed the digital photographs and videos.

SA Nelson #64

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/12

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Item 2021-399/12.1 raw crime scene photos and videos

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature

Date Received

6/7/2021

Name

Alvarez, Brittni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Nelson, Rachel (1364 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)

Verified By

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/13

Report Date: 06/08/2021

Primary Information

Description: Escort of Maserati From BCA HQ to Twin Cities Transport and Recovery
Occurrence From: 06/07/2021 16:00
Occurrence To: 06/07/2021 16:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/08/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/07/2021, SSA Petersen escorted the 2019 Maserati sport utility vehicle from BCA Headquarters to the secure evidence lot in Oakdale. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Address #2 - Occurred #2 - 2741 Geneva Ave N

Primary Information

Address: 2741 Geneva Ave N, Oakdale, Minnesota 55128 United States
Description: Twin City Transport and Recovery

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Officers

LEO
Thomas, Ross (Minnesota Bureau of Criminal Apprehension)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/13

Report Date: 06/08/2021

Officers - Continued

LEO

Swenson, Steve (MN BCA Lab)

Narrative begins on the following page.

On 06/07/2021 beginning at approximately 0900 hours, the BCA Crime Scene Team began forensically processing the 2019 Maserati sport utility vehicle (MN/FRB657), pursuant to a search warrant. Team Leader Ross Thomas retained custody of the vehicle while it was at BCA Headquarters.

At approximately 1600 hours, Senior Special Agent (SSA) Brent Petersen took custody of the vehicle and had it towed by Twin Cities Transport and Recovery to the secured evidence garage in Oakdale. SSA Petersen was present when Team Leader Thomas and Lab Supervisor Steve Swenson secured the doors to the vehicle with evidence tape. The driver's door was unsecured so that the tow driver could get the vehicle on to the flat bed.

SSA Petersen followed the tow truck with the Maserati from BCA Headquarters to the Oakdale garage. SSA Petersen secured the driver's door with evidence tape after the vehicle was parked in the garage. The vehicle was secured in the evidence garage at approximately 1630 hours.

No exhibit(s) by virtue of this activity or report.

BCA lab receipt for the vehicle is attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved

Estimated Completion Date

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

Table with columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows include Smith, Jr., Winston; Askar, Norhan Ashraf; and two redacted entries.

ITEM DESCRIPTION OF EVIDENCE:

Table with columns: Item #, In Container, Packaging and Type, Description, Source. Row 1: 51, a vehicle, Gray Maserati Levante Q4, MN license plate FRB567.

Submitted By

Received By

Handwritten signature of Ross Thomas

06/07/2021 9:12

Hand Delivered with No Sig Cap Pad

Ross Thomas

Submission Date and Time

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/14

Report Date: 06/07/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview Declinations - Anoka and Ramsey County Deputies
Occurrence From: 06/07/2021 10:00
Occurrence To: 06/07/2021 11:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/10/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/07/2021, SSA Petersen received interview declinations on behalf of four Ramsey County Deputies and one Anoka County Deputy with regard to this case. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Email: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	[REDACTED] (BUSINESS)
BUSINESS	[REDACTED] (FAX MACHINE)
CELLULAR PHONE	[REDACTED] (CELLULAR)

Subject #2 - WITNESS #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/14

Report Date: 06/07/2021

Subject #2 - WITNESS #2 - [REDACTED] - Continued

Primary Information - Continued

Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #3 - WITNESS #3 - Kvam, Thomas

Primary Information

Exempt From Disclosure: YES
Subject Name: Kvam, Thomas
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Deputy/Marshal Fugitive Task Force
Juvenile: NO
LEO ID: 260

Subject #4 - WITNESS #4 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Subject #5 - WITNESS #5 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #6 - ATTORNEY #1 - Beck, Kevin M

Primary Information

Subject Name: Beck, Kevin M
Record Type: Person

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/14

Report Date: 06/07/2021

Subject #6 - ATTORNEY #1 - Beck, Kevin M - Continued

Primary Information - Continued

Bio: **White, Male**

Juvenile: **NO**

Employment Information

Employed: **YES**

Occupation: **Attorney**

Subject #7 - ATTORNEY #2 - Sobieck, Kim

Primary Information

Subject Name: **Sobieck, Kim**

Record Type: **Person**

Bio: **White, Female**

Juvenile: **NO**

Addresses

Relationship Address

BUSINESS LOCATION **327 YORK AVE, St Paul, Minnesota 55130 United States**

Telephones / E-Addresses

Relationship Number/E-Address

BUSINESS **(651) 793-2322 (BUSINESS)**

Narrative begins on the following page.

On 06/07/2021 at approximately 1000 hours, Senior Special Agent (SSA) Brent Petersen spoke with Attorney Kevin Beck. Mr. Beck identified that he represents the Ramsey County Deputies involved in this investigation. Mr. Beck informed SSA Petersen that his clients are declining to be interviewed by the BCA and will instead provide a written statement regarding their respective actions and observations from 06/03/2021.

The deputies represented by Mr. Beck are [REDACTED] and [REDACTED]

At approximately 1125 hours, SSA Petersen spoke with Attorney Kim Sobieck. Ms. Sobieck informed SSA Petersen she represents Anoka County Deputy Thomas Kvam and Ramsey County [REDACTED]. Ms. Sobieck stated that Deputy Kvam and [REDACTED] will be declining a voluntary interview with the BCA and will instead provide a written statement regarding their respective actions and observations from 06/03/2021.

Both attorneys stated that they would provide the statements to SSA Petersen within the next week via email.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/15

Report Date: 06/21/2021

Primary Information

Description: Interview of Datrice Mulsumo - Owner of 2019 Maserati
Occurrence From: 06/07/2021 16:33
Occurrence To: 06/07/2021 16:45
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/21/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/07/2021, SSA Petersen interviewed Datrice Mulsumo, the owner of the 2019 Maserati SUV occupied by Winston Smith Jr on 06/03/2021. Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/15.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - OWNER OF VEHICLE #1 - Mulsumo, Datrice Walterjay

Primary Information

Subject Name: Mulsumo, Datrice Walterjay
Record Type: Person
Bio: 24 yr. old, Unknown, Male
Birth Date: 07/15/1996
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	10918 BRITTANY DR N, Champlin, Minnesota 55316 United States

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: SUV
Vehicle Description: 2019 MASERATI
Vehicle Style: 4 DOOR
Vehicle VIN Number: ZN661XUS1KX337376
Tag Number: FRB657
Tag State: MN

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/15

Report Date: 06/21/2021

Property #1 - Recorded Interview Saved to Disc - Datrice Mulsumo

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Datrice Mulsumo
Property Status:	BCA / HQ
Status Date:	06/07/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/15.1)
Collected By:	Petersen, Brent
Collected Date/Time:	06/07/2021 16:45

Narrative begins on the following page.

On 06/07/2021 at approximately 1633 hours, Senior Special Agent (SSA) Brent Petersen interviewed Datrice Mulsumo regarding this investigation. Mulsumo is the co-registered owner of the 2019 Maserati sport utility vehicle recovered from the scene of the shooting death of Winston Smith Jr on 06/03/2021. SSA Petersen recorded the voluntary interview with Mulsumo. Refer to the interview transcript for complete details.

The following is a synopsis of Datrice Mulsumo's statement:

Mulsumo stated that he loaned his Maserati to Winston Smith on either June 1st or June 2nd and that Smith was going to use it for approximately one week. Mulsumo stated that this is the first time loaning his vehicle to Smith and that he only knew Smith through a mutual friend. Mulsumo stated that he knows of Smith as an entertainer who frequently made comedy videos and that Mulsumo was a promoter who was going to possibly enter into a business arrangement with Smith. No money had been exchanged for use of the vehicle.

Mulsumo had not spoken to Smith on the day of the incident, 06/03/2021, but knew through social media that Smith had been at Stella's Fish Café in Minneapolis that afternoon. When Mulsumo heard about the shooting he was shocked. Mulsumo stated he knew nothing about a firearm in his vehicle and denied that it was his. Mulsumo stated he did not know Smith well, but really was impressed with Smith's abilities as an entertainer.

Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/15.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/15

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Datrice Mulsumo

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/8/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 7, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/15.1
INTERVIEW OF:	Datrice Mulsumo (DM)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 6/21/2021		

BP It's June 7th, 2021. 1633 hours. Case number is 2021-399. This is Brent Petersen. Be making a telephone call to Datrice Mulsomo, M-U-L-S-O-M-O. 763-221-1707.

(phone ringing)

DM Hello.

BP Uh hi is this uh Datrice?

DM Yes it is.

BP Hello sir my name is Brent Petersen and I'm a Special Agent with the Minnesota Bureau of Criminal Apprehension. The BCA out of St Paul.

DM Well how you doing say, you said Brent um...

BP Yeah.

DM ...Brent Johnson?

BP Close. Petersen. P-E-T...

DM (inaudible)

BP ...S-E-N.

DM Okay.

BP Um,

DM Thank, thank you for thanks for (inaudible) I apologize.

BP That's okay I'm just calling um regarding your vehicle.

DM Yes.

BP The Maserati SUV.

DM Yes.

BP Um, well we have that. Um it's being held um as evidence. Uh due to the shooting that I'm sure you're aware of. I was just...

DM (inaudible)

BP I was kind of curious um how it was that your car was in the possession of um Mr. Smith.

DM So Mis-Mister Smith had a right to the vehicle cuz he does skits and he does some other comedy stuff.

BP Sure.

DM Um and uh he had got permission to drive my car

BP Um-hm.

DM To use it.

BP Um-hm.

DM Um you know for his skits and the comedy stuff. He actually did use it I seen it on some social media.

BP Um-hm.

DM Um so that's, that's the only relation.

BP All right. When, when did you um loan or rent your car to Mr. Smith?

DM I believe it was on Tuesday or Wednesday. Tuesday or Wednesday.

BP Tuesday or Wednesday of last week?

DM Yes.

BP All right.

DM So about a day before.

BP About a day or so before the incident on the 3rd?

DM Yes.

BP And uh what was the arrangement?

DM Um the arrangement was he uses the, my car for his skits and (inaudible) he's a promotor and...

BP Okay.

DM ...he does some other stuff and he knows um you know other uh comedians here.

BP Okay.

DM And um (inaudible) connect and you know use cuz I do marketing too. So,

BP Okay.

DM Working with um comedians and things like that. Cuz (inaudible) me in the picture.

BP Hm.

DM And (inaudible) my girlfriend's uh, um friend of a friend that you know that she told me if you know this person would be somebody good.

BP Um-hm.

DM Um be good for business in the future. (inaudible) and she um kind of helped look (inaudible) the whole deal.

BP Okay. Was this the...

DM (inaudible)

BP Was this fir-- the first time you rented the vehicle to Winston?

DM Yes that was the first time.

BP Okay. And what did you know him by? I mean I'm calling him Winston Smith. Is that what you knew him by?

DM Yes that was what I his uh Instagram says.

BP Okay. All right. Um there was a, a, a firearm found in your vehicle. Do you know anything about that?

DM No not so ever.

BP Is it, was it yours?

DM No it was not mine.

BP Okay. Um...

DM Cuz I uh my, my uh (inaudible) in my vehicle I don't even own a firearm.

BP Okay.

DM Um (inaudible)

BP Um-hm.

DM And um I would be, I know that there shouldn't been...

BP Yeah.

DM ...(inaudible) in my vehicle, anything in there at all. So,

BP Okay.

DM My wallet one thing I know is in that car.

BP Okay.

DM I gave it to my um (inaudible) the same way.

BP Hm.

DM Um so (inaudible)

BP Um-hm.

DM So thinking about doing that um so that's what kind of drove me and my girlfriend to do that.

BP Um-hm.

DM But other than that um no not at all.

BP How much uh, how much were you charging him to use it?

DM Um we hadn't really thought about that yet.

BP Oh okay.

DM Because yeah so um it was just, it was just something that we just wanted to do cuz we know he does lots of (inaudible) and stuff.

BP Yeah.

DM That was about it.

BP Okay. All right. Um do you know anything else about uh Winston that might be helpful you know in trying to investigate what happened?

DM Um, no (inaudible) the only thing I know about him is that you know he does uh he gets a lot of comedy shows...

BP Um-hm.

DM ...lot of comedian stuff.

BP Entertainer (inaudible)

DM Um yeah entertainer. Um that's about it. And I know that he, he's friends with a lot of people...

BP Yeah.

DM ...in the city so that was, that was about it. I was just looking for somebody you know to connect with and...

BP Um-hm.

DM ...and (inaudible) and to do business. Um that's just, I was really shocked. Um when this, when this thing happened.

BP Yeah.

DM Because you guys showed up at my parent's house I believe.

BP Yeah.

DM Where I (inaudible) to live. Yeah and they called me and I was like I didn't know what was going on. I thought someone stole my car.

BP Hm.

DM (inaudible) him like fifty times and...

BP Yeah.

DM ...(inaudible)

BP Oh okay.

DM (inaudible)

BP Okay.

DM Um until somebody (inaudible) and told me (inaudible) that.

BP Okay. All right. Um, hm well um your car is damaged. Um and because of the nature of what happened I mean it's a homicide. Um...

DM Yeah.

BP ...I can't release your car. We have to have (inaudible)

DM (inaudible) absolutely um, I mean I filed the insurance claims with it. I'm trying to figure out what to do cuz I be out the vehicle an expensive vehicle.

BP Um-hm.

DM That I still pay for.

BP Yeah.

DM Um, so I mean I'm trying to figure everything out (inaudible) I talked to the insurance.

BP Okay.

DM Um see if they can you know get me a rental and...

BP Um-hm.

DM Um cover my expenses and everything...

BP Right.

DM ...during this matter.

BP Right.

DM Um I also spoke to someone else from the BCA. And he gave me some information on what I could do with a (inaudible). Um or the tort claim. Different things and you know is, is there any way or anything even if I can get pictures to be able to show it to my insurance company's um anything at all?

BP Um I can't give you anything unfortunately. Um it may be possible that the insurance claims adjuster or something like that could make arrangements with us and we could let them come take pictures of the car at our storage facility. If that's what they want to do. But um they'd have to you know give me a call and we can, we can figure that out.

DM Yeah and if there is, is there like a number, a (inaudible) number or like a...

BP Report number?

DM ...um incident report. Yeah number or something that I can give to them (inaudible)

BP Yeah. Yeah I can...

DM (inaudible)

BP ...I can give you that number. Let me know when you're ready.

DM (inaudible), yeah.

BP Its, its um...

DM (inaudible)

BP It's 2021...

DM 2021.

BP dash 399.

DM dash 399?

BP Um-hm.

DM Police report. And then also too (inaudible) um is there anything other than a tort um at all that I can do because I mean my, uh that's a pretty expensive vehicle that's in you guys possession. Um...

BP I, I...

DM (inaudible)

BP I don't know, I don't know what the answer is. I mean I'm not an attorney. So I don't, I don't I can't give you any sort of legal advice. Um...

DM Do you think its best if I get one? To try to get the car back (inaudible)

BP Maybe. Yeah maybe you might want to do that. Just talk to somebody about it. Um and did you talk to Winston at all that day? On, on Thursday? The (inaudible)

DM Um, no. No I talked the night before.

BP Okay.

DM Um, I believe just about the...

BP Did you see him...

DM ...vehicle.

BP Did you see him at, well live streaming any videos that day?

DM No I seen him, no he the last thing he posted was something um where he was at Fish Café which is right across the street.

BP Okay.

DM So he was leaving, that was about it (inaudible)

BP (inaudible), okay. All right.

DM He posted.

BP Okay. Um, can I get um just a, a good mailing address for you?

DM Um yeah absolutely.

BP All right.

DM What is going to be mailed?

BP I'm sorry?

DM Um what is going to be mailed?

BP Well probably nothing but I need to just get an address for the documentation that we spoke.

DM Oh okay. Yeah um (inaudible) 109

BP Um-hm.

DM 18

BP Um-hm.

DM Brittany Drive North.

BP Brittany Drive?

DM Yeah Brittany, B-R-I-T-T-A-N-Y.

BP Okay.

DM Drive North.

BP Um-hm.

DM Champlin, Minnesota.

BP Um-hm.

DM C-H-A-M-P-L-I-N.

BP Okay.

DM 55316.

BP Thank you. And um I...

DM (inaudible)

BP Datrice, am I pronouncing that correctly?

DM Yes sir.

BP Okay. And then the last name I have is Mulsomo. Is that correct?

DM Yes sir.

BP M-U-L-S-O-M-O?

DM M-U-L-S-U-M-O.

BP U-M-O, thank you. Okay.

DM Um and then also sir.

BP Um-hm.

DM Um in a situation like this I know just (inaudible) call my cell.

BP Um-hm.

DM That its uh my vehicle but um just like how long (inaudible) anything (inaudible)

BP Yeah this, this is gonna take months.

DM Oh, uh...

BP Unfortunately I mean my portion of it won't, I mean will probably take maybe two to three months at the most. And then the county attorney's office has to get the case and, I have no control over how long it takes them to make a decision.

DM Oh man I was told something different.

BP Yeah.

DM Um,

BP Sorry you were told that. Um the reality is, is that these types of incidents take months. And then if, if any criminal charges are filed it's gonna take even more. You know what I mean?

DM Oh wow.

BP Yeah.

DM So like if...

BP (inaudible)

DM ...if he, so if you guys (inaudible) a criminal charge on him?

BP On who?

DM On Winston?

BP No he's dead.

DM (inaudible), oh okay.

BP I'm talking about the, we're investigating the police officers. We're not investigating Winston.

DM Oh okay.

BP Yeah.

DM So if the police officers have any um charges it'll take even longer.

BP Yeah if, if the county attorney feels that there is evidence to charge the police officers for shooting and killing Winston then I have I, I can't, I can't even estimate how long it'll take. So,

DM Ohhh (inaudible)

BP But I'm not at that, we're not at that point yet. So we're still..

DM Yeah.

BP ...we're in the first week here. So,

DM Yeah I was just, in my case I my best thing I have to do right now is just get an attorney.

BP Maybe.

DM Or something.

BP Yeah maybe...

DM (inaudible)

BP ...just talk to somebody and, and see what, what you can do.

DM Yeah.

BP Yeah. So I'm sorry for the inconvenience about your car. Um...

DM (inaudible)

BP ...it's at a secure facility. So it'll be, it'll be safe. You know.

DM Okay.

BP Um and it (inaudible) still run so..

DM All right.

BP ...it's just a lot of...

DM Appreciate it.

BP ...damage to it so, okay. Anything else you can think of...

DM Sure.

BP ...um Datrice that might be important for me to know?

DM Uh, no not at all.

BP Okay.

DM I was just hoping to try to figure out something with my vehicle but I...

BP (inaudible)

DM ...(inaudible)

BP Why don't I give you my number. If you have, questions or your insurance agent has questions they can call me.

DM Yeah and I appreciate that sir.

BP Let me know when you're ready.

DM I'm ready.

BP 651-

DM 651-

BP sss um 793-

DM 793-

BP 1056.

DM 1056.

BP And you got my name?

DM Yes.

BP Okay.

DM Brent Petersen.

BP Yeah.

DM I appreciate it sir.

BP I appreciate you. Thank you for your time.

DM Thank you.

BP All right take care. Bye. (phone disconnects) 1645.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/16

Report Date: 06/21/2021

Primary Information

Description: Interview of Jaelyn Steinkuehler - Owner of Stolen Firearm
Occurrence From: 06/08/2021 10:27
Occurrence To: 06/08/2021 10:38
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/21/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/08/2021, SSA Petersen spoke with Jaelyn Steinkuehler regarding her stolen firearm recovered at the scene of Winston Smith's death on 06/03/2021 in the city of Minneapolis. Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/16.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - OTHER #1 - Steinkuehler, Jaelyn Rae

Primary Information

Subject Name: Steinkuehler, Jaelyn Rae
Record Type: Person
Bio: 22 yr. old, Black, Female
Birth Date: 04/23/1999
Juvenile: NO

Telephones / E-Addresses

Relationship	Number/E-Address
Email address	Jaelynraesteinkuehler@gmail.com (Email address)
SUBSCRIBER	(515) 612-3617 (CELLULAR)

Property #1 - Recorded Interview Saved to Disc - Jaelyn Steinkuehler

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Jaelyn Steinkuehler
Property Status: BCA / HQ
Status Date: 06/08/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/16.1)
Collected By: Petersen, Brent

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/16

Report Date: 06/21/2021

Property #1 - Recorded Interview Saved to Disc - Jaelyn Steinkuehler - Continued

Primary Information - Continued

Collected Date/Time: **06/08/2021 10:48**

Narrative begins on the following page.

On 06/08/2021 at approximately 1027 hours, Senior Special Agent (SSA) Brent Petersen made telephone contact with Jaelyn Steinkuehler from Des Moines, Iowa. Steinkuehler is identified as the owner of the stolen firearm found in the vehicle occupied by Winston Smith Jr when he was killed by law enforcement on 06/03/2021 in the city of Minneapolis. Steinkuehler confirmed that she is the owner of the firearm and reported it stolen to Des Moines Police in November of 2020. SSA Petersen recorded the interview with Steinkuehler. Refer to the interview transcript for complete details.

The following is a synopsis of Jaelyn Steinkuehler's statement:

Steinkuehler stated that in November of 2020 her safe was stolen from her home during a burglary. She has always suspected her ex-boyfriend, Jamaal Dudley, of committing the burglary. Steinkuehler stated she reported the burglary in which her firearm was stolen to Des Moines Police immediately upon discovery of the burglary.

Steinkuehler stated that she does not know Winston Smith Jr and is unaware of any relationship between Smith and her ex-boyfriend, Jamaal Dudley. Steinkuehler believes that Dudley likely sold her firearm but does not know how it ended up in Minnesota, since she is unaware of Dudley having any ties to the Twin Cities or state of Minnesota.

Recorded interview saved to a disc and acquired as exhibit 2021-399/16.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/16

Case Agent: Petersen, Brent

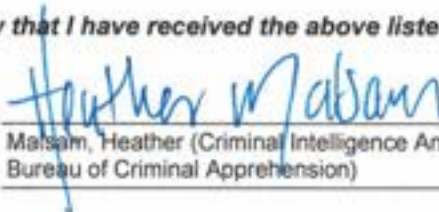
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Jaelyn Steinkuehler

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/8/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

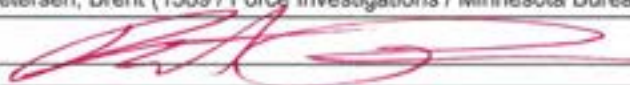
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 8, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/16.1
INTERVIEW OF:	Jaelyn Steinkuehler (JS)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 6/21/2021		

BP June 8th, 2021. It's 10:27 a.m. Case number is 2021-399. This is Brent Petersen. Be making a telephone call to uh Jaelyn Steinkuey, Steinkuehler. S-T-E-I-N-K-U-E-H-L-E-R.

(phone ringing)

JS Hello.

BP Hi is this Jaelyn?

JS Yeah this is her.

BP Hi Jaelyn, my name is Brent Petersen. And I'm a Special Agent with...

JS Hi.

BP ...with the Minnesota Bureau of Criminal Apprehension. We're a state law enforcement investigative agency based out of St Paul.

JS Okay.

BP Thank you for answering you phone. I'm sorry to just call you out of the blue.

JS No that's okay. My mom already informed me because I just I really don't answer my phone for numbers I don't know so she just told me to...

BP That makes...

JS ...make sure to...

BP ...total sense. I, I do the same.

JS Yeah. (laugh)

BP (laugh) I do, yeah.

JS Yeah.

BP Um if you, if you don't mind if you just have a few minutes I just wanted to talk to...

JS Yeah I do.

BP So back in um November of last year you had a, a several things it looks like stolen from your home in Des Moines.

JS Um-hm.

BP Um...

JS Yeah. Yeah my house was robbed.

BP Yeah. By, and you thought it was somebody named Dudley I think. Um...

JS Oh no I don't think, I know.

BP Oh, okay.

JS It is, Jamal Dudley.

BP Oh...

JS (inaudible) it is him.

BP ...hundred percent. Okay.

JS A hundred percent. No, no questions asked.

BP All right.

JS (inaudible) in that house, I lived there for one week and him and I were just breaking up. And...

BP Yeah.

JS ...he kept coming over harassing me. And I left the house and stayed with my mom cuz it got that, just annoying. Like I just...

BP Yeah.

JS ...needed to get some sleep for work.

BP Um-hm.

JS (inaudible) come, threatened that he was gonna come and steal my safe.

BP Um-hm.

JS (inaudible) comes back, I had come back home in the morning. Lo and behold the safe he said he was gonna stole was gone.

BP Gone, yeah.

JS With my gun. My money. My, eh, every like everything.

BP Well I'm...

JS He stole my whole fucking life.

BP I'm calling about your gun.

JS Yes. Okay so...

BP So we...

JS ...it's found?

BP Yeah we recovered your gun um last Thursday afternoon in Minneapolis. Um it was...

JS Oh my gosh, okay.

BP ...it was in the possession of a person named Winston Smith Jr. He goes by Boogie. Do you have any idea who that is?

JS (inaudible)?

BP Boogie. B-O-O-G-I-E.

JS Boogie?

BP Yeah.

JS Okay Winston Smith Jr.?

BP Do you know who that is?

JS Um is he an older man?

BP No.

JS An older black man?

BP Well he's a black man but he's not older. I mean well what's older? I think he was born in 1989 so no he's in his early thirties I guess.

JS No. No I, I wouldn't know him. But um I am assuming uh Jamal probably went ahead and sold that to him for some money.

BP Yeah. Okay. Did he have connections to people in Minneapolis/St Paul area?

JS Oh I'm sure. He I mean he always wanted to travel and I mean...

BP Um-hm.

JS ...go places. And stuff like that. I mean we went to can like when him and I were together we went to Kansas City and I mean that was just one of the trips we took. So I mean...

BP Have you ever been up to the...

JS ...it was just...

BP ...to the Minneapolis/St Paul area with him?

JS Never.

BP Never. Okay.

JS Not one time. I'm, I've never even been to, I've been through Minnesota but I've never actually been there.

BP Sure. I understand. Okay. Well I just wanted to call and ask you about that because like I said we did, recover it at the scene of a, um a an um well I mean you can, if you google Winston Smith Jr., Minneapolis you'll see what's going on.

JS Okay.

BP Um but he was (inaudible)

JS Hold on one second. Somebody was...

BP He was killed.

JS ...oh my God.

BP And he had that gun in his possession when he was killed. So uh I was just trying to figure out if maybe you knew him and could provide any insight into him. But it sounds like you don't know him at all.

JS Uh no I don't.

BP Okay.

JS I don't know him at all. I'm gonna go ahead and die it makes me...

BP So...

JS ...really-really upset. I am so, sorry that, that happened. I just, I reported the gun stolen right away because I just knew...

BP Yeah.

JS ...if he got inside of that safe he's selling it or he's using it.

BP Yeah.

JS And I don't want any involvement it was my firearm.

BP Um-hm. Well you...

JS And something that, and I don't even have possession of it.

BP You did one hundred...

JS But I am so (inaudible)

BP ...percent the right thing by reporting it right away. So, thank you for doing that. Um I, we have the gun in our possession. It's gonna remain with us for a while. Um cuz we...

JS Okay.

BP ...have an active homicide investigation going on.

JS Yes.

BP Um but at some...

JS Absolutely.

BP ...point...

JS To be honest I don't even want it.

BP Okay.

JS It's been gone for so long.

BP Well so I was gonna ask you about that. Because at some point you know it's your property. It could be returned to you if you want it.

JS I mean yeah I just, I mean...

BP So,

JS ...with it being I, it wasn't used in the homicide was it?

BP Um, it was, well...

JS It was involved not used.

BP It was involved.

JS Cuz I don't, I don't really want it back.

BP Okay.

JS I don't really want my gun back if it, somebody is shot and killed with it.

BP Okay.

JS That just doesn't sit right with me.

BP Well...

JS But, I do want it back eventually if...

BP Sure.

JS ...that's possible.

BP So in order to do that and I, I can't give you a timeline. I don't know, this could take a, a while before we can even...

JS No, right.

BP ...talk about getting it back.

JS I am not worried about it.

BP Is there an address I could get for you in the event that we would need to maybe send you a letter about the gun so that you know that it's time or you know people change their phone numbers sometimes. So, (inaudible)

JS Yeah, yeah.

BP ...from you.

JS Yes so I'm gonna give you, I just um I just moved to Vegas actually.

BP Oh okay.

JS And I'm room mating with friends. So I don't know if it would be smarter for me to send it here or to send it with my mom. So...

BP Your, your mom is that kind of your permanent address so to speak with, with your mom.

JS Yeah. Yeah.

BP Um,

JS I'll probably just send it to her. Cuz I'll, she'll verify that I get it. (inaudible)

BP And like she would know how to get ahold of you at all times probably right?

JS At all times.

BP Okay.

JS Yes. So my...

BP Is,

JS ...mom's address.

BP Yeah.

JS Is 1930...

BP Um-hm.

JS ...1-9-3-0 24th Street in Des Moines, Iowa. And then her zip is 50310.

BP And is her name Jennifer?

JS Yeah Jennifer Steinkuehler is uh I'm Jaelyn and then...

BP Okay.

JS ...she's Jennifer.

BP And it's pronounced Steinkuehler?

JS Yeah and do you know how to spell it? Cuz I can spell it for (inaudible)

BP Well I'm looking at it here in the police report.

JS Okay (laughs)

BP S-T-E-I-N-K-U...

JS (inaudible)

BP ...H...

JS ...like damn how (inaudible)

BP Huh?

JS I'm, I was like you're probably looking at it like, gosh how do you say that (laugh)

BP Well I wasn't sure if it was cooler or like kyler but...

JS (inaudible)

BP ...kyler sounded weird so cooler sounded (inaudible/laughs)

JS Yeah.

BP I just assumed.

JS It's super German (laughs)

BP Yeah obviously, yeah.

JS (inaudible/laughing)

BP Um and then a phone number for your mom. Could I just get that just to make sure I have it.

JS Hm (inaudible) it's 515...

BP Yeah.

JS ...5, 525...

BP Um-hm.

JS ...3413.

BP Okay. Um do you have a, a pen and paper handy. Can I give you my name and telephone number just in the event you need to give me a call at some point?

JS Absolutely. Give me one second.

BP Sure.

JS I just have to find um a piece of paper. I'm, moving so...

BP Yeah, so

JS ...everything is really (inaudible)

BP (laughs)

JS Um, I know I have one somewhere (inaudible)

BP What brings you out to Las Vegas?

JS So my friend has lived here for two years. Her and her boyfriend.

BP Yeah.

JS And got everything, you know when everything happened uh like with me getting robbed I mean I had no money. I didn't have...

BP Yeah.

JS ...anything and they'd been trying to you know get me you know like well just come here and you know just, get outta Iowa. You don't have to stay forever. And you know it took me six months where I finally was like you know I, I think I'm gonna make the move.

BP Yeah.

JS And I finally did. I...

BP All right.

JS ...drove here and took me like two or three days to get here.

BP Um-hm.

JS But I made it. So,
BP (laughs) well good luck out there.
JS But um you know I'm really trying to find this, can I put, matter of fact let me put it in my notes.
BP Oh sure okay.
JS I'll just put it in my notes.
BP Yeah.
JS On my phone.
BP Yep.
JS Oh, okay so
BP Or do you have a, email that you check?
JS Yeah.
BP I could...
JS Yeah I do.
BP I could send...
JS But I can also...
BP Okay.
JS Um, so well yeah you can send me an email. It's, my first name
BP J-E, J-A-E-L-Y-N?
JS Yes. And then my middle name R-A-E.
BP Yeah.
JS And then my last name if you can see it.
BP The whole last name?
JS (inaudible), yep the whole last name. And it's at gmail but I'm also gonna take your number.
BP Sure, yeah.
JS So I have it in case I (inaudible) and not get the email or something.
BP Perfect. Yeah and then I'll, I'll give you that and then I'll follow up with an email for you. So you have, have that as well.
JS Okay. So what's your, first (inaudible)
BP My first name again is Brent, B-R-E-N-T. And my last name is Petersen, P-E-T-E-R-S-E-N.
JS Oh that's different I like that.
BP Yeah and I'm a Special Agent.
JS Okay. Special Agent. Cuz I'm gonna just I'm putting it all in my notes (inaudible_
BP Yeah.
JS ...exact information that you told me.
BP Yeah. And (inaudible)
JS And then the guys name I want to know, Winston is that with an I or with a Y?

BP Winston with an I, W-I-N-S-T-O-N. Smith, Jr.

JS And that this happened in Minneapolis?

BP Yeah on June 3rd. So last Thursday.

JS (inaudible) I mean I just knew something like that's...

BP Yeah.

JS ...the first thing I did was report; I just knew something was gonna happen.

BP Um-hm.

JS I'm so sad about it.

BP Yeah.

JS Okay so June 3rd. And, okay so I got...

BP Okay, let me give you my...

JS ...pretty much everything (inaudible)

BP ...phone number too here.

JS Okay.

BP 6, area code 651

JS 651

BP 793

JS 793

BP 1056.

JS 56, okay so 651-793-10, zero 56 and is this just like a, is this your cell or your work number?

BP It's my office. It's my direct office phone number.

JS Okay. Perfect. Yeah I got...

BP Okay.

JS ...everything that I, needed.

BP All right. And then I'll follow up with an email too so you have it again. Okay.

JS Yes. That'll be great. Thank you so much. And...

BP Yeah thank you for your time.

JS ...thank you for giving me a call.

BP Yeah. Good luck...

JS Absolutely.

BP ...in Vegas with your move. Thank you.

JS (laugh) thank you so much.

BP All right. Take care.

JS Bye-bye.

BP Bye. (phone disconnects) time is 1038.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/17

Report Date: 06/08/2021

Primary Information

Description:	Written Statement - [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/08/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/08/2021, SSA Petersen received a written statement from [REDACTED] regarding this incident and investigation. Copy of statement attached. No exhibit(s) by virtue of this activity or report.


Narrative begins on the following page.

On 06/08/2021 at approximately 0830 hours, Senior Special Agent (SSA) Brent Petersen received a copy of a written statement from [REDACTED] regarding his actions and observations on 06/03/2021 during the arrest attempt of Winston Smith Jr.

An interview request was made to Agent [REDACTED] on 06/04/2021, at which time the request was declined.

Agent [REDACTED] statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.



Special Agent Brent Petersen
Minnesota Bureau of Criminal Apprehension
1430 Maryland Avenue East
St. Paul, MN 55106

Dear Mr. Petersen:

The following is my written statement regarding what I witnessed during the critical incident involving the US Marshals North Star Fugitive Task Force that occurred on June 3, 2021.

On June 3, 2021, I was working in my capacity as a [REDACTED] member of the US Marshals North Star Fugitive Task Force. Task force members developed a plan to attempt to arrest a fugitive named Winston Smith. Task force members located a vehicle believed to be connected to Mr. Smith on the top floor of a parking ramp near West Lake Street and Girard Avenue South in Minneapolis, MN. Hereinafter that vehicle will be referred to as Vehicle 1. My role in the plan was to stage as perimeter containment one floor below where Vehicle 1 was parked while other members of the task force attempted to contact and arrest Mr. Smith after he entered Vehicle 1.

As task force members initiated contact with Mr. Smith, I heard a short siren sound followed by commands given through a law enforcement vehicle speaker. I don't recall exactly what was said over the speaker. At one point, a task force member called over the radio requesting more task force members to respond to the top floor of the parking ramp. I ran up the stairs closest to me and saw one task force member to the rear of the passenger side of Vehicle 1. He was positioned between two law enforcement vehicles. I approached the task force member from behind and told him I was there. Through the back window of Vehicle 1, I had trouble seeing Mr. Smith in the driver's seat as he appeared to be hunched forward and toward the door. I could see a female in the front passenger seat of Vehicle 1. The task force member in front of me indicated that we would try to call the passenger out of Vehicle 1 and asked me if I was prepared to secure the female passenger if she exited. I told him I was. The female passenger did not exit Vehicle 1.

Next, the task force members on the driver's side of Vehicle 1 advanced along the side of Vehicle 1 toward the driver's door while giving commands to Mr. Smith. I could see them moving in my peripheral vision while I was focused on what I could see of the driver and passenger through the rear window of Vehicle 1. I heard several commands to open, but at this time I don't recall clearly if they were commands to open the door or the window. I do remember task force members telling Mr. Smith that they would break the window. In my peripheral vision I saw a task force member bring a window break device forward along the side of Vehicle 1. I heard noises that I perceived to be glass breaking and shots from a firearm coming from the driver's side near the front of Vehicle 1. I looked to where the noise came from and saw a small cloud of what appeared to me to be smoke and glass.

The female passenger exited Vehicle 1 and I directed her to go around the law enforcement vehicle to my right and to meet me at the back of that vehicle. She did so. I saw blood and pieces of glass on her arms. I told her to turn around while I visually assessed her for any wounds or injuries that might be immediately apparent. She appeared to have only minor cuts, so I carefully placed her in handcuffs. I placed the passenger in handcuffs because the scene was still active and her role in the event was still unknown at that moment. I passed her to another task force member who had met me at the back of the law enforcement vehicle. That task force member escorted her to another law enforcement vehicle further away and I went back to my previous position to the rear of the passenger side of Vehicle 1.

The task force members who were on the driver's side of Vehicle 1 had retreated to the rear of Vehicle 1 so that they were roughly even with me and the task force member in front of me, with a law enforcement vehicle between our two groupings. I believe it was at this time that we switched to the LTAC radio channel to call for more assistance. I remember yelling, "LTAC!" After a moment of assessing the scene for indications of danger, a task force member on the driver's side looked at me and the task force member in front of me and told us that their group would come to us. They moved behind my position and around the law enforcement vehicle to my right, so that they could advance toward Vehicle 1 from the passenger side, where the door was still open. They were able to remove Mr. Smith from the vehicle through the passenger side and task force members immediately began a medical assessment and life saving measures. During this time, I moved to a position near Mr. Smith and the task force members providing aid to monitor the surrounding area, to include the stairway and elevators, for scene security. After additional law enforcement personnel and medics arrived, I moved away from that area of the scene.

Another task force member returned to me the handcuffs that I used to secure the female passenger. I placed the handcuffs next to the passenger's bag where I had handcuffed her so that they could be collected and processed with the rest of the evidence at the scene.

When the task force members were cleared to move from the scene to the US Marshal's office in downtown Minneapolis, I drove another task force member to the office and remained there with everyone else until we were cleared to leave later in the evening. While at the US Marshal's office, representatives of the Minnesota Bureau of Criminal Apprehension (BCA) photographed me and counted the rounds of ammunition I had on my duty belt and in my firearm.

Special Agent Brent Petersen

Page 3

This concludes my written statement.

Sincerely,



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/18

Report Date: 06/08/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Written Statement from Ramsey County Deputy/TFO [REDACTED]
Occurrence From: 06/08/2021 00:00
Occurrence To: 06/08/2021 00:00
Reporting LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/10/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 8th 2021, Senior Special Agent Michelle Frascone received Ramsey County Deputy/TFO [REDACTED] written report. The report was provided electronically by Deputy [REDACTED] attorney Kevin Short, and attached to this report. As a result, no evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - ATTORNEY #1 - Short, Kevin J

Primary Information

Subject Name: Short, Kevin J
Record Type: Person
Bio: White, Male
Juvenile: NO

Employment Information

Employed: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/18

Report Date: 06/08/2021

Subject #2 - ATTORNEY #1 - Short, Kevin J - Continued

Employment Information - Continued

Occupation: **Attorney**

Addresses

Relationship Address

BUSINESS LOCATION **150 5TH ST S #3260, Minneapolis, Minnesota 55402 United States**

Telephones / E-Addresses

Relationship Number/E-Address

BUSINESS **(612) 333-9006 (CELLULAR)**

Narrative begins on the following page.

On June 8th 2021, Senior Special Agent Michelle Frascone received Ramsey County Deputy/TFO [REDACTED] written report. The report was provided electronically by Deputy [REDACTED] attorney Kevin Short, and attached to this report.

As a result, no evidence was obtained by virtue of this report.

Deputy [REDACTED] Statement

I am a licensed peace officer in the State of Minnesota and a [REDACTED] [REDACTED] of the Ramsey County Sheriff's Office. I am currently assigned to the Ramsey County Sheriff's Office [REDACTED] and am a member of the U.S Marshal's North Star Fugitive Task Force. I have been in the [REDACTED] since [REDACTED] and was first deputized with the U.S Marshal Service in [REDACTED]. In [REDACTED], I was re-deputized to remain on the task force.

The current duties of my assignment are centered around locating subjects with outstanding criminal arrest warrants. These arrest warrants are mainly focused on violent felonious offenses that include but are not limited to homicide, rape, robbery, firearms violations, assaults, arson, narcotics and so on. I have participated in the apprehension of countless individuals and have coordinated multiple operations for felons that I had open fugitive investigations on.

On 05/19/2021, I opened a fugitive investigation into Winston Boogie Smith (04/08/1989) for the following warrant:

- Ramsey County Felony Warrant for 2 charges of Possession of Firearm/Ammunition by an Ineligible 62-CR-19-9010 No Bail

During the course of my investigation into Smith I discovered that he had a violent criminal history that included Aggravated Robbery, fleeing police in a motor vehicle and weapons possession. Also during my investigation into Smith, I discovered social media posts with photos of firearms/ammunition, a video of Smith pulling a handgun out of his waistband and another video of Smith stating that he possessed guns and drugs that were for sale.

On the afternoon of 06/03/2021, I developed information that Smith and an unknown female acquaintance were at Stella's Fish Cafe eating. Through investigative techniques I was able to determine that Smith was on a rooftop balcony overlooking the intersection of Girard and Lake St. West. I notified members of the North Star Fugitive Task Force of my findings and requested they head to the area to assist on the case. As members of the task force filtered into the area Deputy [REDACTED] notified me that he was positioned on Fremont Ave S., just south of Lake St. with visual on an individual that he believed to be Smith. I then went to Deputy [REDACTED] location and confirmed that the male he was looking at was indeed Smith. I was able to do this by comparing the male's appearance to multiple videos and photos I had recently seen of Smith and that his location in the restaurant coincided with where I believed he should be.

At approximately that same time Deputy [REDACTED] and I were confirming Smith's whereabouts in the restaurant, Deputy [REDACTED] radioed that he had located the vehicle Smith was seen driving in multiple videos. Deputy [REDACTED] reported that the vehicle was located in a parking ramp across the street from Stella's Fish Café and that it was on the top level all by itself. I confirmed with Deputy [REDACTED] on what type of vehicle it was and the license plate and it was a match to what Smith was driving. I then tasked Deputy [REDACTED] with watching the vehicle and getting a plan in place for the task force to arrest Smith once he arrived at the vehicle. I felt that arresting Smith in the top of the parking ramp would be the safest approach in order to mitigate the risk to the general public.

As Deputy [REDACTED] was coordinating an arrest plan in the parking ramp I had Deputy [REDACTED] remain in his spot on Fremont Ave so he could keep a visual on Smith and alert the team once he left his table. I then made my way into the parking ramp and advised the task force via radio that I

had recently seen a video of Smith pulling a handgun out of his waistband and that he had been talking about firearms and narcotics on social media.

As I entered the parking ramp, I made my way to the 4th level and staged with multiple other task force members. The plan as I can recall consisted of the following:

- Deputy [REDACTED] remained street level on Fremont Ave to keep a visual on Smith as he was in the restaurant.
- Deputy [REDACTED] was on the 1st level of the parking ramp and would advise of Smith entering the ramp and alert the task force as to which method Smith would be going to the 5th level. Either via the stairs or elevator.
- Deputy [REDACTED] had a visual on the vehicle, would alert the team when to move in and affect the arrest and was also tasked with positioning his squad next to the driver's door of Smith's vehicle.
- Deputy [REDACTED] was tasked with blocking the rear bumper of Smith's vehicle.
- Deputy [REDACTED] was tasked with positioning his squad on the front passenger door.
- I notified the task force that I would be retrieving my U.S. Marshal issued ballistic shield from my backseat and be part of the main arrest team for Smith.
- Deputy [REDACTED] was tasked with assisting as part of the main arrest team.
- Deputy Jonas Novak was tasked with staying on the 4th level in case Smith got out on foot and ran.
- Deputy [REDACTED] was tasked with staying on the 4th level in case Smith got out on foot and ran.

At approximately 1400hrs, Deputy [REDACTED] radioed that Smith and his female acquaintance were leaving their table and were out of his sight. Deputy [REDACTED] then radioed that he could clearly see Smith and the female walking to the parking ramp and that they entered a 1st floor elevator. Shortly, Deputy [REDACTED] radioed that Smith and the female were on the 5th level and walking to the car. Once Smith and the female were both seated in the car, Deputy [REDACTED] notified the team to move in and affect the arrest of Smith. The team then did so and fell into their pre-planned positions. I pulled up to the back rear drivers area of Smiths vehicle. Prior to exiting my squad, I activated all of my emergency lights as did all other task force vehicles as far as I could see. I exited my squad in a tactical vest that had clear law enforcement markings and retrieved my shield that also had clear law enforcements markings.

I then drew my department issued Glock 17 handgun, raised up the ballistic shield and pointed my handgun at the driver who I could clearly see was Smith. I took up a tactically sound position on the rear drivers side passenger area of the vehicle and waited for other task force members to stack up behind me to form the arrest team. As this was happening, I could hear Deputy [REDACTED] yelling loud commands for Smith to keep his hands visible. From my vantage point I could see part of Smith's left hand through the window but at times it would fall out of view. Once the arrest team was stacked behind me, Deputy [REDACTED] backed his squad away from the driver's door to allow for it to open freely.

Once he did this he again exited his squad and could be heard giving Smith loud commands to keep his hands up. Again I could partially see Smiths left hand at this point but it was barely at shoulder level. Deputy [REDACTED] could be heard giving Smith multiple commands to open the driver's door but Smith never opened the door. From my vantage point

I could see Smith looking at Deputy [REDACTED] as he gave him commands but still did not follow them. I then asked if the guys in the stack behind me were ready to move up, meaning that we were going to have to move closer to the vehicle and extract Smith from it. I heard acknowledgement from behind me that they were ready. I then slowly approached the driver's door with my shield up and handgun pointed at Smith. As I got closer, I could see Smith's hands had lowered and that he appeared to be typing on a phone. I got right up next to the drivers door and could see the female with her hands raised but Smith was disregarding our commands and had his hands lowered to his phone. I heard Deputy [REDACTED] behind say for me to slide past the driver's door so the other guys in the stack could extract Smith from the car. I then moved past the door up to the front driver's quarter panel and could clearly see Smith through the windshield. I had my handgun drawn and had it pointed directly at Smith. Smith was at that point ignoring us and on his phone. Out of my peripheral vision I saw an unknown task force member pull on the drivers door handle but it was locked and did not open. I then looked at Deputy [REDACTED] and told him to grab his window break tool, the tool was retrieved and I kept my attention on Smith. Again out of my peripheral vision I saw and heard a task force member strike the lower corner of the driver's side window. The glass spiderwebbed, but stayed intact and did not shatter.

I then clearly observed Smith look at the task force members at the driver's door with a look on his face of annoyance or disgust. He then dropped his phone from his hands, leaned over to the vehicles center console and began pulling out a black handgun with a silver slide. I knew that the only reason Smith would be failing to follow our commands and retrieve the firearm was to kill myself and other task force members. I believed that Smith was about to shoot me and my fellow officers. I remember loudly yelling "gun" and discharging my

service weapon through the windshield at Smith. I discharged multiple rounds at Smith until my service weapon jammed. I heard someone yell "move back" and as I began to move away from the car I observed Deputy [REDACTED] discharge his service weapon through the drivers side passenger window. Myself, [REDACTED] and Deputy Novak took cover behind Deputy [REDACTED] squad, where I passed the shield off to [REDACTED] and reloaded my service weapon. I then stacked up behind [REDACTED] and saw other members of the task force taking cover behind the rear of the vehicle.

I was then removed from the scene by Deputy Novak and placed in the front seat of his truck. Deputy Novak sat with me. From my vantage point, I could see the unknown female being removed from the car and taken away. Multiple members of the task could be seen carrying medical equipment and going to the passenger's side of the vehicle. Smith was removed from the vehicle by unknown members of the task force. I sat in Deputy Novak's squad until [REDACTED] had me leave the scene in his squad and go to the Minneapolis Police 5th Precinct for a medical evaluation. Later I was photographed by the BCA and provided them with my gun and some of my equipment. I also voluntarily provided the BCA with a blood sample.

Date: 06/07/2021



Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/19

Report Date: 06/08/2021

Primary Information

Description:	Arrest Warrant Info on Winston Smith Jr - Ramsey County
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copies of Ramsey County complaint warrant, arrest warrant and dismissal of warrant attached to this supplement.

Narrative begins on the following page.

On 06/07/2021, Senior Special Agent (SSA) Brent Petersen received copies of the arrest warrant that had been issued for Winston Smith in Ramsey County District Court on May 19th 2021.

Additionally, SSA Petersen received a copy of the original criminal complaint warrant from Ramsey County dated December 3rd 2019.

A dismissal document was filed by the Ramsey County Attorney's Office on June 4th 2021 that cites the death of Smith as a reason for dismissal.

Ramsey County District Court File Number: 62-CR-19-9010

SSA Petersen also contacted the homicide units with Minneapolis Police and Saint Paul Police and inquired about either agency having Winston Smith listed as a suspect or person-of-interest in any open homicide investigation. Neither agency had Mr. Smith as a suspect in any murder investigations. This information was in the media after the shooting on 06/03/2021 and has not been corroborated.

All documents separately attached to this supplement.

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

D. C. File No. 62-CR-19-9010
C. A. File No. 0421815

State of Minnesota,

Plaintiff,

**DISMISSAL OF COMPLAINT BY
PROSECUTING AUTHORITY PURSUANT
TO RULE 30.01**

v.

Winston Boogie Smith,

Defendant.

TO: The above-named defendant and his attorney, Leif Peder Carlson, 2nd District Public Defender - Ramsey Co., 445 Minnesota St., Suite 2000, Saint Paul, MN 55101:

The Prosecuting Attorney hereby dismisses the Complaint in the above-named case for the following reason(s): the defendant died on June 3, 2021.

JOHN J. CHOI
RAMSEY COUNTY ATTORNEY

/s/ Derek Fitch

Dated: June 4, 2021

Derek Fitch
Assistant Ramsey County Attorney
345 Wabasha Street North, Suite 120
St. Paul, MN 55102
Telephone: (651) 266-9641
Attorney Reg. No. 328339

I CERTIFY THAT ON THE ABOVE DATE
I SENT A COPY TO DEFENSE COUNSEL
BY COURIER (includes interoffice mail),
FAX, U.S. MAIL OR PERSONAL SERVICE

/s/

State of Minnesota
County of Ramsey

District Court
2nd Judicial District

Prosecutor File No. 0620421815
Court File No. 62-CR-19-9010

State of Minnesota,

Plaintiff,

vs.

WINSTON BOOGIE SMITH DOB: 04/08/1989

4642 Nicollet Ave., #1
Minneapolis, MN 55419

Defendant.

COMPLAINT

Warrant

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)

Minnesota Statute: 624.713.2(b), with reference to: 609.11.5(b)

Maximum Sentence: 15 years or \$30,000 fine or both

Offense Level: Felony

Offense Date (on or about): 11/30/2019

Control #(ICR#): 19025215

Charge Description: On or about November 30, 2019, in the County of Ramsey, Minnesota, the defendant, Winston Boogie Smith, did possess a firearm while prohibited having been convicted or adjudicated delinquent of a crime of violence.

COUNT II

Charge: Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)

Minnesota Statute: 624.713.2(b), with reference to: 609.11.5(b)

Maximum Sentence: 15 years or \$30,000 fine or both

Offense Level: Felony

Offense Date (on or about): 11/30/2019

Control #(ICR#): 19025215

Charge Description: On or about November 30, 2019, in the County of Ramsey, Minnesota, the defendant, Winston Boogie Smith, did possess ammunition while prohibited having been convicted or adjudicated delinquent of a crime of violence.

STATEMENT OF PROBABLE CAUSE

At approximately 10:00 PM on November 30, 2019, officers were at Solid Ground located at 3521 Century Avenue, White Bear Lake, Ramsey County. Officers had developed information that **WINSTON BOOGIE SMITH (DOB: 04/08/1989)** was going to arrive at that location. Smith had a warrant for his arrest out of Hennepin County on an aggravated robbery in the first degree conviction. Officers had been trying to arrest Smith on the warrant for several weeks. Officers had also developed information that Smith was in possession of a firearm.

Officers located Smith at the front door to the apartment building and took him into custody. Officers did not locate a firearm on Smith. Officers searched the 2020 Chevrolet Camaro bearing Missouri license plates TD1S4R that Smith arrived in. Officers recovered a Taurus 9mm handgun beneath the driver seat. The Taurus had a round of ammunition in its chamber. The Camaro was towed.

Smith declined custodial statement.

Smith has a prior aggravated robbery in the first degree conviction that makes him ineligible to possess firearms or ammunition.

NOTICE: Pursuant to Minnesota Statute 609.49, subd. 1 (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the releasee personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Michael Sellner
Police Officer
4701 Hwy 61
White Bear Lake, MN 55110
Badge: 49

Electronically Signed:
12/03/2019 07:27 AM
Ramsey County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Derek Fitch
Assistant County Attorney
345 Wabasha Street N
Suite 120
St Paul, MN 55102
(651) 266-3222

Electronically Signed:
12/02/2019 05:09 PM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

 SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 15 W Kellogg Blvd, St Paul, MN 55102 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

 WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

 Execute in MN Only *Execute Nationwide* *Execute in Border States* **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$35,000.00

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: December 3, 2019.

Judicial Officer

Jennifer L Frisch
Judge

Electronically Signed: 12/03/2019 09:57 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF RAMSEY
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Winston Boogie Smith

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Winston Boogie Smith
DOB: 04/08/1989
Address: 4642 Nicollet Ave., #1
Minneapolis, MN 55419

Alias Names/DOB:

SID: 

Height:

Weight: 0lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	11/30/2019	624.713.2(b) Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	Felony	W1643	N	MN0621000	19025215
	Modifier	11/30/2019	609.11.5(b) Minimum Sentences of Imprisonment-Firearm-Felon Convicted Crime of Violence	Felony	W1643	N	MN0621000	19025215
2	Charge	11/30/2019	624.713.2(b) Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	Felony	W16N3	N	MN0621000	19025215
	Modifier	11/30/2019	609.11.5(b) Minimum Sentences of Imprisonment-Firearm-Felon Convicted Crime of Violence	Felony	W16N3	N	MN0621000	19025215

State of Minnesota

Warrant

vs.

Warrant #: **62-CR-19-9010 - 3**

WINSTON SMITH

SID#: MN [REDACTED]

DOB: 04/08/1989

WINSTON SMITH, Jr ; WINSTON BOOGIE SMITH, Jr ; WINSTON BOOGIE SMITH; WINSTON JR SMITH; WISTON SMITH; WINSTON SMITH JR	Def Phone:		Height:	Weight:
9840 Nicollet Ave S Apt 9 Bloomington MN 55420	Home: 612-825-1899; Home: 612-824-6694; Cell: 651-352-9170; Home: Unknown		5 Ft. 9 In.	140 Lbs.
DL:	Plate:	Gender:	Hair Color:	Eye Color:
MN-[REDACTED]		Male	Black	Brown

Date	#	Degree	Statute	Offense	Agency	Control #
11/30/2019	1	Felony	624.713.2(b)	Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	MN0621000	19025215
11/30/2019	2	Felony	624.713.2(b)	Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	MN0621000	19025215

TO THE SHERIFF OF RAMSEY COUNTY or any other person authorized by law to execute this warrant.
WHEREAS:

- The complaint filed with this court establishes probable cause that the defendant committed the above.
- On **05/19/2021**, the defendant failed to obey the order/summons of the court to appear for **Sentencing**.
- The defendant has failed to comply with conditions of .
- The court vacates and annuls the STAY OF EXECUTION/IMPOSITION OF SENTENCE.
- Execute in Minnesota only.
- Deft FTA on 5/19/21 for Sentencing with J. Kyle-hold for sentencing before J. Kyle

In the name of the State of Minnesota you are to apprehend, arrest, and bring the defendant before this court without unnecessary delay and not later than 36 hours after arrest.

Bail is in the amount of: **Hold Without Bond** and the following conditions: Nightcapped
Cash payable to satisfy warrant without court appearance: **Hold Without Bond**.

Dated: May 19, 2021

Judge of District Court

You may execute this warrant at any time of the day or night and on Sundays.

Judge of District Court

62-CR-19-9010

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/20

Report Date: 07/29/2021

Primary Information

Description: **Search Warrant for Phones Found in Vehicle**
Occurrence From: **06/09/2021 00:00**
Occurrence To: **06/09/2021 00:00**
Reporting LEO: **Gherardi, Paul (1348 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 9th 2021 SSA Gherardi authored a search warrant for three cell phones found in Smith's vehicle. Search warrant attached to this report.

Address #1 - Occurred #1 - 1425 E 23RD ST

Primary Information

Address: **1425 E 23RD ST, HIBBING, Minnesota 55746**

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: **Smith, Winston Jr**
Record Type: **Person**
Bio: **32 yr. old, Black, Male**
Birth Date: **04/08/1989**
Juvenile: **NO**

Personal Information

Deceased: **YES**
Date Deceased: **06/03/2021 00:00**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Narrative begins on the following page.

On June 9th 2021, SSA Paul Gherardi authored a search warrant to search the three cellular phones found in Winston Smith's vehicle.

Honorable Judge Kelly Olmstead reviewed and signed the search warrant on June 11th 2021 at 13:47 hours. See attached search warrant.

On July 28th 2021, the search warrant was e-filed with Ramsey District Court, envelope number 18762869.

STATE OF MINNESOTA, COUNTY OF RAMSEY

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Paul Gherardi, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the device(s) described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

Call Logs, text messages including SMS, MMS, and text messages through third-party applications, instant messages from social media applications including but not limited to Facebook, user accounts located in the phone, web history, search history, location data, photos, and videos

For the date of June 3, 2021

is or are stored within the device(s) described as:

Cellular phones are being stored at the Bureau of Criminal Apprehension in St. Paul, MN.

Item 30 Black Samsung next to decedent

Item 31 Purple iPhone next to decedent

Item 45 Black iPhone from front passenger seat of the vehicle

located in city or township of St. Paul, County of Ramsey, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

1. Your Affiant, Minnesota Bureau of Criminal Apprehension Senior Special Agent Paul Gherardi, has been a licensed peace officer in the state of Minnesota since 1995. Your affiant has been employed by the Minnesota Bureau of Criminal Apprehension (BCA) since 2000. Your affiant is currently assigned to the Force Investigations Unit, which includes officer-involved shootings and conflict-of-interest investigations. Your affiant has approximately five years of prior law enforcement experience with the Beltrami

County Sheriff's Office as a Deputy Sheriff and as an Investigator with the Paul Bunyan Narcotics Task Force. Your Affiant has spoken with BCA Agents who have conducted a preliminary investigation in this matter and believes the information your Affiant has received to be true and accurate.

2. The information contained within this application for search warrant is not all the information known to your affiant and other investigators working this case but rather information tending to establish probable cause to search the cellular phones found in the subject vehicle. Your Affiant has set forth only those facts that are necessary to establish probable cause to believe that evidence related to, or pertinent to, the investigation may be contained within the requested search. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part. Your Affiant believes the below fact pattern to be true and factual.

3. On June 3, 2021, members of the United States Marshals Fugitive Task Force came into contact with a Black male later identified as Winston Smith Jr, DOB: 04/08/1989, on the top level of a parking garage located at 1405 West Lake Street Minneapolis, Minnesota. At some point during the interaction, shots were fired. Smith sustained injuries from the encounter. Shortly thereafter medical intervention occurred, however Smith was pronounced deceased. The BCA Crime Scene Team and BCA Agents were called in to investigate and search for and collect evidence related to this incident. Found and seized during the search were three cellular phones; a black Samsung next to decedent, a purple iPhone next to decedent and a black iPhone from the front passenger seat of the vehicle the decedent was in.

4. During the course of this investigation, BCA Agents interviewed a female passenger, identified by initials NAA, that was in the vehicle with Smith. NAA reported that Smith took out his cellular phone as officers approached their vehicle and said to NAA that he was live streaming the encounter on Facebook.

5. Through your affiant's training and experience, both as an investigator and a citizen it is apparent that cellular phones play an integral role in the daily lives of most Americans. Majority of Americans possess and use cellular telephones, and that most of those keep the phones within their reach at all times. Cellular telephones are used for, among other things, voice, text, email and SMS communications; accessing and posting to social

networking websites, surfing the internet, taking and storing photographs, creating video files, creating and storing documents, notes, music, mapping directions to places, etc.

The cellular phone has taken over as many persons main medium of communication.

This communication can take the form of emails, instant messenger communications, and real-time web camera communications. In addition, many people visit web pages to gather information on a variety of topics in their daily lives.

6. The cellular phone can provide invaluable data concerning information a party may have gathered prior to the incident. In addition, the cellular phone may contain communications between various parties that would shed light on possible motives to commit a crime, information concerning possible causes of death, and other information related to possible crimes.

7. Your affiant is aware that by conducting examinations of these cellular phones law enforcement may be able to establish a timeline of events and or potentially identify additional witnesses and additional evidence, which may indicate whether a person has been involved in committing a crime. Data contained on a cellular phone can often be critical evidence in a criminal investigation if properly preserved, accessed, and analyzed.

8. Your Affiant is aware that Cellebrite/FTK and related technology will download and document all supported data contained within the cellular phones. This data often contains deleted and undeleted text messages, web searches, emails, location services, photos, videos, and related data, depending on the device and its compatibility with the processing software.

9. The Cellebrite/FTK and other related technology will create a download of the data, which will then be reviewed by an investigator who is familiar with the case so that the items to be searched for listed on the face of this warrant may be located within the data. Those items may be found in multiple locations within the file structure of the data and therefore may require the search warrant executor to look in multiple electronic files within the downloaded data.
10. The data in its complete form may contain evidence of this crime or similar crimes not known at this time by your Affiant. As well, it may contain exculpatory information and is likely to contain information unrelated to this investigation. All of the data must be reviewed to locate the items to be searched for listed on the face of this application.

11. Your affiant is aware that cellular phones can hold an enormous amount of data and files. The examination of the data and files can often take days or weeks. Additionally, this data can be encrypted (encoded with special software) which may add significantly more processing time. Your Affiant is aware the examination is unlikely to be completed within 10 business days from the issuance of a warrant. Your Affiant requests that the courts allow additional time, as necessary, to execute the search of the listed cellular phones.
12. Your Affiant is also requesting the Court's permission to file the search warrant within the allotted statutory perimeters with the understanding that the cellular phone may not be completed in the time frame.
13. Your affiant requests an order from the Court authorizing the use of Cellebrite, and/or other related programs to extract/image the data from the cellular phones listed on the face of this warrant so that the data can be memorialized. Your affiant asks the courts permission to search the three cellular phones seized in order for them to be forensically examined and downloaded at a remote location using specialized equipment by forensic experts and others with experience in analyzing cellular phones.
14. Your affiant is requesting to search the seized device for Call Logs, text messages including SMS, MMS, and text messages through third-party applications, instant messages from social media applications including but not limited to Facebook, user accounts located in the phone, web history, search history, location data, photos, and videos for the date of June 3, 2021.

(End of Page)

I request a search warrant be issued, commanding Paul Gherardi, SSA Brent Peterson, Digital Forensic Examiner Christopher Houghton, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described device(s) for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Paul Gherardi _____
Minnesota Bureau of Criminal
Apprehension
Electronically Signed
06/11/2021 9:08 AM
Ramsey County, Minnesota

STATE OF MINNESOTA, COUNTY OF RAMSEY

DISTRICT COURT

SEARCH WARRANT

TO: PAUL GHERARDI, SSA BRENT PETERSON, DIGITAL FORENSIC EXAMINER CHRISTOPHER HOUGHTON PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, Paul Gherardi has this day on oath made an application to this Court for a warrant to search the following described device(s) :

**Cellular phones are being stored at the Bureau of Criminal Apprehension in St. Paul, MN.
Item 30 Black Samsung next to decedent
Item 31 Purple iPhone next to decedent
Item 45 Black iPhone from front passenger seat of the vehicle**

located in city or township of St. Paul, State of Minnesota for the following described property and thing(s):

Call Logs, text messages including SMS, MMS, and text messages through third-party applications, instant messages from social media applications including but not limited to Facebook, user accounts located in the phone, web history, search history, location data, photos, and videos

For the date of June 3, 2021

WHEREAS, the application of Paul Gherardi was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are stored within the above-described device(s)

IT IS FURTHER ORDERED, that this search warrant is sealed for a period of 90 days, or until the objective of the warrant has been accomplished, whichever is shorter. The warrant shall be filed with the court administrator within ten days of the expiration of the warrant. Following the commencement of any criminal proceeding utilizing evidence obtained in or as a result of the search, the supporting application or affidavit must be filed either immediately or at any other time as the court directs. Until the filing, the documents and materials ordered withheld from filing must be retained by the applicant or her office. If the Search Warrant, Application, Affidavit of Probable Cause and related documents, the Application and supporting Affidavit for this Order, and this Order are ordered unsealed, the search warrant applicant shall, within 90 days of the date of unsealing, provide the inventory to the subject(s) of the warrant as required by law.

NOW, THEREFORE, you Paul Gherardi, SSA Brent Peterson, Digital Forensic Examiner Christopher Houghton, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described device(s), for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

ISSUED ON: June 11, 2021

BY THE COURT



Digitally signed by
Olmstead, Kelly
(Judge)
Date: 2021.06.11
13:47:49 -05'00'

Judicial Officer: _____

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/21

Report Date: 06/09/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Written Report from Hennepin County Sheriff's Deputy/TFO [REDACTED]
Occurrence From: 06/09/2021 00:00
Occurrence To: 06/09/2021 00:00
Reporting LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/10/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 9th 2021, Senior Special Agent Michelle Frascone acquired the written report from Hennepin County Sheriff's Deputy/TFO [REDACTED]. The document was provided electronically by Deputy [REDACTED] attorney, Deborah Ellis. The document is attached to this report. No evidence was obtained.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - ATTORNEY #1 - Ellis, Deborah

Primary Information

Subject Name: Ellis, Deborah
Record Type: Person
Bio: White, Female
Juvenile: NO

Employment Information

Occupation: Lawyer

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/21

Report Date: 06/09/2021

Subject #2 - ATTORNEY #1 - Ellis, Deborah - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	101 E FIFTH ST #2626, St Paul, Minnesota 55101 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	deborahellis2626@gmail.com (24 HOUR)
SUBJECT'S PHONE	(651) 288-3554 (BUSINESS)

Narrative begins on the following page.

On June 9th 2021, Senior Special Agent Michelle Frascone acquired the written report from Hennepin County Sheriff's Deputy/IFO [REDACTED]. The document was provided electronically by Deputy [REDACTED] attorney, Deborah Ellis. The document is attached to this report. No evidence was obtained.

STATEMENT OF [REDACTED]

I, [REDACTED]. I have been licensed as a peace officer in the State of Minnesota since [REDACTED]. I am currently employed as a Deputy Sheriff with the Hennepin County Sheriff's Office (HCSO) and as a Special Deputy with the United States Marshal's Service (USMS). I have served on the USMS task force since [REDACTED] while maintaining my role as a Deputy Sheriff for HCSO. I have been [REDACTED]

On June 3, 2021 I began work at [REDACTED] and participated in the execution of [REDACTED]. Next, I was involved in a [REDACTED]

[REDACTED] Shortly after I cleared that case, I heard USMS Special Deputy [REDACTED] air that he had new information on an existing case regarding Winston Smith, whose street name is "Boogie." This announcement came over the radio between approximately 1:15 and 1:30 p.m. Special Deputy [REDACTED] indicated that Smith had an outstanding Ramsey County warrant on a felon in possession (FIP) case.

[REDACTED] got on the airway and said he had a location on Smith at Lake and Girard at Stella's Fish Cafe. [REDACTED] asked that any personnel in the vicinity head to that area. [REDACTED] provided information about two possible vehicles connected to Smith. One was a white Charger believed to be owned by one of Smith's associates. The other was a Maserati for which [REDACTED] provided a color and license plate number.

I aired that I was available and began travelling to the location of Stella's Fish Café at [REDACTED] request. While I was enroute to Stella's, [REDACTED] provided a photograph of Smith which I could view on my phone. [REDACTED] also aired that a check had been made on the warrant and it was currently valid and active on this date. Just prior to my arrival at the location, [REDACTED] aired over the radio that he and other officers had positively identified Smith on the rooftop of Stella's.

When I arrived, I drove into a five level parking ramp, which was near Stella's Fish Café, located at 1405 W. Lake Street and began searching for the vehicle. On the fifth floor of the parking ramp I located a silver Maserati SUV with a license plate number that matched the one provided by [REDACTED]. The Maserati was the only car parked on that level. I aired to the other participating officers that I located the target vehicle on the fifth floor and observed that it was unoccupied.

Shortly thereafter, five or six other officers arrived at the parking ramp in separate unmarked police vehicles and an arrest plan was formulated. The plan involved a stationary vehicle "box" on the silver Maserati SUV when Smith returned to his vehicle. The goal was to contain and apprehend Smith at his vehicle and avoid a takedown in a busy restaurant and/or a vehicle pursuit. The intent of this plan was to limit, or at least mitigate, threats to the public.

I positioned my unmarked police vehicle between the fourth and fifth floors of the parking ramp and maintained a direct line of sight on the Maserati. Other officers were located throughout the parking ramp in unmarked vehicles at the ingress and egress points.

My assignment for the vehicle box was to pin the driver's side of the Maserati while two other officers pinned the rear and passenger sides of Smith's vehicle.

Another officer aired that Smith and his female companion were seen departing Stella's. Shortly thereafter, the couple was observed entering the parking ramp and they took an elevator to the fifth floor. I observed Smith walk the female to the passenger side of the vehicle and opened the door for her. Smith then entered the vehicle on the driver's side. When Smith was inside the vehicle, I initiated the vehicle box plan via radio.

Smith's vehicle was quickly and successfully immobilized. I pulled up within inches of the driver's door blocking Smith's ability to open the door. Other agents pulled up with their vehicles as planned and blocked the passenger side and rear of the Maserati within seconds. Several other agents in vehicles arrived on the scene and pulled up behind the three vehicles used to pin in the Maserati.

After I pulled up to the driver's door, I began giving loud commands via a public address (PA) system in my vehicle. I shouted, "police," "put your hands up," and "you're under arrest." I heard several other officers shouting the same or similar commands.

I saw Smith's hands come up about chest high in response to my initial commands. Then Smith lowered his hands toward his waist where I could not see them. The female passenger put her hands up immediately and never took them down. Smith, however, moved his hands up and down on several occasions while repeated commands were being shouted to "keep your hands up." These commands were being shouted over the public address system and directly at Smith from a distance of approximately eight feet. These verbal commands were repeated for a few minutes and Smith remained non-compliant for the duration. Smith appeared alert and made eye contact with me but did not comply with my commands. Smith had a blank stare on his

face and was scanning to his left and right. Smith did not appear to be trying to communicate verbally with anyone including his female companion. I announced "Code Black" to my colleagues. Code Black refers to a situation where a suspect appears frozen – either unable or unwilling to follow commands.

Since Smith was not compliant, this meant he was not going to get out of the vehicle on his own. Based on our observations, we formulated an arrest plan to remove Smith from the vehicle. Once other officers were in place and ready, I got back into my vehicle and backed it up a few feet to provide space for the driver's door to be opened to remove Smith. Prior to backing up, I gave verbal commands via my PA system for Smith not to get out of the vehicle.

After I backed up, I exited my vehicle and covered Smith and his companion at gun point until the arrest team approached the vehicle. I then walked around the rear of my vehicle and joined the arrest team.

██████████ was the lead officer; he had a ballistic shield and became the lethal cover and positioned himself at an angle at the front of the Maserati near the driver's side A-pillar. ██████████ had his weapon pointed directly at Smith and he continued to shout commands to Smith. I took a position at the driver's side B-pillar and attempted to open the driver's door. The doors were locked and I shouted to Smith to unlock the door. Smith made eye contact with me but did not follow my command and made no effort to unlock the vehicle. During this time, Smith continually lowered his hands toward his lap.

Officers handed me a breaching tool to break the driver's side window. I struck the window with the breaching tool to access the vehicle's locks. I could see Smith's hands moving up and down as before and he leaned further back into the seat and again scanned to his left and right. Based on my training and experience, suspects who scan back and forth are looking for escape options.

My first attempt to break the glass and unlock the vehicle was unsuccessful. I observed then that the Maserati had laminated re-enforced side windows, similar to a windshield. This is very unusual and prevents windows from breaking and crumbling away as in the case of tempered glass. I continued to strike at the window which took more time, attention, and force. I made four or five hits on the window producing small holes without shattering the window.

As I continued to focus and work on the window, ██████████ who was to my left, yelled, "Gun, gun, gun," and "He's reaching for a gun." I then heard four or five shots. I dropped the breaching tool, drew my service weapon and fired two shots on Smith from

the rear driver's side window. Although I had not seen a gun before shooting, I responded to a violent threat that I perceived based upon: my training and experience, my past experiences with [REDACTED] the inflection in [REDACTED] voice when he yelled, "gun, gun, gun" and "he's reaching for a gun," and the sounds of shots being fired within feet of me and [REDACTED]. Based upon what I knew of Smith's weapons case, his continuous non-compliance during this stop, his furtive gestures and scanning movements, the fact [REDACTED] called out that Smith had a gun, and hearing several shots being fired in close proximity to me and [REDACTED] and observing glass breaking near me from gun fire, I believed Smith presented a serious, violent threat to me, [REDACTED] the other officers and members of the public in the area. I believed that Smith had fired at [REDACTED] or that [REDACTED] had fired shots after being threatened by Smith's weapon. The gun shots caused me to fear for the safety of everyone in the area, particularly me and [REDACTED]; we were both within one or two feet of Smith when I heard the shots and observed the window glass breaking.

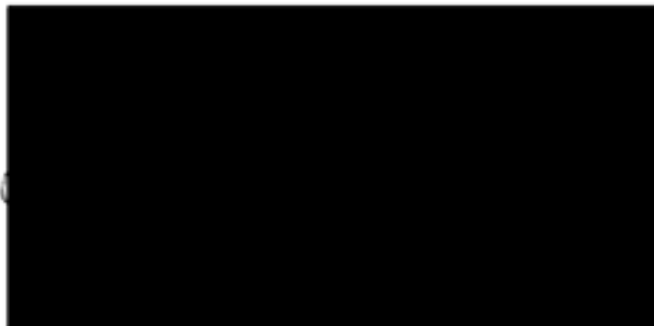
Immediately after I fired shots, I announced on Minneapolis Police Dispatch Channel 3 that officers had an emergency and shots were fired. I aired our location and status and requested that additional officers respond.

After shots were fired, I saw Smith slump down in the seat. Smith was still moving and his hands were not visible to officers. [REDACTED] maintained cover at the driver's side and I maneuvered to the passenger side of the Maserati. When I reached the passenger side of the vehicle, the female had already been removed and the passenger door was open. I approached the vehicle at gun point and looked inside. I saw Smith slumped in his seat. His right hand was on his lap; with his left hand between the seat and the driver's door. I entered the passenger compartment and pulled Smith out of his seat through the passenger side and laid him on the pavement. I rolled him over to check for obvious wounds. I observed some gunshot wounds but not a lot of blood. Other officers joined me in providing medical care to Smith.

I updated dispatch and other responding officers via Minneapolis Police Dispatch Channel 3 that the scene was safe (Code 4) and that it was okay for other officers and medics to come to the scene. When responding and assisting officers arrived, I provided a public safety statement. I was then escorted by my supervisor to the Minneapolis Police Department's Fifth Precinct. I was also assigned a Hennepin County deputy who stayed with me for the duration of the evening.

I was photographed by the BCA in the attire, and with the equipment, I had on during the incident. I voluntarily gave a blood sample the evening of June 3, 2021.

Date: 06/05/2021



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/22

Report Date: 06/11/2021

Primary Information

Description: Acquisition of Radio Traffic from Hennepin County Sheriff's Office
Occurrence From: 06/07/2021 10:00
Occurrence To: 06/07/2021 10:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/20/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/07/2021, SSA Petersen acquired the police radio transmissions audio from the Hennepin County Sheriff's Office from 06/03/2021. Audio saved to a flash drive and acquired as exhibit 2021-399/22.1. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Property #1 - Police Radio Transmission Audio on Flash Drive - HCSO

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Police Radio Transmission Audio on Flash Drive - HCSO
Property Status: BCA / HQ
Status Date: 06/09/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/22.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/07/2021 10:00

Narrative begins on the following page.

On 06/07/2021 at approximately 1000 hours, Senior Special Agent (SSA) Brent Petersen received a flash drive from the Hennepin County Sheriff's Office that contains audio files of dispatch audio and radio transmissions from the incident on 06/03/2021 in Minneapolis.

Flash drive acquired as exhibit 2021-399/22.1.

ACISS evidence receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/22

Case Agent: Petersen, Brent

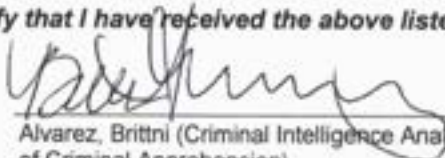
Item	Quantity	Description
1	1.00	Police Radio Transmission Audio on Flash Drive - HCSO

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/11/2021

Name

Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/23

Report Date: 06/11/2021

Primary Information

Description: Acquisition of Surveillance Video - Seven Points Parking Garage and Stella's Fish Cafe
Occurrence From: 06/08/2021 13:30
Occurrence To: 06/09/2021 11:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/20/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/08/2021, SSA Petersen and SSA Frascone made inquiries at Stella's Fish Café and with the management office at Seven Points Uptown (formerly Calhoun Square) regarding surveillance video. On 06/09/2021, SSA Petersen and SA Churness obtained video from both businesses that are relevant to this investigation. Flash drives acquired as exhibits 2021-399/23.1 and 2021-399/23.2 by virtue of this activity and report. ACISS receipt attached.

Address #1 - Occurred #1 - 1400 W LAKE ST

Primary Information

Address: 1400 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Restaurant

Address #2 - Occurred #2 - 3001 HENNEPIN AVE

Primary Information

Address: 3001 HENNEPIN AVE, MINNEAPOLIS, Minnesota 55408

Subject #1 - EMPLOYEE #1 - McGraw, Laura Staller Brant

Primary Information

Subject Name: McGraw, Laura Staller Brant
Record Type: Person
Bio: 57 yr. old, White, Female
Birth Date: 12/25/1963
Juvenile: NO

Employment Information

Employed: YES
Occupation: Sr Real Estate Mgr

Telephones / E-Addresses

Relationship	Number/E-Address
SUBSCRIBER	(612) 423-3822 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/23

Report Date: 06/11/2021

Subject #2 - EMPLOYEE #2 - Payne, Kristin Rene

Primary Information

Subject Name: **Payne, Kristin Rene**
Record Type: **Person**
Bio: **34 yr. old, White, Female**
Birth Date: **01/19/1987**
Juvenile: **NO**

Employment Information

Employed: **YES**
Occupation: **Security Director**

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(612) 423-3118 (COMPUTER MODEM)

Subject #3 - EMPLOYEE #3 - Windschitl, Gary Paul

Primary Information

Subject Name: **Windschitl, Gary Paul**
Record Type: **Person**
Bio: **53 yr. old, White, Male**
Birth Date: **08/15/1967**
Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	1400 W LAKE ST, Minneapolis, Minnesota 55408 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(651) 216-4751 (CELLULAR)

Subject #4 - MENTION IN REPORT #1 - Neumann, David Allan

Primary Information

Subject Name: **Neumann, David Allan**
Record Type: **Person**
Bio: **35 yr. old, White, Male**
Birth Date: **05/20/1986**
Juvenile: **NO**

Employment Information

Employed: **YES**
Occupation: **Owner - 24-7 Security**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/23

Report Date: 06/11/2021

Subject #4 - MENTION IN REPORT #1 - Neumann, David Allan - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	30174 WASHINGTON ST NE, ISANTI, Minnesota 55040

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(651) 755-8338 (CELLULAR)

Property #1 - Surveillance Videos on Flash Drive - 7 Points Parking Garage

Primary Information

Property Class:	Evidence
Property Type:	VIDEO RECORDING
Description:	Surveillance Videos on Flash Drive - 7 Points Parking Garage
Property Status:	BCA / HQ
Status Date:	06/09/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/23.1)
Collected By:	Petersen, Brent
Collected Date/Time:	06/09/2021 10:00

Property #2 - Surveillance Videos on Flashdrive - Stella's Fish Cafe

Primary Information

Property Class:	Evidence
Property Type:	VIDEO RECORDING
Description:	Surveillance Videos on Flashdrive - Stella's Fish Cafe
Property Status:	BCA / HQ
Status Date:	06/09/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/23.2)
Collected By:	Petersen, Brent
Collected Date/Time:	06/09/2021 11:30

Officers

LEO
Churness, Aaron (1384 / Technical Services / Minnesota Bureau of Criminal Apprehension)
Kaneko, Mike (1362 / Technical Services / Minnesota BCA)

Narrative begins on the following page.

On 06/08/2021 at approximately 1330 hours, Senior Special Agents (SSA) Brent Petersen and Michelle Frascone went to Stella's Fish Café at 1400 West Lake St in Minneapolis and spoke with the manager, Gary Windschitl. Agents requested to see his video surveillance system from 06/03/2021 when Winston Smith and his female associate dined at the restaurant. Windschitl was cooperative with the request but stated that he does not know how to operate the video system. Agents made arrangements with Windschitl to come back on 06/09/2021 with an Agent from the Technical Services Unit at BCA to assist with extracting the video.

At approximately 1350 hours on 06/08/2021, SSA Petersen spoke with Laura McGraw with the Seven Points Uptown mall, which also operates the parking garage where the shooting occurred on 06/03/2021. McGraw indicated that the parking garage does have some video and referred Agents to the ownership for the ramp, Northpond Partners, LLC in Chicago, IL.

At approximately 1500 hours on 06/08/2021, SSA Petersen spoke with the ownership of the parking garage. SSA Petersen spoke with Alistair Parry with Northpond Partners. Parry informed SSA Petersen that his company will fully cooperate with the investigation into the matter and that the BCA has permission to review and copy any video deemed relevant to this investigation. Parry referred me back to McGraw to work out details on when to review and retrieve the video. SSA Petersen and McGraw agreed to meet on 06/09/2021 at 0900.

On 06/09/2021 at approximately 0900, SSA Petersen and Special Agents (SA) Aaron Churness and Mike Kaneko from the Technical Services Unit met with McGraw and her director of security, Kristin Payne. Agents were escorted to the security office inside the parking garage and Payne pulled up the surveillance system for agents to view.

The video does clearly show Winston Smith arriving in the 2019 Maserati sport utility vehicle on 06/03/2021 at around 1240 hours. The cameras on the fifth level are mounted in the elevator lobby and also in the northwest stairwell. Neither camera films out into the lot where the shooting occurred. The elevator lobby video shows Smith and his female companion, Askar Ashraf, entering the elevator on the fifth level and going down to the street where they both exit and go off camera.

The video then shows Smith and Ashraf returning at around 1400 hours and riding the elevator back up to the fifth floor. Unmarked law enforcement vehicles are visible entering the lot around this time and traveling to the top level. Only a small glimpse of the undercover vehicles is visible on the fifth floor stairwell video (northwest stairs), which also captures two deputies on foot in the stairwell and out on to the parking ramp deck.

There is no camera angle that captures any portion of the interaction between law enforcement and Smith. There is no camera angle that captures any portion of the fatal shooting of Smith by law enforcement.

Payne saved the video on to a flash drive provided by SA Churness. SSA Petersen retained custody of the flash drive.

At approximately 1030 hours, SSA Petersen and SA Churness met with Gary Windschitl at Stella's Fish Café. Also present was David Neumann, the contractor for the security system installed in the restaurant. Neumann was able to pull up videos from Stella's that show Smith and Ashraf walking across Lake St from south to north and entering the café. The camera from the vestibule shows them entering the restaurant. No other interior cameras capture the couple while they are inside the restaurant eating.

The same cameras then capture the two exit the restaurant at around 1358 hours and they walk back across Lake St toward the parking ramp.

Neumann saved the videos on to a flash drive that SA Churness provided and SSA Petersen retained custody of it.

Flash drive from the parking garage is acquired as exhibit 2021-399/23.1.

Flash drive from Stella's is acquired as exhibit 2021-399/23.2.

ACISS evidence receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/23

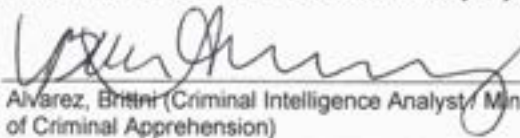

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Surveillance Videos on Flash Drive - 7 Points Parking Garage
2	1.00	Surveillance Videos on Flashdrive - Stella's Fish Cafe

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 6/11/2021
Name Alvarez, Britta (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/24

Report Date: 06/09/2021

Primary Information

Description:	CAD Report - Hennepin County Sheriff
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Hennepin County Sheriff	211541037

Synopsis

Copy of Hennepin County CAD report is attached to this supplement.

Narrative begins on the following page.

On 06/07/2021, Senior Special Agent Brent Petersen acquired a copy of the computer-aided dispatch (CAD) report from the Hennepin County Sheriff's Office regarding this incident under investigation from 06/03/2021.

Hennepin county incident number: **211541037**

No exhibit(s) by virtue of this activity or report.

Incident Detail Report

Data Source: Production
Incident Status: Active
Incident number: 211541037
Case Numbers:
Incident Date: 6/3/2021 14 11 18
Report Generated: 6/3/2021 20 36 28

Incident Information

Incident Type	PD NON-EMERGENCY 1 PU	Alarm Level	
Priority	1P	Problem	MAP-MUTUAL A D POL
Determinant		Agency	POLICE
Base Response#	06032021-0008066	Jurisdiction	MPL PD
Confirmation#	06032021-0196237	Division	MPL PD
Taken By	MELIN, A (DISPATCHER) JPJSJ366	Battalion	MPL PD
Response Area	20P000-20F000-HEN20	Response Plan	
Disposition		Command Ch	
Cancel Reason		Primary TAC	
Incident Status	Active	Secondary TAC	
Certification		Delay Reason (if any)	
Longitude	93297319	Latitude	44948203

Incident Location

Location Name		County	HENNEPIN
Address	1405 LAKE ST W	Location Type	
Apartment		Cross Street	GIRARD AVE S/HENNEPIN AVE
Building		Map Reference	
City, State, Zip	M NNEAPOLIS MN 55408		

Call Receipt

Caller Name		Call Back Phone	
Method Received		Caller Location	
Caller Type		Caller Location Phone	
Caller Address		Caller Apartment	
Caller Building		Caller County	
Caller City, State, Zip			

Time Stamps

Description	Date	Time	User	Elapsed Times Description	Time
Phone Pickup	6/3/2021	14:11:18			
1st Key Stroke	6/3/2021	14:11:18		Received to In Queue	00:00:00
In Waiting Queue	6/3/2021	14:11:18		Call Taking	00:00:00
Call Taking Complete	6/3/2021	14:11:18	MELIN, A (DISPATCHER) JPJSJ366	In Queue to 1st Assign	00:00:00
1st Unit Assigned	6/3/2021	14:11:18		Call Received to 1st Assign	00:00:00
1st Unit Enroute	6/3/2021	14:11:18		Assigned to 1st Enroute	00:00:00
1st Unit Arrived	6/3/2021	14:11:18		Enroute to 1st Arrived	00:00:00
Closed				Incident Duration	

Resources Assigned

Unit	Primary Flag	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm. Enroute	Odm. Arrived	Cancel Reason
1237	N	14:11:18		14:11:18		14:11:18	16:46:52		17:59:47			
1134	N	14:11:30		14:11:30		14:30:51	15:27:20		17:54:28			
1265	N	14:13:29		14:13:29		14:47:03	16:10:36					
1115	N	14:13:37		14:13:37		14:33:06			15:09:27			
1142	N	14:13:57		14:13:57								
1127	N	14:14:30		14:14:30		14:36:55	17:31:04					
1568	N	14:14:40		14:14:41		18:37:12						
1209	N	14:17:27		14:17:27		14:47:19						
1130	N	14:18:12		14:18:12					15:09:24			
1135	N	14:18:12		14:18:12		14:35:21			15:09:28			
1221	N	14:22:51		14:22:51		14:57:38	14:57:40					
1269	N	14:36:33		14:36:33		15:06:29						
	N	15:11:07		15:11:07		15:11:09	15:11:10		18:00:03			
	N	17:05:19		17:05:19		17:24:50	17:24:50					
	N	18:00:40		18:00:40		18:00:44	18:00:46					

Personnel Assigned

Unit	Name
1237	FRANZ, MICHAEL (HCJS1209)
1134	KOSKI, DANIEL (HCJSX992)
1265	TOMASKO, STEVEN (HCJSH396)
1115	THOM, TERA (HCJSD535)
1142	MAGNUSON, SHANE 01 (HCJSE038)
1127	WASGATT, NATHAN (HCJSR965)
1568	LUSIGNAN, BARB (HCJSA059)
1209	AUGDAHL, KAMI (HCJSH591)
1130	MCCLOUDEN, CORY (HCJSC319)
1135	GOTTWALDT, BILL (HCJS6027)
	SWEITZER, BRADY (HCJS4392)
1221	CROSSLEY, JOHN (HCJSR144)
1269	GRANSON, GREGORY (HCJSR626)

Caution Notes

No Caution Notes found

Pre-Scheduled Information

No Pre-Scheduled Information

Transports

No Transports Information

Transport Legs

No Transports Information

Comments

Date	Time	User	Type	Conf.	Comments
6/3/2021	14:11:39	JPJSE159	Response		[1] FEMALE SUSPECT
6/3/2021	14:12:21	JPJSJ366	Response		[2] SHOTS FIRED
6/3/2021	14:13:31	JPJSJ366	Response		[3] ON LTAC1
6/3/2021	14:14:34	JPKEAU001	Response		[4] 5TH LEVEL PARK NG RAMP / MULTIPLE SHOTS F RED / ONE MALE DOWN - FEMALE IN CUST / CODE 4 / NO "GOOD GUYS" HIT
6/3/2021	14:54:32	JPKEAU001	Response		[5] STAGING CHANGED TO 31ST /GIRARD
6/3/2021	15:01:28	JPJSJ366	Response		[6] - CONFIRM F THEY ARE SENDING RIG TO 5TH PREC
6/3/2021	15:01:34	JPJSJ366	Response		[7] PER HCMC - AFFIRMATIVE
6/3/2021	17:11:31	1142	Response		[8] WASGATT, NATHAN - 1142 - ALL HCSO RADIO TRAFFIC MOVING TO HCSO 3E - NOT MONITORED AT

6/3/2021	18:01:27	1142	Response	THIS POINT [9] WASSGATT, NATHAN - 1142 - ALL DEPUTIES INVOLVED WITH THE INCIDENT WITH THE US MARSHALL'S WILL BE USING RMS 21005944
6/3/2021	18:01:50	1142	Response	[10] WASSGATT, NATHAN - 1142 - ALL OTHER DEPUTIES SHOULD START A NEW CALL AND RMS FOR ANY INCIDENTS
6/3/2021	18:37:00	1142	Response	[11] Secondary Location for 1142: 401 4th Avenue S, Minneapolis.
6/3/2021	18:37:00	1142	Response	[12] 1142 WASSGATT, NATHAN - 1142 - IC MFF's at PSF and A-Level
6/3/2021	18:37:11	Mobile1	Response	[13] Secondary Location for 1142: 1405 LAKE ST W MINNEAPOLIS, MN 55408

Address Changes

Date	Time	Location/Address	User
6/3/2021	14:11:41	/ 1400 Lake St W	AJM
6/3/2021	18:58:59	/ 1405 LAKE ST W	LJR

Priority Changes

No Priority Changes

Alarm Level Changes

No Alarm Level Changes

Activity Log

Date	Time	Radio	Activity	Location	Log Entry	User
6/3/2021	14:11:18		AT SCENE	1400 Lake St W		
6/3/2021	14:11:30	1257	DISPATCHED	1400 Lake St W	Response Number: 06032021-0008066;	
6/3/2021	14:11:30	1237	ENROUTE	1400 Lake St W	Responding From = JORDAN AVE N40 HALF AVE N.	
6/3/2021	14:11:33		Read Incident		Incident 636 was Marked as Read.	
6/3/2021	14:11:53		UserAction		User clicked Exit/Save	
6/3/2021	14:12:20		UserAction		User clicked Exit/Save	
6/3/2021	14:13:29	1134	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008067;	
6/3/2021	14:13:29	1134	ENROUTE	1405 LAKE ST W	Responding From = 83RD AVE NJEFFERSON HWY N.	
6/3/2021	14:13:37	1265	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008068;	
6/3/2021	14:13:37	1265	ENROUTE	1405 LAKE ST W	Responding From = 83RD AVE NJEFFERSON HWY N.	
6/3/2021	14:13:57		DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008069;	
6/3/2021	14:13:57		ENROUTE	1405 LAKE ST W	Responding From = 83RD AVE NJEFFERSON HWY N.	
6/3/2021	14:14:30	1115	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008070;	
6/3/2021	14:14:30	1115	ENROUTE	1405 LAKE ST W	Responding From = HIGHWAY 169/MILLER RD.	
6/3/2021	14:14:40	1142	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008071;	
6/3/2021	14:14:41	1142	ENROUTE	1405 LAKE ST W	Responding From = 83RD AVE NJEFFERSON HWY N.	
6/3/2021	14:16:14		UserAction		User clicked Exit/Save	
6/3/2021	14:16:18		Incident Late		Active incident marked as late	
6/3/2021	14:17:14		Reset System Timer	1ST AVE S31ST ST E	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/3/2021 14:22:14	
6/3/2021	14:17:27	1127	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008072;	
6/3/2021	14:17:27	1127	ENROUTE	1405 LAKE ST W	Responding From = COUNTY ROAD 81.	
6/3/2021	14:18:12	1568	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008073;	
6/3/2021	14:18:12	1568	ENROUTE	1405 LAKE ST W	Responding From = HIGHWAY 100/RAMP.	
6/3/2021	14:18:12	1209	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008074;	
6/3/2021	14:18:12	1209	ENROUTE	1405 LAKE ST W	Responding From = EDGEMONT BLVD/EDGEMONT CIR N.	
6/3/2021	14:19:16		UserAction		User clicked Exit/Save	
6/3/2021	14:19:33		UserAction		User clicked Exit/Save	
6/3/2021	14:20:03		UserAction		User clicked Exit/Save	
6/3/2021	14:20:32		UserAction		User clicked Exit/Save	
6/3/2021	14:22:15		Incident Late		Active incident marked as late	
6/3/2021	14:22:40		Reset System Timer	1ST AVE S31ST ST E	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 13:46:03	
6/3/2021	14:22:51	1130	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008075;	
6/3/2021	14:22:51	1130	ENROUTE	1405 LAKE ST W	Responding From = SHORELINE DR/SPRING ST.	
6/3/2021	14:24:03		UserAction		User clicked Exit/Save	
6/3/2021	14:24:13		UserAction		User clicked Exit/Save	
6/3/2021	14:25:17		UserAction		User clicked Exit/Save	
6/3/2021	14:26:29		UserAction		User clicked Exit/Save	
6/3/2021	14:26:48		UserAction		User clicked Exit/Save	
6/3/2021	14:30:01		UserAction		User clicked Exit/Save	
6/3/2021	14:30:51	1237	AT SCENE	1405 LAKE ST W		
6/3/2021	14:32:32		UserAction		User clicked Exit/Save	
6/3/2021	14:33:06	1265	AT SCENE	1405 LAKE ST W		
6/3/2021	14:34:57	1142	AT SCENE	1405 LAKE ST W		
6/3/2021	14:35:19	1142	AT SCENE	1405 LAKE ST W		
6/3/2021	14:35:21	1209	AT SCENE	1405 LAKE ST W		
6/3/2021	14:35:50		Incident Late		Active incident marked as late	
6/3/2021	14:36:33		Incident Late		Active incident marked as late	
6/3/2021	14:36:33	1135	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008076;	
6/3/2021	14:36:33	1135	ENROUTE	1405 LAKE ST W	Responding From = JEFFERSON HWY N81ST AVE N.	
6/3/2021	14:36:55		Incident Late		Active incident marked as late	
6/3/2021	14:36:55	1115	AT SCENE	1405 LAKE ST W		
6/3/2021	14:37:01		UserAction		User clicked Exit/Save	
6/3/2021	14:38:04	1237	Reset System Timer	HENNEPIN AVE/LAGOON AVE	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:01:27	
6/3/2021	14:38:05		Incident Late		Active incident marked as late	
6/3/2021	14:38:29	1265	Reset System Timer	LAKE ST WHENNEPIN AVE	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:01:52	
6/3/2021	14:39:28		UserAction		User clicked Exit/Save	
6/3/2021	14:40:19		Incident Late		Active incident marked as late	
6/3/2021	14:41:43	1142	Reset System Timer	1405 LAKE ST W	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:05:05	
6/3/2021	14:41:43	1209	Reset System Timer	LAKE ST WHENNEPIN AVE	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:05:05	
6/3/2021	14:41:55		Incident Late		Active incident marked as late	
6/3/2021	14:44:28	1115	Reset System Timer	LAKE ST WIG RARD AVE S	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:07:50	
6/3/2021	14:45:25		UserAction		User clicked Exit/Save	
6/3/2021	14:46:23		UserAction		User clicked Exit/Save	
6/3/2021	14:47:03	1134	AT SCENE	1405 LAKE ST W		
6/3/2021	14:47:19	1127	AT SCENE	1405 LAKE ST W		
6/3/2021	14:48:14		UserAction		User clicked Exit/Save	
6/3/2021	14:52:02		Incident Late		Active incident marked as late	
6/3/2021	14:53:24	1134	Reset System Timer	LAKE ST WHENNEPIN AVE	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:16:47	
6/3/2021	14:53:24	1127	Reset System Timer	LAKE ST WHENNEPIN AVE	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:16:47	
6/3/2021	14:54:29		UserAction		User clicked Exit/Save	
6/3/2021	14:55:44		UserAction		User clicked Exit/Save	
6/3/2021	14:57:38	1130	AT SCENE	1405 LAKE ST W		
6/3/2021	14:57:40	1130	OK	LAKE ST WHENNEPIN AVE		
6/3/2021	14:58:55		UserAction		User clicked Exit/Save	
6/3/2021	15:02:01		UserAction		User clicked Exit/Save	
6/3/2021	15:06:29	1135	AT SCENE	1405 LAKE ST W		
6/3/2021	15:08:42		UserAction		User clicked Exit/Save	
6/3/2021	15:08:47		UserAction		User clicked Exit/Save	
6/3/2021	15:09:24	1568	AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037	

6/3/2021	15:09:27	1265	AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037
6/3/2021	15:09:28	1269	AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037
6/3/2021	15:11:07		DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008077;
6/3/2021	15:11:07		ENROUTE	1405 LAKE ST W	Responding From = 1ST AVE S/31ST ST E.
6/3/2021	15:11:09		AT SCENE	1405 LAKE ST W	
6/3/2021	15:11:10		OK	1ST AVE S/31ST ST E	
6/3/2021	15:11:29		Incident Late		Active incident marked as late
6/3/2021	15:12:02	1135	Reset System Timer	E BDE MAKA SKA PKY32ND ST W	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 14:35:24
6/3/2021	15:14:32		UserAction		User clicked Exit/Save
6/3/2021	15:21:02		UserAction		User clicked Exit/Save
6/3/2021	15:27:20	1237	OK	FREMONT AVE S/LAKE ST W	
6/3/2021	15:35:24		UserAction		User clicked Exit/Save
6/3/2021	15:36:07		UserAction		User clicked Exit/Save
6/3/2021	15:46:03		UserAction		User clicked Exit/Save
6/3/2021	16:02:40		UserAction		User clicked Exit/Save
6/3/2021	16:03:35		UserAction		User clicked Exit/Save
6/3/2021	16:07:46		UserAction		User clicked Exit/Save
6/3/2021	16:10:36	1134	OK	FREMONT AVE S/LAKE ST W	
6/3/2021	16:15:07		UserAction		User clicked Exit/Save
6/3/2021	16:26:09		UserAction		User clicked Exit/Save
6/3/2021	16:46:52		OK	1ST AVE S/31ST ST E	
6/3/2021	16:48:14		Incident Late		Active incident marked as late
6/3/2021	16:48:28	1142	Reset System Timer	1405 LAKE ST W	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 16:48:27
6/3/2021	16:57:31		UserAction		User clicked Exit/Save
6/3/2021	17:02:26		UserAction		User clicked Exit/Save
6/3/2021	17:05:19	1221	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008079;
6/3/2021	17:05:19	1221	ENROUTE	1405 LAKE ST W	Responding From = MINNETONKA BLVD/RAMP.
6/3/2021	17:07:51		UserAction		User clicked Exit/Save
6/3/2021	17:24:50	1221	AT SCENE	1405 LAKE ST W	
6/3/2021	17:24:50	1221	OK	31ST ST W/FREMONT AVE S	
6/3/2021	17:31:04	1115	OK	FREMONT AVE S/LAKE ST W	
6/3/2021	17:39:03		UserAction		User clicked Exit/Save
6/3/2021	17:42:35		UserAction		User clicked Exit/Save
6/3/2021	17:53:50		UserAction		User clicked Exit/Save
6/3/2021	17:54:28	1237	AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037
6/3/2021	17:59:47		AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037
6/3/2021	18:00:03		AVAIL	1405 LAKE ST W	Unit Cleared From Incident 211541037
6/3/2021	18:00:40	1269	DISPATCHED	1405 LAKE ST W	Response Number: 06032021-0008080;
6/3/2021	18:00:40	1269	ENROUTE	1405 LAKE ST W	Responding From = FREMONT AVE S/31ST ST W.
6/3/2021	18:00:44	1269	AT SCENE	1405 LAKE ST W	
6/3/2021	18:00:46	1269	OK	FREMONT AVE S/31ST ST W	
6/3/2021	18:09:00		UserAction		User clicked Exit/Save
6/3/2021	18:17:52		UserAction		User clicked Exit/Save
6/3/2021	18:22:41		UserAction		User clicked Exit/Save
6/3/2021	18:22:54		UserAction		User clicked Exit/Save
6/3/2021	18:30:53		UserAction		User clicked Exit/Save
6/3/2021	18:37:00	1142	AT DESTINATION	401 4th Avenue S	Incident ID = 3104836, 0, 0, _WASGATT, NATHAN - 1142 - /C MFF's at PSF and A-Level
6/3/2021	18:37:12	1142	AT SCENE	1405 LAKE ST W	
6/3/2021	18:42:12		Incident Late		Active incident marked as late
6/3/2021	18:42:28	1142	Reset System Timer	4TH ST SW/TH AVE S	[Timer] Reset System Timer [Reset Reason] DP - DEFAULT [Next Late Check Time] 6/4/2021 18:42:27
6/3/2021	18:59:06		Premise History Access		Premise History Viewed
6/3/2021	18:59:10		UserAction		User clicked Exit/Save
6/3/2021	18:59:13		UserAction		User clicked Exit/Save
6/3/2021	19:02:03		UserAction		User clicked Exit/Save
6/3/2021	19:16:08		UserAction		User clicked Exit/Save
6/3/2021	19:17:59		UserAction		User clicked Exit/Save
6/3/2021	19:25:10		UserAction		User clicked Exit/Save
6/3/2021	19:29:06		UserAction		User clicked Exit/Save
6/3/2021	19:34:22		UserAction		User clicked Exit/Save
6/3/2021	19:35:11		UserAction		User clicked Exit/Save
6/3/2021	19:40:18		UserAction		User clicked Exit/Save
6/3/2021	19:54:57		UserAction		User clicked Exit/Save

Edit Log

Date	Time	Field	Changed From	Changed To	Reason	Table	Workstation	User
6/3/2021	14:11:33	Read Call	False	True	(Response Viewer)	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Address	1400 Lake St W	1405 Lake St W	Address Change	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Address	1400 Lake St W	1405 LAKE ST W	(Response Viewer)	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Latitude	44948365	44948203	(Response Viewer)	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Longitude	93297010	93297319	(Response Viewer)	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Street_Id	31812	322208	(Response Viewer)	Response_Master_Incident	JP19	
6/3/2021	14:11:41	Address	1405 Lake St W	1405 LAKE ST W	Change Verified	Response_Master_Incident	JP19	
6/3/2021	18:58:58	Address	1405 LAKE ST W	1405 LAKE ST W	Address Change	Response_Master_Incident	JP20	
6/3/2021	18:58:59	Latitude	0	44948203	(Response Viewer)	Response_Master_Incident	JP20	
6/3/2021	18:58:59	Longitude	0	93297319	(Response Viewer)	Response_Master_Incident	JP20	
6/3/2021	18:58:59	Address	1405 LAKE ST W	1405 LAKE ST W	Change Verified	Response_Master_Incident	JP20	

Custom Time Stamps
No Custom Time Stamps

Custom Data Fields
No Custom Data Fields

Attachments
No Attachment

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/25

Report Date: 06/11/2021

Primary Information

Description: Acquisition of Body Worn Camera Video - Minneapolis Police Department
Occurrence From: 06/09/2021 14:30
Occurrence To: 06/09/2021 15:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/20/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/09/2021, SSA Petersen downloaded the body-worn camera videos from Evidence.com, provided by the Minneapolis Police Department. Videos saved to a flash drive and acquired as exhibit 2021-399/25.1. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Property #1 - BWC Videos Saved to Flash Drive - Mpls PD

Primary Information

Property Class: Evidence
Property Type: VIDEO RECORDING
Description: BWC Videos Saved to Flash Drive - Mpls PD
Property Status: BCA / HQ
Status Date: 06/09/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/25.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/09/2021 15:00

Officers

LEO
McCarver, Patrick (Sergeant/Internal Affairs / Minneapolis Police Department)

Narrative begins on the following page.

On 06/09/2021 at approximately 1400 hours, Senior Special Agent (SSA) Brent Petersen acquired the body-worn camera videos from the Minneapolis Police Department of police response to the fatal shooting on 06/03/2021 in Uptown. Sergeant Pat McCarver with Minneapolis Police provided SSA Petersen with a secured link to Evidence.com from which SSA Petersen downloaded the videos.

Videos are saved to a flash drive and acquired as exhibit 2021-399/25.1.

Review of the videos will be documented under separate investigative supplements.

ACISS evidence receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/25

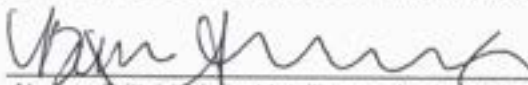

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	BWC Videos Saved to Flash Drive - Mpls PD

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 6/11/2021
Name Alvarez, Britni (Criminal Intelligence Analyst - Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/26

Report Date: 06/09/2021

Primary Information

Description:	Police Reports - Minneapolis Police Department
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Minneapolis Police Department	2021-119996

Synopsis

Copy of Minneapolis police report and supplements from 06/03/2021 incident is attached to this supplement.

Narrative begins on the following page.

On 06/08/2021, Senior Special Agent Brent Petersen acquired a copy of reports and supplements from the Minneapolis Police Department that document police response to the scene of this fatal shooting on 06/03/2021. All officers from Minneapolis arrived after-the-fact.

Minneapolis Police Department case number: 2021-119996

Reports attached to this supplement.

No exhibit(s) by virtue of this activity or report.



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

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GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

General Offense Information

Operational Status OPEN/ACTIVE
 Reported On JUN-03-2021 (THU.) 1931
 Occurred On JUN-03-2021 (THU.) 1409
 Approved On JUN-04-2021 (FRI.)
 Approved By 4101 - LEWIS, ROBERT [REDACTED]
 Report Submitted 4807 - MILNER, DEAN
 By
 Org Unit PCT 5 DAYWATCH
 Accompanied By 1545 - DIEDRICH, DANIEL
 Address 1405 LAKE ST W
 Municipality MINNEAPOLIS
 County HENNEPIN
 Precinct 5 Sector 2 Neighborhood 47
 Felony/ Misdemeanor MISDEMEANOR
 Family Violence NO
 Cargo Theft NO

EVENT VIDEO

Is There Video Of YES
 The Event
 Type Of Video BODY WORN CAMERA
 Is The Video NO
 Attached To The GO
 Witness Owned
 Video
 Remarks
 P Number

Offenses (Completed/Attempted)

Offense # 1 AOA-0 ASSIST OTHER AGENCY - COMPLETED
 Location PARKING LOT / GARAGE
 Suspected Of Using N/A
 Bias NONE (NO BIAS)



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Address 6680 CENTRAL AV NE
Municipality FRIDLEY
State MINNESOTA
ZIP Code 55432

PHONE NUMBERS

CELLULAR (763) 312-9898

LINKAGE FACTORS

Resident Status NONRESIDENT
Age Range J - 22-29 YEARS



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SURVEILLANCE

Author 6385 - SCHROEDER, ANDREW

Related Date Jun-03-2021 17:25

On 06/03/2021 I arrived on the Officer Involved Shooting scene.

Once on scene, I entered the perimeter and had my name added to the crime scene log.

I checked in with Command Staff and soon left the perimeter. I was not wearing a BWC as I was in plain clothes.

I remained in the area and conducted surveillance for any potential civil unrest.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SCENE RESPONSE

Author 5759 - POBUDA, JONATHON

Related Date Jun-03-2021 19:21

On 06/03/2021, I responded to 1405 Lake St W to assist with perimeter security following an OIS that occurred in the parking ramp. I was working with Officer Huynh in marked squad 167, and signed on as squad 186. My uniform consisted of duty pants, duty belt, short sleeved shirt with MPD and CRT displayed on the sleeves, and an outer carrier that displays my name, badge, and department issued BWC.

Upon arrival, I assisted with establishing the south perimeter along 31st St W and Girard Avenue. I remained on scene until I was relieved. When it was authorized, I assisted with escorting people to their cars parked in the ramp. My BWC was activated while I was on scene. I deactivated my BWC after a period of time to conserve battery power. SGT Daoheuang authorized for officers on the south perimeter conserve battery power.

BWC was up loaded to Evidence.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SCENE RESPONSE

Author 5355 - OTTNEY, MARCUS

Related Date Jun-03-2021 19:30

On June 3rd, 2021, I was monitoring Minneapolis Police radio channel three while at the First Precinct. I overheard an emergency radio call and officers were asking for assistance. I heard on the radio that an officer reported shots fired and they were in the area of 1405 Lake Street West on the top level of a parking ramp. My partner, Officer Campbell, and I drove code three (lights and siren) to the call to assist. My body worn camera (BWC) was activated for the code three run. I heard further information aired on the radio that no police officers were injured, but one male was down and one female was detained. We arrived on Lake Street West and assisted with putting crime scene tape up in the skyway that led from the parking ramp to the Calhoun Square building. My badge number was also added onto the crime scene log.

I then stood-by on the perimeter at 31st Street West until I was advised by Sergeant Klund that we could clear the scene. My BWC was deactivated and turned off to conserve battery power per Sergeant Daoheuang. I turned my camera off when there was approximately 5 percent battery left. The battery was so low due to me working a very long shift.

My BWC footage was later uploaded to evidence.com

END



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SCENE RESPONSE

Author 6758 - STALBOERGER, JONATHAN

Related Date Jun-03-2021

On June 3rd, 2021 I was assigned to call sign Squad 292 along with my partner Officer Johansson. At approximately 18:00 hours we arrived near the incident location to assist in securing the perimeter which was already set up and offer rest/water breaks to officers who have been on scene for a while as it was a hot day.

I did not collect any evidence or take any statements from any witnesses. I did not go near the crime scene area.

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject** SCENE RESPONSE**Author** 0945 - CAMPBELL, BENJAMIN**Related Date** Jun-03-2021

BWC for GO 21-119996

I, Officer Campbell badge 0945, was working for the Minneapolis Police Department as an Officer assigned to the First Precinct Community Response Team (CRT) on 06/03/2021. As an Officer assigned to First Precinct CRT my responsibility is to conduct proactive investigations primarily involving livability issues, the sales of narcotics and or weapons investigations in the City of Minneapolis and surrounding areas. I have received training in conducting narcotic investigations, trends in the trafficking of narcotics, and open source investigative tools My duties allow me to work in a variety of settings, utilizing plain clothes, and driving unmarked vehicles.

The CRT uses two approaches to respond to the concerns of citizens in the precinct.

First, directed patrol uses uniformed CRT officers to respond to high crime areas of a precinct or areas with specific problems. The greater police presence in these areas help to prevent crime and increases the chance of catching criminals. With this approach, the commander has more flexibility to respond to crime trends in the precinct without affecting other services to the community.

Second, the expertise of the CRT's undercover (in civilian clothing) officers is used to respond to precinct drug problems. This approach can be very effective because officers work closely with the community receiving complaints about drug houses and drug dealing. The CRT also investigates street level prostitution, disorderly houses and illegal liquor and cigarette sales.

On 06/03/2021 I was working with Officer Ottney. We were working as Marked Squad 181 (P76887). I was wearing my BWC, BDU duty pants, uniform belt, and long sleeve "CRT" police shirt. At approximately 1410 hours while monitoring the Minneapolis Police Radio I heard the report of shots fired in the Parking Lot at 1405 West Lake St.

Officer Ottney and I responded and arrived on the northwest side of the parking lot located at Girard Ave S and West Lake St. My badge number,0945, was added to the scene log. As we travelled to 1405 West Lake St, information was provided that Hennepin County Officers were involved in an Officer Involved Shooting and they were providing medical aid to a suspect. We confirmed that the skyway from the Calhoun Square to the parking lot was secured and placed police tape up at the skyway entrance to secure the skyway. After the perimeter was established and I was not in contact with the public, Sgt Daoheuang informed me it was ok to deactivated my BWC to conserve battery life. I deactivated my BWC at that time.

Officer Ottney and I assisted in maintaining the southern perimeter at 31st St W and Girard Avenue S until we were released by an on scene supervisor.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SCENE SECURITY

Author 3198 - HUYNH, PAUL

Related Date Jun-03-2021

On 06/03/2021, I was working with my partner Officer POBUDA in marked squad 167. We were signed in as squad 186 and in full uniform. We responded to an Officer Involved Shooting located in the parking ramp next to Calhoun Square.

We were directed to provide perimeter security on the south side of the parking ramp, in the area of 31st and Girard. Upon approval of Sergeant's on scene , we assisted parking ramp guests to their vehicle and directed them to only use the exit on 31st. I advised them that they will need to provide identification to the Officers upon exiting.

We stayed on scene until we were cleared at approximately 1850hrs.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject SCENE RESPONSE

Author 3728 - KLUND, DARCY

Related Date Jun-03-2021

On 06/03/2020 SGT KLUND was working in MPD UNMARKED squad as the driver and signed on as 180 with SGT DAOHEUANG. This SQUAD, P#76884 is equipped with an MVR emergency lights, siren and spotlights. SGT KLUND was dressed in MPD CRT UNIFORM, DUTY BELT AND WEARING A BODY WORN CAMERA "BWC".

SGTS were working in strike team one capacity and overheard a radio call of an OIS involving multiple agencies. Strike team one responded to assist with scene security and management. SGT KLUND activated BWC and deactivated several times to conserve battery power due to an extended shift and potential for longer hours. deactivations were not done when dealing with public.

SGT KLUND escorted ME personnel to the scene.

SGT KLUND
P1 CRT

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject** SCENE RESPONSE/PERIMETER**Author** 1424 - DAOHEUANG, SOUPHAPHONE**Related Date** Jun-03-2021 19:47

I, Sergeant Daoheuang, am currently assigned to the Strategic Information Center (SIC) and I have been on this unit since February of 2021. I have been employed by the Minneapolis Police Department since 2013. As a part of SIC, I supervise both Officers and civilian employees whom are intelligence analysts and manage day to day operations.

Before the SIC, I was assigned to the First Precinct Community Response Team (CRT). As a part of this unit, my duties included street level narcotics, prostitution, theft and robbery crimes, human trafficking, and apprehending wanted suspects. I have been involved in the arrests and prosecution of parties involved in sales of/and consumption of illegal narcotics, illegal firearms, and robberies. It should be noted that I am certified to field test narcotics and my certificate is on file with the Hennepin County Attorney's Office.

Since May of 2020, I have also been a part of Strike Team One; a civil disturbance rapid response team. Our duties have included responding to businesses that have been looted and clearing out and/or arresting looters, rescuing stabbing victims and the National Guard, and coordinated mass arrests and any other duties ordered upon us.

On 06/03/2021, I was working squad 180 with my Sgt. Klund in an unmarked squad, P#76884 in a Strike Team capacity. I was dressed in my full CRT uniform that included a short sleeve navy-blue shirt that says "Minneapolis Police" on the back, my body worn camera (BWC) affixed to on the front, and my navy-blue pants and full duty belt.

At approximately 1410 hours, I heard a Hennepin County Deputy air that shots had been fired and they were on the top floor of parking ramp at 1405 West Lake Street.

My partner and I along with additional Strike Team One Officers went to the location to assist in anticipation for a crowd to respond and converge to the area for protests.

Upon arrival, I assisted on securing a perimeter on both the south and north sides of the parking ramp just east of Calhoun Square. I assisted in putting up crime scene tape and securing Officers for posts needed to monitor the perimeter.

I relieved Officers as needed and as additional resources arrived.

My BWC was activated. In order to preserve battery from working a very long shift, I had to stop my BWC recording and powered off.



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject RESPONDING OFFICER

Author 2611 - HAMILTON, EFREM

Related Date Jun-03-2021

On Thursday 3 June 2021 while working as CRT-184 as a part of First Precinct CRT, I heard it being aired on the radio that shots were fired in an Officer Involved Shooting (OIS) at/around 1405 W Lake St, which is a parking ramp.

I responded and assisted with setting up perimeter tape and crowd control. BWC uploaded to evidence.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 0830 - BROWN, JOSEPH

Related Date Jun-03-2021 19:59

I, Officer Joseph Brown , am a licensed Police Officer for the City of Minneapolis and am assigned to the First Precinct Community Response Team (CRT). I have been employed with the Minneapolis Police Department (MPD) since August of 2016. My duties and responsibilities on the CRT include investigating street level narcotics sales, theft crimes, human trafficking, weapons violations, problem properties and conducting directed patrols in the precinct's focus zones where a high level of crime has been occurring.

The CRT uses two approaches to respond to the concerns of citizens in the precinct.

First, directed patrol uses uniformed CRT officers to respond to high crime areas of a precinct or areas with specific problems. The greater police presence in these areas help to prevent crime and increases the chance of catching criminals. With this approach, the commander has more flexibility to respond to crime trends in the precinct without affecting other services to the community.

Second, the expertise of the CRT's undercover (in civilian clothing) officers is used to respond to precinct drug problems. This approach can be very effective because officers work closely with the community receiving complaints about drug houses and drug dealing. The CRT also investigates street level prostitution, disorderly houses and illegal liquor and cigarette sales.

On 06/03/2021 at approximately 1410 hours we responded to the area of Lake St & Girard Ave S. Upon arrival I assisted in holding the northern perimeter and moving squads off of lake street. At approximately 1900 hours we were relieved.

BWC activated.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 0664 - BLACKWELL, KATIE [REDACTED]

Related Date Jun-03-2021 21:02

I am currently assigned as the Inspector of the 5th Precinct. At approximately 1411 hours on today's date I responded to a help call with shots fired at 1405 W Lake Street. My BWC was activated.

I arrived on scene on the 5th floor of the parking garage and observed officers performing CPR on a male on the ground. I was informed EMS was on the way. I informed the U.S. Marshalls and Hennepin County Sheriffs Deputies they could go to the 5th Precinct and that we had separate rooms/offices available. I was informed there were no suspects at large and there were no chance rounds could have struck any nearby buildings. MPD supervisors managed the scene perimeter and monitored a growing crowd of people yelling obscenities at the police.

When I was on the ground level, I deactivated my BWC at times to preserve battery life, and I reasonably believed there was no longer audio or visual evidence to capture.



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Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 4887 - MOUA, TOU

Related Date Jun-04-2021 3:31

On 06/03/2021, I was assigned and riding fully marked squad 560 along with my partner OFFICER HANSEN #2763. At approximately 1732 hours, we responded to Lake Street West and Girard Ave South to assist with crowd control. I was on scene until I was told by SGT PICKHARDT to clear the area.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 129355 - RETHWILL, SCOTT

Related Date Jun-03-2021 14:37

On 06/03/2021 I was working squad 810 able. At Approximately 1409 HCSO Deputies aired on MPLS main channel 3 that there were shots being fired and they needed help. This was toned via dispatch as a help call at 1405 Lake St W. I assigned to the call and responded. While enroute to the call the scene was made code 4. I did not respond to the scene and cleared.

BWC P#2903



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 118316 - STETSON, JOSEPH

Related Date Jun-03-2021 14:55

On 6/3/21 I was working marked squad 850 when I responded to the area of 1405 Lake Street W on a OIS. Prior to my arrival officers had aired that the scene was code 4. I deactivated my BWC and cancelled from the call.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 2769 - HARDER, TODD

Related Date Jun-03-2021 19:12

On 06-03-21 I was working marked squad 110 with Officer Pfaff. At approximately 1517 hours we responded to a shooting at 1405 Lake St W. Upon arrival we were requested to 31 St E and Girard Ave S. Once at that location we maintained on the outer perimeter at that location. I stayed there until I was released by a supervisor.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 7022 - SWANSON, KYLE

Related Date Jun-03-2021 20:31

On 6/3/2021 I was working Squad 264 with Officer Paulson (# 5491) when we were dispatched to a Shooting 1405 Lake St W around 1526 hours. BWC was activated.

Upon arrival, we arrived at 31 St W and Girard Ave S. We parked our squad at that intersection. My battery percentage was low from working Daywatch. I asked who I believed to be Sgt Markstrom (# 4408) if I could deactivate my body cameras to conserve battery life. He said yes. I deactivated and I stood at Girard Ave S and Lake St W.

I was then relived by another officer around 2205 hours.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 2475 - GRIFFIN, MICHAEL

Related Date Jun-03-2021 21:44

On 06/03/2021 at around 1358 hours while working ABLE as squad 510, I responded to 1405 Lake St W (parking ramp) on a Officer Involved Shooting. Reportedly Hennepin County Sheriff was requesting assistance.

As I was arriving, Hennepin County radioed that they were code 4 with the suspect. I then began taping off the scene. I placed crime scene tape to block the entrance/driveway to the ramp area at Lake St W/Girard Ave S and stood by as scene security until relieved by Sgt. Markstrom.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 2769 - HARDER, TODD

Related Date Jun-03-2021 21:15

On 06-03-21 I was on the perimeter of a shooting incident. I was near the intersection of 31 St E and Girard Ave S when a person by the name of JESSE OYERVIDES approached me. He said that he was near the area of Walgreens when he heard sirens and someone yelling to put your hands on the wheel. He then heard shots fired.

Jesse Oyervides

2444 Grand Ave S #1

Minneapolis, MN

952 855 2190



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 5969 - REUBEN, PATRICK

Related Date Jun-03-2021 22:04

I arrived at Girard Ave S & Lake St W on a reported Officer Involved Shooting involving several different agencies excluding Minneapolis Police. At arrival I was directed by Sgt. R. Markstrom to start a Crime Scene Entry Log. I began collecting names of the people already in the crime scene and as they entered. Their were two entry points to the crime scene and some of the officers and other employees of the agencies names weren't collected. I did however check with people inside the crime scene to check if their names or badge numbers had been entered. The Crime Scene Entry Log also includes civilians that entered the crime scene to leave from work.

The Crime Scene Entry Log was scanned into a PDF document and uploaded to evidence.com. With the permission of Sgt R. Markstrom I was directed to property and evidence the physical document when I return to work.

Property & Evidence



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 5675 - PFAFF, MICHAEL

Related Date Jun-03-2021 22:44

On 06/03/21 I was working SQUAD 110 with my partner OFFICER HARDER when we were requested to 31st St W/Girard Ave S as a response car to assist in an Officer Involved Shooting.

Upon arrival a perimeter had already been set up with crime scene tape around the parking ramp. We arrived to the south side of the perimeter at 31st St W/Girard Ave S. We sat outside the perimeter to the entrance of the parking ramp until we were secured from the scene.

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject****Author** 1545 - DIEDRICH, DANIEL**Related Date** Jun-03-2021 20:36

On the above date and time I was assigned to the 5th Pct daywatch, marked squad 520 with my partner officer Dean Milner. While officers were at the 5th Pct doing reports a HELP call was toned for the ramp at Calhoun Square on the 5th floor to assist another agency. Officers left the precinct and responded. While enroute we learned it was an officer involved shooting.

Officers arrived on the North side of the ramp and believed it to be code 4. I grabbed crime tape and started taping off the area. I then went up the stairwell of the ramp to see if there was anything I could help with. I started running more tape between 4th and 5th floors. Dean was instructed to walk a female witness. She was handcuffed, wearing a dress and was bleeding from many areas on the left side of her body. I helped calm her down and escort her down the stairwell to receive medical attention. We walked to a squad on the inner perimeter and sat her half in the backseat with her feet outside. We waited for EMS to arrive for her. While waiting, I un-cuffed her and a paramedic supervisor gave her a preliminary once over to check for injuries. I returned the cuffs to a deputy while she was escorted to an ambulance. My partner told me that he would be riding to HCMC with the witness, so I followed in our squad.

Once at the hospital I joined my partner at the ER. Witness/Askar was being treated for glass shrapnel to the left side of her body. We still attempted to comfort her because she was distraught. She stated that she was on her second date with Winston and now she thinks men are all bad. I did not question her about anything that happened today. She stated that the officers told them to put their hands up and she did. She also said that she pleaded with him to just put his hands up. She also states that he was "streaming on Facebook" while in the car. She also said her car was parked on Aldrich near a park. Officers cleared the hospital, located her car mid 3100 block of Aldrich Ave S and entered the plate in the call.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 3333 - JOHANSSON, LOGAN

Related Date Jun-03-2021 22:21

On 6/3/2021 at approximately 1600 hours, I was working in a fully marked Minneapolis Police Squad # 291 (P# 76725) with my partner Officer J Stalboerger. I was wearing my Body Worn Camera (BWC herein) and it was activated.

I am a licensed Minneapolis Police Officer with the State of Minnesota and currently temporarily assigned to Strike Team 1. Strike Teams were formed in response to the widespread civil unrest/riots during May of 2020. Our duties on Strike Teams include responding and preventing looting, arson, violent crimes, and curfew enforcement. I have received specialized training on topics including but not limited to drug identification and interdiction and DWI enforcement. On today's date and time, I was wearing a full Class C uniform identifying me as a police officer.

On today's date and time, I was called in for an Officer Involved Shooting at Lake ST W/Girard AV S. I responded to the location. I provided scene security and did not have contact with any involved persons, to include witnesses. I was instructed by a supervisor to deactivate my body camera while on scene due to my limited involvement. I left the scene to drop an officer off and returned. I remained on scene until we were cleared from the area.

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject****Author** 4408 - MARKSTROM, ROLF**Related Date** Jun-03-2021 23:29

On 06/03/2021, I was working squad 504, 5th Precinct Daywatch Supervisor. At Approximately 1358 hours, information was sent out via MDC that Hennepin County was conducting surveillance in the parking ramp, located at 1405 W Lake St, which immediately to the east of 7 Points Mall (formerly known as Calhoun Square, 3101 Hennepin Ave S). At approximately 1410 hours, it was aired that shots were fired in the parking ramp, and MECC toned a help call. I self-assigned to the call, activated my body worn camera (BWC) and drove code 3 to the call.

At 1411 hours, it was aired that by Hennepin County that Officers were code 4, there was one adult male down, and one female detained. It was then updated that that this was an officer involved shooting. Upon my arrival at approximately 1413 hours, Sgt Pickhardt was already on the top (5th Floor of the ramp) with the involved officers from Hennepin County, Ramsey County and ATF.

I took control of the scene on the ground and directed Officers to secure the entrances and exits of the ramp 360 degrees, and to tape off a crime scene. Around 7 Points Mall and the Parking ramp. I directed officer Reuben (Squad 512) to start a crime scene log. I instructed Squad 360 (Officer Aaron Hanson and Officer Matthew Heger) to post at the south exit of the parking ramp and to record the license plates of all vehicles exiting the ramp and to identify all occupants of the vehicles prior to letting them leave the ramp. Once EMS arrived, I escorted them to the elevator and instructed them go to the 5th Floor of the ramp.

The female that was involved was brought down to the open area between the mall and the parking ramp near the intersection of Lake/Girard. I observed that she wearing a dress and bleeding from her leg, but I did not see the extent of her injuries. I instructed Squad 520 (Officer Milner and Officer) Diedrich to go to the hospital with her.

Sgt. Pickhardt requested a portable tent from the 5th Precinct to be brought to the 5th floor of the ramp. I instructed Squad 514 (Officer Johnson) to got the 5th Precinct to retrieve the tent from the precinct. Once he arrived with the tent, Sgt. Klund (Squad 180) and I brought the tent upstairs and assisted with setting it up over the deceased and the scene. I then returned to the ground level to assisted with maintain security of the crime scene while the investigation commenced.

A crowd had gathered outside the perimeter at W Lake St/Girard Ave S, and the crown became

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

agitated and began yelling at the officers on scene, but at this point were not engaging in any violence. At this point WB Traffic for Lake St was stopped at Hennepin, and both EB and WB traffic for 31st St was stopped at Hennepin and Fremont.

Now we were maintaining the perimeter on the ground level of ramp and mall. At 1626 hours I turned off my BWC, to conserve the battery as I was at approximately 40 percent, and I needed to save the battery should we needed to engage the crowd at Lake/Girard. Note that multiple employees of the 7 Points Mall had their vehicles parked on the lower levels of the ramp. All of these employees were escorted into the ramp and to their vehicles by Officers on scene. They were instructed to exit the ramp vehicle south exit and to give their information to the Officers (360/Hanson/Heger) at the exit.

At approximately 2027 hours, Sgt Pickhardt informed me that the investigation by the BCA on the 5th Floor of the ramp was about to wrap up. I ordered I requested MFD to stage at 31st/Girard to wash down the scene once the on-scene investigation was complete. At 2046 hours, I reactivated my BWC, as we were preparing to clear the scene, and the crowd of approximately 40, at Lake/Girard, was growing increasingly more agitated.

At 2119 hours, I gave the order over the air for all Officers, Deputies and Traffic Control to secure, and to exit the scene from the south end onto 31st St. As Officers were getting into their vehicles, the crowd breached the crime scene on the north end and began following officers and squads as they exited the lot, while shouting profanities at Officers. Once all the squads were out of the area, I left the area as well and returned to the 5th Precinct.

**GENERAL OFFENSE HARDCOPY**

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject****Author** 4807 - MILNER, DEAN**Related Date** Jun-03-2021 19:41

On 06/03/2021 I was assigned to marked squad 520 along with my partner, Officer Dan Diedrich (badge 1545). At approximately 14:09 hours, MECC toned a HELP call to 1405 W. Lake Street, stating that Hennepin deputies needed help. Further remarks stated that there had been shots fired. We immediately responded to assist. While en route, further remarks stated that this was an OIS (Officer Involved Shooting) and that they were on the 5th floor of the parking ramp. We arrived on W. Lake Street, just North of the ramp. I ran up the ramp stairs to the top level and encountered the incident scene. I observed a lone male (suspect) laying supine on the concrete ramp deck. LEO's were in the process of giving him CPR. I then took some yellow crime scene tape and assisted Officer Dan Diedrich to secure the upper level of the ramp, so nobody could access the scene without permission. Once completed, I retrieved a female witness from the rear of a task force vehicle. I identified her as Norhan Ashraf Askar (DOB 01/27/94). She was alone with the male suspect inside his vehicle at the time of the incident. Askar was quite shaken up and visibly upset (crying). She had numerous injuries on her left leg and arm, presumably caused by shards of glass projected during the incident. She also had a laceration on her left foot. I requested a second ambulance to respond and provide medical care to her.

I walked her down the ramp stairwell and then out to the second rig. By now, a crowd had started to gather on Lake Street, just beyond our crime scene tape. Many were filming with their cellular phone cameras. In the privacy of the rig, she was given medical treatment while I gathered more information. Askar stated that she lives at 6680 Central Av NE, Fridley, MN 55432, with her parents and younger sister. She was concerned that her family would see the incident on the news or social media and become alarmed. She also stated that she has a young son at home, as well.

Askar went on to explain that she did not really know the male that she was with in the vehicle. She only knew him by the first name of "Winston" and that she had only been dating him for three (3) weeks. In fact, they were only out on their second date. She said that her best friend had "set them up," Apparently, they had just walked back over to the vehicle after having lunch at Stella's Fish Restaurant, across Lake Street.

As they were sitting in the vehicle, they were approached by the federal agents/task force. Askar was in the passenger seat and the male, the driver seat. According to Askar, the LEO's were ordering them out of the vehicle at gunpoint and the male was refusing to comply and place his hand up on the steering wheel. He kept saying "I'm not going to jail!" He also asked her if she had a gun on her. At one point, he opened his phone and began to live stream the incident on Facebook. Askar stated that she was very upset at him and was yelling at him to comply with the LEO's commands. The next thing she remembered was being pulled out of the vehicle after the window glass was broken. She was unsure if it was smashed out or shot out. As you can imagine, she was likely experiencing a form of shock. She did say that she was compliant and followed all of the LEO's



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commands...and she now understands why they had to do what was done (unsure what that was implying). Askar became visibly upset several times in the back of the ambulance. She was upset at the male for putting her safety in jeopardy. All of this was very evident on my Body Worn Camera, which was active throughout my entire time on this incident.

At 14:47 hours, after being cleared to start transit, I rode with her in the ambulance, down to HCMC ER. Once there (15:51 hours), we were admitted into a room labeled "DENTAL" to await further treatment. Askar was taken in for X-Ray and found to have glass shards/fragments in areas of her leg and arm, which would require surgery to remove.

At 16:50 hours, two agents of the Minnesota BCA arrived at the hospital. The lead was Special Agent Michelle Frascone. I briefed them and then was released a few minutes later. I then went to the area of 31st St W/Aldrich Av S to see if I could locate Askars black Jeep. She stated that she had parked near there and was then picked up by the male. I found MN 086UME, a '06 Jeep Liberty, parked mid-block on Aldrich Av between 31st and 32nd Street. I contacted Special Agent Frascone to inform her of the vehicles whereabouts. Around 17:49 hours, we were back out at the scene at the request of Lt. Markstrom. This was to assist with the large crowd that was attempting to disrupt the crime scene.

We were released from the scene around 19:00 hours. We then responded to the station to complete our reports (including the one we were in the process of at the time the HELP call was toned.

****NOTE**** My entire involvement in this incident was captured on my BWC, from arrival at the ramp to being released from the hospital by The Minnesota BCA. I believe that my video contains some compelling information/statements made by Askar, while in my care. These statements speak directly of the males actions during this critical incident. I'm hoping these statements prove useful in the course of this investigation.



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Subject

Author 4807 - MILNER, DEAN

Related Date Jun-03-2021 21:28

Officers responded to above on a HELP call, requested by another agency. This call emerged to be an OIS/critical incident, which will be investigated by the Minnesota BCA.

RE: Further Investigation



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 5703 - PHERNETTON, MYRON

Related Date Jun-04-2021 4:15

On Thursday June 3rd 2021, I OFFICER PHERNETTON was working as call sign 516 in marked squad 514. At approximately 1630 hours I responded to assist on a shooting located at 1405 Lake St W. I arrived and helped with scene security and helped with putting crime scene tape up after a crowd was removing it several times.

I cleared once I was advised to by a supervisor on scene.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 1826 - ERICKSON, MITCHELL

Related Date Jun-04-2021 5:21

On 06/03/21 I was working squad 514 with my partner Officer M. Phernetton (5703). At approximately 1658 hours, my partner and I assigned to assist Officers with scene security on a officer-involved shooting scene located at 1405 Lake St W.

I assisted with holding scene security at Lake St W / Girard Ave S. I placed crime scene tape at the intersection. A crowd of 35-45 individuals gathered to protest. I held my post until directed by my immediate supervisor.

This ends my involvement in this case.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 5491 - PAULSON, TANYA

Related Date Jun-03-2021 20:22

On 06/03/2021 at approximately 1526 hours, I Officer Paulson (#5491) and my partner Officer Swanson (#7022) were working Squad 264.

Officers were asked to assist with perimeter at 31st and Girard Ave S.

Upon arrival, I asked who I believe to be Sgt. Markstrom (#4408) Squad 504 on scene that said it was okay to deactivate my body-cam while on perimeter to save battery power as I was only at 37% battery life.

I held perimeter for the remainder of my time on scene without incident or contact with the crowd that was formed up.

I cleared the scene and call at approximately 2000 hours.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 0279 - BARNARD, BOWEN

Related Date Jun-03-2021 21:28

On 06/03/2021 at approximately 1409 hours, while working in fully marked Squad 361 (P#76928), call sign 340, in full MPD uniform and with my partner, Officer Englund (#1480), we responded to 1405 Lake Street West and then Seven Points Parking Ramp, 3001 Hennepin Avenue South, for an Officer Needs Help. As it was an Officer Needs Help Call, we drove Code 3 to assist.

Upon arrival, the scene was chaotic and scene security was the priority. I assisted with using crime scene tape to cordon off the west side of the ramp and maintain scene security. I was then posted at the south side of the parking ramp, where the exit for the ramp is. The exit to the ramp is located on the 31st Street West side of the parking ramp, between Fremont Avenue South and Girard Avenue South. While at the post, I maintained scene security and a secure perimeter. Also, I assisted in documenting the vehicles and occupants of the vehicles which left the ramp. The list of the vehicles and occupants is listed below:

MN EWV625

Mark Anthony McLaughlin, 08/26/1999

2721 Girard Ave S, #6

Minneapolis, MN 55408

MN BXP367

Mohamed Ali Farah, 12/10/1955, 908-590-4581

MN 956UUK

Kristin Lynn Lange, 04/02/1973, 612-599-6283

MN 7AX316

Ann Marie Copeland, 08/17/1968, MN DL # [REDACTED] 763-242-6214



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6456 Jackson St NE, Fridley, MN 55432

MN GFJ365

Ana Lucia Zhicay Taza, 09/18/1992, MN ID # [REDACTED] 612-999-4588

Angel Marcelo Chalo Landi, 11/30/1985

3035 Chicago Ave, #3, Minneapolis, MN 55407

MN NEV764

Elizabeth Ann Taitt, 09/18/1985, MN DL # [REDACTED] 763-486-5500

11520 Juniper St NW, Coon Rapids, MN 55448

MN BNV572

Brittany Marie Duggan, 05/21/1986, MN DL # [REDACTED] 952-212-3556

3140 Dakota Ave S, St. Louis Park, MN 55416

MN EBL719

Abraham Enoc Dominguez Gonzalez, 06/02/1983, MN DL # [REDACTED] 651-404-0194

2104 Emerald Lane, Eagan, MN 55122

MN 623UPD

Rula Ahmed Dajani, 11/07/1985, MN DL # [REDACTED] 651-308-9369

13627 Brick Path, Rosemount, MN 55068

Cody Tyler Smith, 05/02/1992, OH DL # [REDACTED] 937-361-4290

1015 Lockbourne RD, Columbus, OH 43206

Brieann Lee Andriesen, 01/17/1981, WA DL # [REDACTED] 509-432-9037



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3501 20th St S, Fargo, ND 58104

MN BZB315

Jillian Elizabeth Pahssen, 10/09/1989, MN DL # [REDACTED], 952-221-1123

910 University Ave NE, #1, Minneapolis, MN 55413

MN CXP888

Laura Rosemary Rainey Boller, 01/09/1990, MN DL # [REDACTED], 763-843-8509

322 S 2nd St, #525, Minneapolis, MN 55401

MN AYG045

Carrie Ann Andrews, 10/03/1978, MN DL # [REDACTED], 651-755-2446

7441 Dallas Ct N, Maple Grove, MN 55311

MN NDX444

Kassidy Christine Miller, 05/10/1997, MN DL # [REDACTED], 612-644-6191

4227 Nicollet Ave S, Minneapolis, MN 55409

MN GSF874

Amanda Louise Chen, 02/09/1994, MN DL # [REDACTED] 763-496-9003

3209 Girard Ave S, #2, Minneapolis, MN 55408

MN 314XPM

Bonnie Ann Griswold, 01/21/1971, MN DL # [REDACTED], 612-710-1414



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503 Rice St, Anoka, MN 55303

MN FBY750

Jared Matthew Palonis, 07/27/1990, MN DL # [REDACTED], 412-676-5038

19 27th Ave SE, #306, Minneapolis, MN 55414

MN 008XPU

Samuel Mark Anderson, 04/28/1997, MN DL # [REDACTED], 218-289-1005

36509 420th St SE, Fosston, MN 56542

Toni Marie Feist, 10/28/1988, MN DL # [REDACTED], 612-458-5767

3244 Blaisdell Ave S, #102, Minneapolis, MN 55408

MN FRZ701

Erika Leigh Brown, 01/02/1987, MN DL # [REDACTED], 763-258-6006

610 Buchanan St NE, Minneapolis, MN 55413

MN ERR408

Christopher Michael Little, 07/01/1986, MN DL # [REDACTED], 502-338-4293

2117 E 22nd St, #2, Minneapolis, MN 55404

MN CCP105

Brian William Prevost, 11/21/1981, 612-810-2527

5301 Chicago Ave, #203, Minneapolis, MN 55417



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MN GAP727

Michelle Elizabeth Reitan, 05/14/1995, MN DL # [REDACTED], 952-201-3181
13116 Penn Circle, Burnsville, MN 55337

MN EBV972

Joseph William Dicker, 06/16/1959, MN DL # [REDACTED] 612-636-7500
4724 Elliot Ave, Minneapolis, MN 55407

MN 722VXZ

Madeline Carroll Yanz, 04/30/1997, MN DL # [REDACTED], 612-876-8788
9813 10th Ave S, Bloomington, MN 55420

MN BRL761

Yida Liu, 03/12/1977, MN DL # [REDACTED], 646-266-2145
Yan Fang Yang, 01/01/1981, 952-686-1312
15587 Finch Ave, Apple Valley, MN 55124

MN 739VHV

Kelly Kaye Koehnen, 07/07/1970, MN DL # [REDACTED], 612-874-6785
2600 Harriet Ave, Minneapolis, MN 55408

MN CTB810

Chansamone Sivoravong, 07/09/1975, MN DL # [REDACTED], 612-209-3889
3733 94th Ct N, Brooklyn Park, MN 55443



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MN 789MUU

Dylan Lane Olson, 11/22/2000, 651-329-3767

3644 White Pine Way, Stillwater, MN 55082

Nathaniel Christopher Wise, 02/02/1996, 612-280-1483

2301 Harriet Ave S, #1, Minneapolis, MN 55405

MN AHX842

Isaac Benedict Swartzter, 05/29/1997, MN DL # [REDACTED], 952-449-1663

13005 Inverness RD, Hopkins, MN 55305

MN 124RXU

Jenna Megan Perlich, 08/19/1994, MN DL # [REDACTED], 507-319-3883

150 26th Ave SE, #301, Minneapolis, MN 55414

MN ART708

Brandon Scott Lem, 04/17/1985, MN DL # [REDACTED], 515-991-2582

240 Park Ave, #1016, Minneapolis, MN 55415

MN AWE382

Hoaxuan Amy Huynh Nguyen, 08/31/1983, MN DL # [REDACTED], 763-291-5388

2109 74th Ave N, Brooklyn Park, MN 55444

MN ESK353

Han Hgoc Ho, 12/03/1975, 763-639-5566



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Address on MN DL is current

MN 848VAY

Erin Nicole Stewart, 03/17/1994, 612-655-3440

Address on MN DL is current

Jordan Marco Linders, 05/22/1994, 612-245-3464

Address on MN DL is current

MN CEK894

Adam Wayne Gibis, 10/05/1992, MN DL # [REDACTED], 651-587-5769

1038 44 ½ Ave NE, Columbia Heights, MN 55421

MN AFL461

Paul Allen Hammarstedt, 03/30/1965, MN DL # [REDACTED], 612-386-5168

17 E 27th St, #4, Minneapolis, MN 55408

Once everything on scene had been completed, I assisted in taking some of the crime scene tape down, which was later disposed of at the precinct. After that, I cleared from the scene to complete reports.

My BWC was active on scene until I was given permission by Sgt. Carter to shut it down to conserve battery power as we did not know how long we would have to remain on scene. I did leave the scene twice, once for a bathroom break and once to get food, as we did not know how long we had to remain on scene for. At these times, my BWC was not active. My BWC eventually died from low battery power at around 2000 hours. I notified Sgt. Markstrom that my BWC had died. My BWC was later uploaded to evidence.com.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 2702 - HANSON, AARON

Related Date Jun-03-2021 18:44

While working Squad 360 with my partner Officer Heger, we were dispatched as a response car to 31st Street/Girard Av S to assist with perimeter security. Upon arrival, we were stationed at the SE corner of the 7 POINTS PARKING GARAGE monitoring the vehicle's exiting the ramp onto 31st Street. This is the compiled list of the all people and vehicle's that left the ramp throughout the time at our post.

Vehicle #1: MN BXP367

Mohamad Ali Harah

12/10/1955

908-590-4581

Vehicle #2: MN 958VVK

Kristin Lynn Lange

4/2/1977

612-599-6283

Vehicle #3 MN 7ax316

Ann Marie Copeland

08/17/1968

763-242-6214

Vehicle #4 MN 795UVW

Darcey Johnston

612-636-5357



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Vehicle #5 MN BRP533

Riley Jean Anderson

4/15/93

218-429-1340

Vehicle #6 NY JSA6815

Ra Sekou Ptah

1/9/73

612-392-0395

Vehicle #7 MN 072WVW

DEANTE DOUGLAS BOOK

11/16/1998

612-272-8856

Vehicle #8 MN 244TGV

Nadine Marie Emerson

04/20/1950

612-232-0924

Vehicle #9 MN MEW094

Matthew Lawson Skinner



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01/08/1968

651-583-4679

Vehicle #10 MJN354

Renee & Michelle Poirier

605-370-8377



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 2877 - HEGER, MATTHEW

Related Date Jun-03-2021 18:56

On 6/3/21, I was working marked squad 360 with my partner Officer Hanson. Officers were called to assist on the shooting in the 5th precinct.

Upon arrival, we were assigned to the ramp exit security gate near 31 St E and Girard Ave S. Officers were tasked with documenting all the vehicles and ID'ing all the people leaving the ramp. Officer Hanson compiled a list of all the ID's and vehicles that left the ramp.

Officers then maintained scene security around the ramp.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 1480 - ENGLUND, AMBER

Related Date Jun-03-2021 21:31

On June 3rd 2021, I was assigned to squad 340 with my partner Officer Barnard. At approximately 1410 hours, I heard a help call toned at 1405 W Lake St. Officers drove code 3 to assist. On arrival, there were other squads that were already on scene and EMS was just arriving.

I assisted with conducting scene security on W Lake St. It was determined a short time later that the ramp on the South side needed to be blocked from people coming and going. I drove the marked squad over to the south side of the ramp where people were exiting. It was determined by the on scene supervisor that people were allowed to leave the parking ramp but to get their information including the vehicle information.

I got information for everyone leaving the ramp. The below listed individuals were identified leaving the parking ramp. I continued to maintain security on the South side of the parking ramp. I stayed in this position until I was cleared by the on scene supervisor.

During the call, I had shut my body camera off when I was not dealing with anyone to conserve battery since it was extremely low. While on this call my body camera died. I notified Sgt. Markstrom.

South Dakota: 1BD990

Driver Krista Renee Opland

DOB 3-5-74

SD ID # [REDACTED] (ADDRESS CURRENT ON DL)

605-351-9953

Passenger: Brooklynn Marie Bruske

DOB 3-19-95

SD ID# [REDACTED] (ADDRESS CURRENT ON DL)



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605-360-6014

Passenger: Jailene Duran

DOB 8-28-96

NJ ID# [REDACTED]

293 31st Ave E #25

West Fargo ND 58078

732-677-6941

MN DJK334

Brendon Royce Bowen

DOB 10-8-82

NC ID# [REDACTED]

10532 Oregon Cr

Mpls MN 55438

919-912-7441

MN MNG172

Hajrusa Pekmic

DOB 3-7-90

Address current on DL

612-913-2259

MN FRZ590

Eve Marie Kruger



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DOB 4-20-91

Address current on DL

612-619-9853

MN AVH052

Samantha anne brabec

DOB 8-9-88

Address current on DL

480-636-0603

MNFRB854

Lauren Marie Gorjanc

DOB 4-28-90

Address current on DL

952-452-0452

MN508PWH

Rachael Lean Hanson

DOB 11-2-69

Address current on DL

612-605-0626

MN FSC029

Laura Staller Brant McGraw

DOB 12-25-63



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Address current on DL

612-423-3822

MN CDF797

Thomas William Powers

DOB 10-27-88

Address current on DL

651-260-0957

CA 7ZZR216

Ilun Chou

DOB 7-23-93

CA ID# [REDACTED]

3118 W Lake St Apt #527

Mpls MN 55416

942-887-6252

MN KBBUTCH

Kenneth Allan Berland

DOB 7-17-49

Address current on DL

612-354-3637

MN 248TBC

Mary Colleen Maiers



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DOB 6-14-51

Address current on DL

952-451-1441

MN DPK245

Randy Miller Lebedoff

DOB 10-16-49

Address current on DL

612-437-8041

MN FWH271

Margo Jane Moen

DOB 2-10-93

1788 Hennepin Ave S #9

Mpls mn 55403

701-270-9944

MN 986VBV

Yvana Marie Kern

DOB 9-25-89

Address current on DL

716-785-7337

MN EBA925

Ryan Marshall Norrbohm

DOB 8-29-94



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2932 Park Ave S

Mpls MN

763-762-0055

MN ASX302

Zachary William Levonian

DOB 7-9-92

District of Columbia ID# [REDACTED]

506 W 24th St Apt #4

Mpls MN 55405

MN AGR972

Rylan Nicole Poldberg

DOB 8-1-99

Iowa ID# [REDACTED]

4423 Bryant Ave S Basement apartment

319-210-9070

MN 2CU54

Sherif Amr Mohamed Morsi Elbarawi

DOB 1-14-99

Address current on DL

651-432-2261



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject OIS

Author 5546 - PELTZ, GEORGE

Related Date Jun-04-2021

While working Squad 609 as GIU uniformed squad I answered up to assist on a OIS in P5 1405 Lake St W. I arrived and scene was code 4. I was logged into scene and then assisted with perimeter security. I assisted by setting up crime scene tape on east side of perimeter and maintained security for numerous outside agency vehicles parked in east corridor of perimeter.

BWC was activated for this call for lengthy video and was shut down to conserve battery while scene was code 4. BWC battery died and was not activated for remainder of perimeter detail.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 3459 - JOHNSON, MARK

Related Date Jun-04-2021 8:52

On 6/3/2021 I assisted on the officer needs help at 1405 W lake St. Upon arrival I began to tape off the parking garage with crime scene tape. I then positioned my squad at Lake St. and Hennepin Ave. S. to block east bound traffic. I did this until I was released by Sgt. Markstrom.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 4046 - LAZARCHIC, KEVIN

Related Date Jun-04-2021 9:13

I responded to the intersection of Lake St and Hennepin ave s to block the intersection per 504. I blocked the intersection until being released by 504 around 2200 hours.



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Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 4237 - LOPEZ, JESSE

Related Date Jun-04-2021 12:54

While working squad 530A I was requested to respond to assist on a report of a shooting that occurred at 1405 Lake St W. I was directed to meet with squad 504, SGT MARKSTROM, at 31 St W and Girard Av S to get instructions on my duty at the scene.

Upon arriving I spoke with SGT MARKSTROM and he instructed me to assist with perimeter security at Lake St W and Girard Av S. Along with several other officers I remained at this location making sure no entered the perimeter or came passed the crime scene tape. I remained at this location until I was relieved by squads 502 and 504.

BWC was activated.

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(ASSIST OTHER AGENCY)

Narrative Text Page(s)**Narrative Text****Type** NON-PUBLIC NARRATIVE**Subject****Author** 5716 - PICKHARDT, CHRISTOPHER**Related Date** Jun-04-2021 13:37

On 6/3/2021 I recall dispatch sending out a message for officers information that Hennepin County would be doing surveillance in the area of 1400 W Lake St. At approximately 1410 hours I heard a call come over the air that shots had been fired at 1405 W Lake Street and officers needed help at that location. I responded from the 5th Precinct and when I arrived I parked on the street level at Girard and Lake St and while en route information was that this was a shooting and it occurred on the 5th floor of the parking ramp located there. I went up the stairs where I observed several unmarked vehicles that were surrounding another vehicle just east of the elevator entrance to that level of the ramp. Some of the vehicles had emergency lights flashing from within. There were approximately 10-15 individuals where outer vest carriers with patches that said "Sheriff" "US Marshal" and many also wearing badges or embroidered insignias that identified them as law enforcement individuals.

I briefly spoke with individuals on scene to make sure all officers were ok and that there were no other potential suspects at large. I learned that officers on scene fired shots so for the neighborhood safety I checked to see if they believed all rounds fired would be contained on the upper level of the ramp which they believed would have. On the south side of all the vehicles I observed several individuals providing first aide to a male lying on the pavement of the parking ramp just outside an open passenger door of what was believed to be the suspect vehicle. I made sure we had medical en route to the scene and then requested additional responding cars to lock down the parking ramp and secure the perimeter so an investigation of the circumstances could be completed. Once paramedics arrived it was determined the male was deceased. I learned that there were representatives on scene from the US Marshals, Hennepin County Sheriffs, Ramsey County Sheriff's and Anoka County Sheriff's.

Since this was not a police operation of the Minneapolis Police Department I provided our assistance to officers on scene to support their investigation as they needed. My main focus was for providing scene security. My main objective was security within the parking ramp and Sgt Markstrom was on scene as well assistance with perimeter security around the parking ramp. Inspector Blackwell was also on scene and provided assistance to use 5th Precinct as staging area for the group as needed.

Due to the media attention of the incident and news helicopters in the area we were able to use a pop up canopy to cover over the deceased male. Due to the numerous agencies involved it took a period of time on who would be the investigating agency and I was informed that the BCA would be en route to take on the investigation. Once agents from the BCA arrived we informed them that we were there to provide scene security while they collected evidence and conducted their investigation. BCA made the decisions of movements of vehicles from the scene. Once the scene was finished being processed by BCA we were allowed to have Minneapolis Fire respond to wash



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

down the area and bio hazard of where the deceased male had been treated.

It should be noted that there were protesters throughout most of the scene processing at the intersection of Girard and Lake Street. My BWC was activated during this event but the battery ran out at approximately 1830 hours.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 6247 - SAINT JEAN, JUSTIN

Related Date Jun-06-2021 13:54

On 6/3/2021 at approximately 1711 hours I responded to assist other squads on a shooting at 1405 W. Lake St. Upon arrival, I assisted with perimeter security and crowd control until I was released later that night.



GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

Narrative Text Page(s)

Narrative Text

Type NON-PUBLIC NARRATIVE

Subject

Author 6272 - SAND, BRIAN

Related Date Jun-07-2021 8:10

On 06-03-2021 I was working as squad 5501 and responded to a parking ramp at 1405 West Lake Street on a shooting by another law enforcement agency. I assisted in getting the scene secure and assisting a female who appeared to have blood coming from her leg. The female was very shaken up and stated that she was on a date with the male that was shot on the 5th floor of the parking ramp. She stated that she met him 3 weeks ago. I assisted in getting her to the ambulance where officers than escorted her to the hospital. I than maintained the scene on the sidewalk in front of the parking ramp with Sergeant Markstrom for a couple of hours.



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021
(ASSIST OTHER AGENCY)

Follow Up Report # 1

Follow Up Report # 1

ASSIGNMENT INFORMATION

Assigned To 7961 - ZIMMERMAN, RICHARD ■
Capacity LEAD INVESTIGATOR
Assigned On JUN-07-2021 (MON.) 1244
Report Due On NOV-07-2021 (SUN.)

Rank POLICE LIEUTENANT
Org Unit HOMICIDE
By 7961 - ZIMMERMAN, RICHARD ■



MINNEAPOLIS POLICE DEPARTMENT

GO# MP 2021-119996
OPEN/ACTIVE

GENERAL OFFENSE HARDCOPY

Incident Date 06/03/2021

(ASSIST OTHER AGENCY)

*** END OF HARDCOPY ***

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/27

Report Date: 06/09/2021

Primary Information

Description:	Written Statement - US Deputy Marshal [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of a written statement from US Deputy Marshal [REDACTED] is attached to this supplement.

Narrative begins on the following page.

On 06/09/2021 at approximately 1540 hours, Senior Special Agent Brent Petersen received a written statement from [REDACTED] with the United States Marshal's Service. The statement documents Deputy Marshal [REDACTED] actions and observations during the arrest of Winston Smith on 06/03/2021 in the city of Minneapolis.

An interview request was made to Deputy Marshal [REDACTED] on 06/04/2021, which was declined.

Copy of statement attached to this supplement.

No exhibit(s) by virtue of this activity or report.

I was made aware of SMITH's warrant a short time after the task force (TF) split up from a previous case. Task Force Officer (TFO) [REDACTED] aired over the radio that he had a case he would like assistance on at Stella's Fish Café. TFO [REDACTED] briefed the case over the radio and stated SMITH was currently at Stella's Fish Café. TFO [REDACTED] made me aware SMITH was wanted on felony warrant for possession of a firearm and likely had a weapon based on social media postings. I drove to the area of Stella's Fish Café while other TF members attempted to locate SMITH's vehicle.

TFO [REDACTED] notified us that SMITH's vehicle, a silver Maserati, was located on the top floor of the parking garage across from Stella's Fish Café roof top patio. A few minutes later, I arrived at the parking garage with several other TF members and stopped one floor below roof level where the target vehicle was located. SMITH's vehicle was located on the open air roof level across from the Stella's Fish Café roof top patio.

After TF Members had observed Smith on the roof top of Stella's Fish Café and his vehicle located, a plan was developed to attempt an arrest at his vehicle. The plan was aired over the radio.

TFO [REDACTED] operational plan included that he had history of flee from law enforcement, violence, weapons history and likely to possess a firearm.

TF members aired over the radio that SMITH walked across to the garage from Stella's Fish Café with a female. TFO [REDACTED] was located on the open roof top level. When SMITH arrived to his vehicle TFO [REDACTED] called for TF members to approach SMITH's vehicle to attempt arrest according to tactical plan. TF members had designated tactical roles. I drove to the roof top and activated my emergency lights. SMITH's vehicle was contained at the parking spot.

I parked my vehicle on the passenger side of SMITH's vehicle behind the vehicle containment. I was wearing a marked "US MARSHALS / POLICE" vest, belt with badge and ballistic helmet with badge on rear. I also wore hearing and eye protection.

I exited my vehicle on foot towards the driver side of the target vehicle. TFO [REDACTED] was present with a shield. I fell into the stack behind him. All I could see of SMITH was his head and left side of his face from the rear.

TFO [REDACTED] shouted commands from his vehicle on his loud speaker. TFO [REDACTED] instructed SMITH to put his hands on the steering wheel several times. I did not see SMITH place his hands on the steering wheel from my position.

A short time later after TFO [REDACTED] continued to shout commands to put his hands on his steering wheel. I observed TFO [REDACTED] move his vehicle away from SMITH's to allow him to exit the drivers door.

SMITH did not exit the vehicle and TFO [REDACTED] moved his vehicle back closer to the drivers door of SMITH's vehicle.

At this time TFO [REDACTED] called for a window break. I went to my vehicle and returned with a window break tool which I placed near the rear bumper of SMITH's vehicle.

I called for additional TF members over the radio who were located below in the parking garage. TF members below were in place to intercept SMITH if he attempted to run on foot. TFO Novak arrived in his vehicle behind TFO [REDACTED] vehicle. Additional TF members arrived out of my view.

I then observed TFO [REDACTED] again pull his vehicle back to allow SMITH to exit the drivers door. TFO [REDACTED] exited his vehicle and joined the stack behind TFO [REDACTED] and in front of me. I was designated to take physical control of SMITH when he exited from the vehicle and considered the "hands" meaning that I did not have a weapon out. I had handcuffs in my hands to take SMITH into custody.

In these series of events, I briefly observed SMITH with his head slightly down and his left fingers touching the side of his face. I did not see his hands further from my view. He still was not complying with commands.

The stack pushed up closer to the vehicle. I then observed TFO [REDACTED] and [REDACTED] order SMITH to unlock the door while standing next to the drivers door. They both shouted this command several times with TFO [REDACTED] holding the shield.

At this time I was able to observe the back of SMITH's head and left side of his face. SMITH was not compliant with commands. I observed TFO [REDACTED] attempt to open the driver's door. I attempted to open driver side rear passenger door. Both remained locked and SMITH would not unlock the doors after repeated commands.

TFO [REDACTED] called for the window break tool. I retrieved the window break tool from the rear of the vehicle. I passed the tool to TFO [REDACTED] and he attempted to breach the driver window several times. The window did not break out.

At this time I was located in the area of the driver side rear door behind TFO [REDACTED] and [REDACTED]. I saw SMITH lean to his left and down near the B pillar of the driver side of the vehicle. At this time, I saw more of SMITH's face. I did not see his hands. I immediately felt sudden pins and slight burning on my right side of my body specifically shoulder, arm and neck. I immediately turned away from SMITH's vehicle after feeling this, and heard shots fired. I could not determine who was shooting. I cannot recall how many shots were fired.

I next recall being at the passenger side behind SMITH's vehicle. We switched communications to emergency radio channel LTAC 1. I retrieved my shield from my vehicle and provided it to TFO [REDACTED]. DUSM [REDACTED] broke out the rear window of SMITH's vehicle with his rifle to obtain clear visual of SMITH.

I approached the passenger side after the female passenger was removed. SMITH was removed from the vehicle through the passenger side. Medical attention began by members of TF when medical equipment retrieved. An AED was placed on SMITH while I was present.

I went to the female located in another vehicle to check on her for secondary wounds not initially identified. I attempted to ask if she felt pain anywhere else several times. She repeatedly stated she just met SMITH. She stated she just started dating him and asked if he was a bad guy several times.

As I spoke with her, TFO [REDACTED] and DUSM [REDACTED] arrived and took over observation of the female. I returned back to the vehicles while local resources and emergency medical had began to arrive on scene.

I learned afterwards from TFO [REDACTED] that the female told him while sitting in SMITH's vehicle with SMITH, SMITH stated he is not going back to prison and is going to die here.

I was armed with USMS service issued Glock 17. I did not discharge my weapon. I provided my vehicle keys for investigation. My vehicle remained in its original position with my ear, eye and ballistic helmet located inside.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/28

Report Date: 06/09/2021

Primary Information

Description:	Written Statement - US Marshal [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of a written statement by US Marshal [REDACTED] is attached to this supplement.

Narrative begins on the following page.

On 06/09/2021 at approximately 1550 hours, Senior Special Agent Brent Petersen received a written statement from [REDACTED] with the United States Marshal Service. The report documents Deputy Marshal [REDACTED] actions and observations during the arrest of Winston Smith on 06/03/2021 in the city of Minneapolis.

An interview request was made to Deputy Marshal [REDACTED] on 06/04/2021, which was declined.

Copy of written statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

On June 3, 2021 at approximately 1315 hours, I Deputy US Marshal [REDACTED] along with other members of the North Star Fugitive Task Force (NSFTF) received a call for assistance from partner Task Force Officer (TFO) [REDACTED] regarding fugitive Winston Boogie SMITH. TFO [REDACTED] requested the assistance over radio stating he had information on the whereabouts of SMITH. TFO [REDACTED] told us that SMITH was wanted on a felony warrant for Possession of a Firearm and that he was at or near Stella's Fish Café on E Lake St, Minneapolis, MN. At this time, I was alone in my government vehicle.

I responded to the area and maintained surveillance on Lagoon Ave in order to locate SMITH. Lagoon Ave is directly behind Stella's Café. TFO [REDACTED] aired on the radio that fugitive SMITH was likely driving a silver Maserati. TFO [REDACTED] also stated that he had recently viewed a video of SMITH removing a pistol from his waistband and placing it on a table in front of him. TFO [REDACTED] also stated that SMITH had multi-colored dreadlocks. TFO [REDACTED] emailed a USM 45 Enforcement Action Briefing with fugitive information. Law Enforcement safety considerations included that SMITH was likely armed, violent, flee risk and weapon history.

Shortly after arriving in the area TFO [REDACTED] aired on the radio that he identified an individual on the rooftop of Stella's Café matching the description of SMITH. Based on radio traffic, other members of the NSFTF positioned themselves to surveil the immediate area around Stella's Café.

TFO [REDACTED] stated over the radio that he located the fugitive's vehicle which was a silver Maseratti parked in a parking garage on the top level. The parking garage is located on E Lake St directly across the street from Stella's Café. TFO [REDACTED] then stated over the radio that the vehicle was in direct line of sight of Stella's rooftop dining area where SMITH was identified. TFO [REDACTED] and other members of the NSFTF then broadcast over the radio an arrest plan for when SMITH arrived at the vehicle. The plan was to box SMITH'S vehicle in with government vehicles where it was parked.

At approximately 1400 hours, members of the NSFTF called on the radio that SMITH departed Stella's Café and was walking toward the parking garage with an unidentified female. Shortly after, I heard on the radio that SMITH arrived at the vehicle and members of the NSFTF initiated the arrest plan.

I positioned myself on E Lake St in front of the parking garage to maintain perimeter security. TFO [REDACTED] then called on the radio for more assistance on the top of the parking garage. I responded to the entrance of the garage located off E Lake St. As I got out of my vehicle to respond on foot, I heard multiple gunshots coming from the top of the garage. I could not see who was firing. The shooting stopped, I ran to the stairwell of the garage and called for medical and local law enforcement assistance over the statewide radio channel.

I arrived on the top level of the parking garage to check on my NSFTF partners. I saw NSFTF vehicles positioned around the fugitive's vehicle in a tactical box position. I saw the rear windshield of the fugitive's vehicle was broken. I saw SMITH lying on the ground face up with multiple members of the NSFTF performing CPR and other lifesaving treatments. SMITH had his shirt removed and AED pads on his chest.

I then began assisting individual members of the NSFTF and checked on TFO [REDACTED] who was watching the female who was in the vehicle with SMITH. She appeared to have cuts on her legs. TFO [REDACTED] asked her if SMITH was saying anything. She stated that she was pleading with him to stop and just give

up. She said that he was saying that he did not want to go to jail. She also said that he said he was going to die.

I was wearing my tactical vest with US Marshal insignia. I was wearing my USMS issued Glock 19 loaded with USMS issued ammunition in a holster on my right hip. My firearm was not discharged during this incident.

I departed the area around 1500 hours.

End of statement

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/29

Report Date: 06/11/2021

Primary Information

Description: Acquisition of Firearm Accessory, Keys, Tooth, and MN ID Card from BCA Crime Scene Team
Occurrence From: 06/04/2021 09:00
Occurrence To: 06/07/2021 13:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Mueller, Scott (1305 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/20/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/04/2021, SSA Petersen acquired the MN driver's license for Winston Smith Jr from SAIC Mueller. On 06/07/2021, SSA Petersen acquired a set of keys, an apparent piece of a tooth and a gun-mounted laser sight from the BCA Crime Scene Team. All four items acquired as exhibits 2021-399/29.1 through 2021-399/29.4. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Property #1 - MN Driver's License - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: ID / DL, PASSPORT, ID CARD
Description: MN Driver's License - Winston Smith Jr
Property Status: BCA / HQ

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/29

Report Date: 06/11/2021

Property #1 - MN Driver's License - Winston Smith Jr - Continued

Primary Information - Continued

Status Date: 06/09/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/29.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/04/2021 09:00

Property #2 - Set of Keys - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Key
Description: Set of Keys - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/09/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/29.2)
Collected By: Petersen, Brent
Collected Date/Time: 06/07/2021 13:00

Property #3 - Laser Site for Handgun - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Firearm Accessory (CASE, MAGAZINE)
Description: Laser Site for Handgun - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/09/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/29.3)
Collected By: Petersen, Brent
Collected Date/Time: 06/07/2021 13:00

Property #4 - Piece of Tooth From Inside Maserati - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Biological Sample
Description: Piece of Tooth From Inside Maserati - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/29

Report Date: 06/11/2021

Property #4 - Piece of Tooth From Inside Maserati - Winston Smith Jr - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/29.4)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/07/2021 13:00**

Officers

LEO
Thomas, Ross (Minnesota Bureau of Criminal Apprehension)

Narrative begins on the following page.

On 06/04/2021 at approximately 0900 hours, Special Agent In-Charge Scott Mueller provided Senior Special Agent (SSA) Brent Petersen a MN driver's license card belonging to Winston Smith Jr. SSA Petersen retained custody of the license.

On 06/07/2021 at approximately 1300 hours, SSA Petersen received three items from Crime Scene Team Leader Ross Thomas at the conclusion of forensic processing of the 2019 Maserati sport utility vehicle that Winston Smith had occupied at the time of his death. The three items are a set of keys, an apparent piece of a tooth and a gun-mounted laser sight. SSA Petersen took custody of the items.

Acquisition of exhibits 2021-399/29.1 through 2021-399/29.4 by virtue of this activity and report.

ACISS receipt attached.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/29

Case Agent: Petersen, Brent

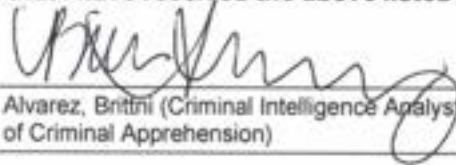
Item	Quantity	Description
1	1.00	MN Driver's License - Winston Smith Jr
2	1.00	Set of Keys - Winston Smith Jr
3	1.00	Laser Site for Handgun - Winston Smith Jr
4	1.00	Piece of Tooth From Inside Maserati - Winston Smith Jr

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/11/2021

Name

Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/30

Report Date: 06/10/2021

Primary Information

Description:	Written Statement from US Deputy Marsha [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of written statement from [REDACTED] with the US Marshal Service is attached.

Narrative begins on the following page.

On 06/10/2021 at approximately 0945 hours, Senior Special Agent Brent Petersen received a written statement from [REDACTED] with the United States Marshal Service. The statement documents Deputy Marshal [REDACTED] actions and observations on the scene of the arrest attempt of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

An interview was offered to Deputy Marshal [REDACTED] on 06/04/2021, but the offer was declined.

Copy of Deputy Marshal [REDACTED] written statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

I Deputy U.S. Marshal [REDACTED] am a member of the North Star Fugitive Task Force (NSFTF). On 6/3/2021 at approximately 13:30 members of the Task Force and I Learned that a fugitive by the name of Winston Boogie SMITH (FID#11282761) was possibly around Lake street and Girard Ave. S. SMITH had a felony warrant in Ramsey County MN for Possession of a Firearm. The warrant for SMITH was issued on 5/19/2021. We were informed by TFO [REDACTED] over the radio that SMITH had been seen with a firearm recently in a video. I drove into the area of Lake street and Girard Ave. S in my GOV by myself and started looking for a vehicle that SMITH was seen driving in the past. The vehicle was a 2019 Maserati with a MN license plate FRB-657.

TFO [REDACTED] stated over the radio that he possibly Identified SMITH on a rooftop restaurant of Stella's Fish Café located at 1400 west lake street. TFO [REDACTED] verified over the radio that the person on the Rooftop of Stella's fish café matched the description of SMITH. I also heard over the radio that SMITH was sitting with a female at the restaurant. Shortly after SMITH was identified at Stella's Fish Café, TFO [REDACTED] found the Maserati with MN license plate FRB-657 on the 5th floor of a parking garage located at 1323 West lake street.

TFO [REDACTED] kept a visual on SMITH at Stella's Fish Café, and the rest of the NSFTF members including myself went to the 4th floor of the parking garage. NSFTF members parked in different locations on the 4th floor of the parking garage. TFO [REDACTED] stated over the radio that he got into a position to be able to see people entering the Parking ramp so he could notify NSFTF members over the radio when he saw SMITH enter the ramp. NSFTF Members [REDACTED] Novak, [REDACTED] and I) got into position to be able to perform a vehicle box on the Maserati as soon as SMITH was in the car. TFO [REDACTED] came up with a plan to box the Maserati in and started giving out assignments over the radio. TFO [REDACTED] was assigned to pin shut the driver door of the target vehicle to keep the driver of the vehicle from being able to run from the vehicle on foot, TFO [REDACTED] was assigned to make bumper contact with the rear bumper of the Maserati to block the Maserati from being able to move in reverse. I was given the assignment to pin shut the passenger side door to keep anyone from running out of the passenger side of the vehicle. The Maserati was parked facing a cement wall. All other NSFTF members were advised over the radio that the arrest team would assemble at the rear of the vehicle on the driver side to attempt to arrest SMITH for his outstanding warrant. TFO [REDACTED] kept an eye on the Maserati from his vehicle on the 4th Floor. All other NSFTF members were staged out of sight on the 4th floor of the parking garage. I chose to get my issued AR-15 rifle out of my vault due to the weapons history of SMITH to use for the Vehicle takedown. All NSFTF members were wearing tactical ballistic vests with Police, U.S. Marshal and Sheriff markings clearly visible.

TFO [REDACTED] stated over the radio that he saw SMITH paying the waiter and that SMITH and the female with him would probably be departing Stella's soon. A short time later at approximately 2:00 TFO [REDACTED] stated Over the radio that SMITH and the female with him were walking out of the main door of Stella's and were crossing W lake street walking towards the Parking garage located at 1323 west lake street. TFO [REDACTED] stated over the radio that he saw SMITH get into the elevator with the female. TFO [REDACTED] stated over the radio that he had visual on SMITH and the female walking towards the Maserati. TFO

█████ was able to notify everyone over the radio when SMITH was in the driver seat of the car. TFO █████ announced move in over the radio for the vehicle box team to start driving to the Maserati to execute the vehicle Box. Just like planned TFO █████ pinned the driver side door, TFO █████ pinned the rear bumper and I Pinned the Passenger side door of the Maserati. When I pinned the Passenger side door of the Maserati, I turned on my emergency lights and Siren I let the siren go for about 10 seconds then turned the siren off and kept my emergency lights on. I exited my GOV and took position at the Passenger side rear of the Maserati with my AR-15 covering SMITH in the Driver compartment of the Maserati. I heard multiple NSFTF members yelling into the vehicle "Show me your Hands" and "Put your hands up". I heard TFO █████ using his vehicle PA system giving SMITH orders to put" his hands on the steering wheel multiple times". TFO █████ asked me to move my GOV back so the passenger side door could open. I got in my GOV and moved it back about 5 feet. I exited my GOV and took up my same position at the rear of the Maserati. I moved forward to look through the rear passenger side window of the Maserati I saw SMITH inside the vehicle turning his head looking around. SMITH did not have his hands up pursuant to commands being given by TFO █████ SMITH turned his head to the right and looked in my direction, I realized at that time that I was possibly in a crossfire situation and I moved back to my original position at the rear of the Maserati by the bumper. I noticed that the female passenger was complying with our orders and keeping her hands in the air visible to NSFTF members. Next I heard TFO █████ ordering SMITH to exit the Maserati, SMITH did not comply with TFO █████ verbal commands. Next, I heard multiple gun shots. I stayed at the back of the Maserati and called out over my portable radio "Shots Fired" I yelled for NSFTF members to switch to MN Statewide emergency channel LTAC1. I heard someone from the NSFTF giving out information on LTAC1 to get Local Police and EMS to our location. I couldn't see into the vehicle from where I was standing, and I couldn't see SMITH, so I used the barrel of my AR-15 to break the glass on the rear window passenger side of the Maserati. I was able to see SMITH inside the Vehicle slumped across the center console towards the passenger seat of the vehicle. I pointed my AR-15 at SMITH and yelled "Show me your hands" multiple times. SMITH was not compliant with my orders. I stayed covering SMITH and noticed the Female Passenger was still in the front passenger seat. I could hear the Female Passenger yelling "He's hurting me". After she made that statement, I called for NSFTF members to open the passenger side door and get the female passenger out of the vehicle. I continued to cover SMITH as NSFTF members got the female out of the vehicle. NSFTF members removed SMITH from the front passenger side of the vehicle. I moved forward and cleared the back seat compartment of the Maserati to make sure no other person was inside the vehicle, I did see a black handgun on the floor just behind the driver seat close to the Driver seat and the driver door of the vehicle. I yelled out "GUN" to alert other NSFTF members that I had seen a firearm in the vehicle.

As soon as SMITH was out of the vehicle NSFTF members started performing life saving measures on SMITH. I saw smith had bullet wounds in his left arm, so I applied my Tourniquet to SMITH's left upper arm. TFO █████ had his AED out and was applying the pads to SMITH's chest, TFO █████ was doing chest compressions on SMITH and TFO Kvam had his med bag out with an oxygen bag. NSFTF members kept performing life saving measures until EMS arrived on scene and pronounced SMITH Dead. I did not touch the black handgun I saw in the Maserati. I did not discharge my AR-15. I did not discharge my Glock 19 sidearm. I called my Supervisor and my assistant chief. I also made contact with Minneapolis Police Officers that were arriving on scene at that time.

End of statement

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/31

Report Date: 06/10/2021

Primary Information

Description:	Written Statement from Anoka County Sheriff's Deputy Thomas Kvam
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of written statement from Anoka County Deputy Thomas Kvam is attached.

Narrative begins on the following page.

On 06/10/2021 at approximately 1315 hours, Senior Special Agent Brent Petersen received a written statement from the attorney for Anoka County Sheriff's Deputy Thomas Kvam. The statement documents Deputy Kvam's actions and observations during the attempted arrest of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

An interview with Deputy Kvam was requested on 06/04/2021 and was declined.

Copy of Deputy Kvam's written statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.



Law Enforcement Labor Services, Inc.

2700 FREEWAY BOULEVARD SUITE 700 • BROOKLYN CENTER, MN 55430
651-293-4424

June 10, 2021

BCA Agent Brent Petersen

via email only: brent.w.petersen@state.mn.us

Re: Incident of June 3, 2021
City of Minneapolis/Task Force
Location of Incident: Parking Ramp on Lake Street

Dear Agent Petersen:

As you know, the undersigned represents Deputy Thomas Kvam concerning the above-referenced matter.

As previously discussed and agreed, please find enclosed Deputy Kvam's written statement. Should you have any questions, or require any additional information, please do not hesitate to contact me at my office. If additional information is requested, I understand you will forward a written request for response if appropriate.

In the meantime, should you have any questions, please do not hesitate to contact me at my office. Thank you.

Sincerely,

Kim Sobieck
(651) 238-7003

KS/plc

Enclosure

cc: Deputy Thomas Kvam – *via email* [REDACTED]

On 6/3/2021, I Deputy Thomas Kvam was working as a Task Force Officer (T.F.O.)/Special Deputy United States Marshal with the United States Marshal North Star Fugitive Task Force. At approximately 1330, T.F.O. [REDACTED] advised on the radio that he was requesting assistance for fugitive investigation that he was working. T.F.O. [REDACTED] advised that the fugitive was observed being at Stella's Fish Café located at 1400 W Lake St. Minneapolis, MN 55408 after the fugitive posted a video of himself on a social media platform being at that location. T.F.O. [REDACTED] requested assistance to set up surveillance around Stella's and if there was an opportunity to execute an arrest on the fugitive, we would make the arrest. T.F.O. [REDACTED] advised that the fugitive was Winston Boogie Smith DOB, 4/8/89 and had an active warrant out of Ramsey County for Felon in Possession of a Firearm. T.F.O. [REDACTED] also advised that SMITH also had a history for armed robbery, known to carry firearms, fleeing, and was considered armed and dangerous. T.F.O. [REDACTED] provided a picture of SMITH and stated that he still had long dreads, but the fugitive had his hair up in a ponytail when he posted the video. He also mentioned that SMITH was wearing a dark shirt with the mention of a possible blue color on the back.

While responding to the area other T.F.O.'s and Deputy United States Marshal's (DUSM's) were arriving in the area and stated that SMITH was observed on the roof of Stella's restaurant eating with a female wearing a white dress. Information was also relayed over the radio that SMITH was known to drive a silver/gray Maserati. One of the T.F.O.'s located the Maserati on the top floor parking ramp located south of Stella's. The address for the parking ramp was 1375 W 31st St Minneapolis, MN 55408. The vehicle was bearing MN license FBR657, which listed to a 2019 Levante Sport Maserati. T.F.O. [REDACTED] confirmed that was the vehicle that SMITH was known to drive. I arrived in the area at approximately 1350.

T.F.O.'s and DUSM's came up with a plan to arrest SMITH. The plan was to arrest SMITH away from Stella's and wait for him to return to his vehicle located in the parking ramp on the top level and execute the arrest at his vehicle with a vehicle pin. Should be noted that SMITH'S vehicle was the only vehicle that was parked on the top floor of the parking ramp. T.F.O. [REDACTED] was parked in the parking ramp and delegated responsibilities to responding T.F.O.'s and DUSM's. I was advised to respond to the 1st level inside the parking ramp and assist watching the stair well/elevator located in the middle of the ramp. I pulled into the ramp at around 1355 and parked to watch the 1st floor level stair well/elevator. The parking ramp consisted of 5 levels; the 5th level was the top floor level.

Approximately within 5-10 minutes of parking and watching the 1st floor level stair well/elevator, T.F.O. Mike [REDACTED] and T.F.O. [REDACTED] advised that they observed SMITH paying for his tab. They continued to watch SMITH and the female he was with exit Stella's and cross over W Lake St towards the parking ramp. From where I was sitting, I did not see SMITH, or the female leave the restaurant or enter into the elevator. T.F.O. [REDACTED] advised that he had eyes on the top floor (5th) level of the ramp, where the stair well/elevator came out to. T.F.O. [REDACTED] advised that he observed SMITH and the female get off the elevator and walk to SMITH'S vehicle. T.F.O. [REDACTED] advised that SMITH opened the door for the female, and she got into the passenger seat, SMITH then proceeded to get into the driver seat. I then heard T.F.O. [REDACTED] say execute, meaning make the arrest attempt. While they executed the arrest, I initially stayed on the 1st level to continue watching the elevator in case SMITH attempted to evade.

Approximately within 1 minute of T.F.O. [REDACTED] calling execute, I heard DUSM [REDACTED] request more cars to assist, which I did. When I arrived, I got out of the vehicle and positioned myself behind DUSM [REDACTED] and DUSM [REDACTED] on the driver side of SMITH'S vehicle between T.F.O. [REDACTED] Inglett's vehicle and SMITH'S vehicle remaining to the rear of SMITH'S vehicle. I observed T.F.O. [REDACTED] vehicle positioned on the driver-side of SMITH'S vehicle at a 45-degree angle, front end facing the driver side door. T.F.O. [REDACTED] vehicle positioned behind SMITH'S vehicle and another T.F.O./DUSM vehicle parked on the passenger side of SMITH'S vehicle. I observed T.F.O. [REDACTED] at the front driver side of the vehicle in front of the driver side door looking at SMITH through the front windshield. I also observed that T.F.O. [REDACTED] had a shield as well. T.F.O. [REDACTED] was yelling loud verbal commands at SMITH to gain compliance and had SMITH at gunpoint. I heard T.F.O. [REDACTED] say multiple times with loud verbal commands, "let me see your hands, get out of the vehicle, you are under arrest." I observed T.F.O. [REDACTED] attempt to open the driver side door of the vehicle, but the door was locked. Verbal commands were given multiple times for SMITH to open the door and get out of the vehicle with his hands up. DUSM's and T.F.O.'s also tried to open the rear driver/passenger door and doors on the passenger side, but found all doors were locked. T.F.O. [REDACTED] was also giving verbal commands to have SMITH show his hands and to open the door. Based on multiple attempts to open the door and finding it was locked, and SMITH not following commands, it was obvious that SMITH was resisting arrest. SMITH continued to not follow commands, so it was decided to break the driver side window, then open the door and get SMITH out of the vehicle.

DUSM [REDACTED] was able to get a window break tool. At that time, T.F.O. [REDACTED] was still at the front of SMITH'S vehicle in the same position. T.F.O. [REDACTED] was at the driver side door attempting to open it while he gave continued verbal commands trying gain compliance from SMITH. DUSM [REDACTED] was in front of me behind T.F.O. [REDACTED] I was behind DUSM [REDACTED] by the rear of SMITH'S vehicle on the driver side. I heard T.F.O. [REDACTED] giving continued commands, saying, "show me your hands, stop reaching, show me your hands." I heard that multiple times. As DUSM [REDACTED] broke the driver side window with his window break tool, I heard and saw T.F.O. [REDACTED] discharge his handgun multiple times, aiming it at where SMITH was sitting in the driver seat. It appeared that T.F.O. [REDACTED] shot through the front windshield at an angle where SMITH would have been sitting in the driver seat. I heard and saw about 7-10 shots fired. While T.F.O. [REDACTED] was yelling at SMITH to stop reaching and for SMITH to show his hands, he discharged his firearm and simultaneously right after he discharged his firearm, he yelled he has a gun. As T.F.O. [REDACTED] was discharging his handgun, T.F.O. [REDACTED] was also trying again to open the driver side door after DUSM [REDACTED] was breaking the driver side window. At about the same time the driver side window was broke open, T.F.O. [REDACTED] discharged his handgun.

After the shots were fired, DUSM's and T.F.O.'s backed up to a position of cover behind T.F.O. [REDACTED] vehicle, including T.F.O. [REDACTED] and T.F.O. [REDACTED]. We switched to the statewide L-TAC channel to request additional help with ambulance and responding officers. We verified that none of us were injured, which revealed that no T.F.O.'s or DUSM's were injured. We then set up to make an approach on the passenger side of the vehicle. As we moved over to the passenger side, the female passenger got out of the vehicle and went with a T.F.O./DUSM's and was secured. I do not remember who the female went with or exactly where she was secured. As she got out of the vehicle, I did not notice any significant injuries to her because she was able to move on her own. After the female got out of the passenger side of the vehicle, we made an approach to get SMITH out of the vehicle through the passenger side of the vehicle.

SMITH was removed from the driver side of the vehicle and across the passenger side out of the vehicle and then laid onto the ground on the passenger side of the vehicle. I do not remember who removed SMITH from the vehicle. As SMITH was removed from the vehicle, I assisted DUSM [REDACTED] to clear the back seat of the vehicle for any other occupants or possible threats and the vehicle was clear. After the vehicle was made safe, I observed T.F.O. [REDACTED] and T.F.O. [REDACTED] initially rendering aid (CPR) to SMITH. They were removed and other T.F.O.'s and DUSM's continued to render aid to SMITH. I observed that SMITH had multiple gunshot wounds to his chest and abdomen area. I then went to my squad car and grabbed my medical bag.

I then put a bag valve mask and oxygen onto SMITH and observed that T.F.O. [REDACTED] was doing chest compressions. I aided T.F.O. Sam [REDACTED] by placing the AED pads on SMITH. After the oxygen was on SMITH, I took over chest compressions giving relief to T.F.O. [REDACTED] completed about one cycle of chest compressions before the AED checked for shock advisory. At that time Hennepin County Medics were on scene and took over the life saving measures.

All T.F.O.'s and DUSM's were wearing tactical vests that displayed SHERIFF/POLICE on them with large lettering, clearly presenting identification as Law Enforcement Officer's. I was wearing my black tactical vest that had large yellow SHERIFF lettering on the front and rear of my vest.

I then moved to a location away from the incident scene and stood by until I was relieved from the location, which was around 1500. I was then brought to the Federal Court house in Minneapolis. This was a USMS North Star Fugitive Task Force case under FID #11282761.

This written statement is to the best of my recollection and belief.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/32

Report Date: 06/10/2021

Primary Information

Description:	Written Statement from Ramsey County [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of written statement from Ramsey County Sheriff's [REDACTED] is attached.

Narrative begins on the following page.

On 06/10/2021 at approximately 1310 hours, Senior Special Agent Brent Petersen received a written statement from the attorney for Ramsey County Sheriff's [REDACTED]. The statement documents [REDACTED] actions and observations during the attempted arrest of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

An interview was requested from [REDACTED] on 06/04/2021 and was declined.

Copy of [REDACTED] written statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.



Law Enforcement Labor Services, Inc.

2700 FREEWAY BOULEVARD SUITE 700 • BROOKLYN CENTER, MN 55430
651-293-4424

June 10, 2021

BCA Agent Brent Petersen

via email only: brent [REDACTED]@state.mn.us

Re: Incident of June 3, 2021
City of Minneapolis/Task Force
Location of Incident: Parking Ramp on Lake Street

Dear Agent Petersen:

As you know, the undersigned represents Deputy [REDACTED] concerning the above-referenced matter.

As previously discussed and agreed, please find enclosed Deputy [REDACTED] written statement. Should you have any questions, or require any additional information, please do not hesitate to contact me at my office. If additional information is requested, I understand you will forward a written request for response if appropriate.

In the meantime, should you have any questions, please do not hesitate to contact me at my office. Thank you.

Sincerely,

Kim Sobieck
(651) 238-7003

KS/ple

Enclosure

cc: Deputy [REDACTED] - via [REDACTED]

United States Marshals: Northstar Fugitive Task Force

Written Statement from Task Force Officer (TFO) [REDACTED]

Incident: Felony warrant arrest of Winston Boogie Smith (DOB: 4/8/1989)

Date & Time: 6/3/2021 at approximately 14:10 hours

Location: 1405 W. Lake Street, Minneapolis, MN (Parking Ramp)

Warrants: Ramsey County Felony Warrant for;

Count #1: Possession of a firearm by a person convicted of a crime of violence – ineligible under MN 624.713.1(2).

Count #2: Possession of ammunition by a person convicted of a crime of violence – ineligible under MN 624.713.1(2).

Background:

I, TFO [REDACTED] have been a Ramsey County Deputy for [REDACTED] years. I've worked in the following areas: [REDACTED], [REDACTED] and currently I am assigned as the [REDACTED] in the Ramsey County Sheriff's Office [REDACTED]. My current duties include being a Task Force Officer on the United States Marshals Northstar Fugitive Task Force. I have been assigned as a TFO for approximately [REDACTED] years. The Northstar Fugitive Task Force's primary function is to assist local law enforcement with fugitive investigations related to offenders wanted for serious, violent, and/or dangerous felony warrants.

On June 3rd, 2021, at approximately 13:30 hours, I, TFO [REDACTED] was in St. Paul, MN when I heard via the radio TFO [REDACTED] and members of the United States Marshal (USMS) Northstar Fugitive Task Force were heading to the area of Stella's Fish Café on Lake Street in Minneapolis, MN. TFO [REDACTED] aired via the radio that he had just observed fugitive, Winston Smith, post a photo of himself at Stella's Fish Café on his Snapchat profile. Fugitive Winston Smith was currently wanted in Ramsey County for possession of a firearm after Winston Smith failed to appear for sentencing on 5/19/2021 on the charge(s) of Possession of a firearm by a person convicted of a crime of violence. I knew Smith was wanted because TFO [REDACTED] had previously told me he was working Smith's firearm warrant and on June 3rd TFO [REDACTED] aired Smith's warrant was still active. Additional information was aired by TFO [REDACTED] that Smith had a prior conviction for 1st Degree Aggravated Robbery.

While enroute to Minneapolis, I heard on my radio Task Force Officers and US Deputy Marshal's arriving at Stella's Fish Café. Task Force members set up surveillance and TFO [REDACTED] was able to identify fugitive, Winston Smith, sitting with a female on the restaurant's rooftop. Again, via radio I heard, TFO [REDACTED] give out a description of a Maserati sports car he believed the fugitive had been recently driving. Then, via the radio, I heard TFO [REDACTED] call out that he had located the Maserati on the top level of a parking ramp on the south side of Lake Street almost across the street from Stella's Fish Café. As I continued to drive toward Minneapolis, I heard via the radio that members of the Task Force had developed a plan to arrest Winston Smith when he returned to the Maserati. TFO [REDACTED] described the top level of the parking ramp being completely empty, so the location was ideal as it provided an area we could control and most importantly, reduce the risk to any innocent civilians.

I was still driving to the area of Stella's Café when I heard the team come up with a plan to conduct a vehicle box when Winston Smith returned to the Maserati. A vehicle box is when a fugitive's vehicle is

United States Marshals: Northstar Fugitive Task Force

Written Statement from Task Force Officer (TFO) [REDACTED]

surround on two, three, or even four sides by law enforcement vehicles to prevent a fugitive's escape, thus limiting the fugitive's ability to flee in the motor vehicle or on foot. Pursuits on foot and/or in motor vehicles can create a danger to the public. A vehicle box is a tactic commonly used by the Task Force and it's been a very effective tool in apprehending dangerous fugitives.

Everyone on scene was either given an assignment or volunteered for one. From what I can recall TFO [REDACTED] and TFO [REDACTED] worked together to come up with assignments but they had input from all of the Task Force Officers on scene. When I arrived in the area of Stella's Café, the Task Force members were actively using the radio to communicate that Fugitive, Winston Smith, had left the restaurant and had entered the parking ramp. I therefore stayed off the radio and took up a perimeter spot on the ground level just outside the parking ramp entrance gate off of Lake Street. At this point my responsibility was just containment if Smith started to flee on foot from the parking ramp. I took this perimeter spot on my own. Next, I heard TFO [REDACTED] give the command on the radio for Task Force members to execute the arrest plan. At this time, I activated my emergency lights and blocked the ramp entrance gate with my squad. I exited my squad in case Smith fled on foot.

After a short time of radio silence, TFO [REDACTED] radioed they needed more Officers up on the roof of the parking ramp. I was located close to a stairwell on the northwest corner of the parking ramp so I ran up the stairs to the top (level 5) of the parking ramp.

When I got to the top of the parking ramp, I observed the Maserati facing east and it was surrounded on three sides by Task Force Officer's squads. The parking ramp fence or wall was blocking the front of the Maserati. All of the team members assigned to the vehicle box and apprehension were out of their squads and were in positions commonly seen on felony traffic stops. Some team members were standing behind the open driver's door of their squad and others took cover behind or next to squads around the Maserati. I ran up behind TFO [REDACTED] squad, which was parked about 15ft away from the rear driver's side bumper of the Maserati, and I recall his squad's emergency lights were activated. An officer was giving the fugitive, Smith, commands to exit the Maserati. At the same time as I was approaching, I observed TFO [REDACTED], TFO [REDACTED] and USMS Deputy [REDACTED] moving in a stack toward the driver's door. They were approaching from the rear of the Maserati and I quickly got in the stack to be the fourth in line. TFO [REDACTED] was carrying a ballistic shield and had his handgun in a "high ready" position. TFO [REDACTED] had his handgun drawn as well and pointed in the direction of the driver. I saw TFO [REDACTED] stop at driver's side window with the shield pointed at the driver. I watched TFO [REDACTED] attempt to open the driver's door but it was locked. TFO [REDACTED] was giving loud verbal commands to Smith that included "Open the door" and either "Keep your hands up" or "Show me your hands." When a door is locked, we are trained to breach the driver's window to enable us to open the door to extract the fugitive and affect the arrest. USMS Deputy [REDACTED] then used a breaching tool to attempt to break the driver's side window. The window would not shatter. USMS Deputy [REDACTED] struck the driver's side window for the second time, I observed Winston Smith's left hand drop out of my view and his upper body quickly move toward the center counsel.

Immediately, as I saw Fugitive Winston Smith move toward the center counsel, I heard TFO [REDACTED] start loudly yelling "Gun, Gun, Gun, He's got a gun." I observed TFO [REDACTED] begin rapidly discharging his duty handgun through the driver's side window and toward where the fugitive was seated. TFO [REDACTED] was standing at the driver's side door up near the side mirror when he fired at Smith. I also observed TFO [REDACTED] fire his firearm in the direction of Smith. TFO [REDACTED] was standing to the right of

United States Marshals: Northstar Fugitive Task Force

Written Statement from Task Force Officer (TFO) [REDACTED]

TFO [REDACTED] and just slightly behind him. TFO [REDACTED] and TFO [REDACTED] had a clear view of Smith. When TFO [REDACTED] fired I could still see Smith moving inside the car. USMS Deputy [REDACTED] was directly in front of me and I was on the driver's side of the Maserati next to the rear passenger door when TFO [REDACTED] began to discharge his weapon.

TFO [REDACTED], TFO [REDACTED] USMS Deputy [REDACTED], and I backed away from the Maserati and took cover behind one of the nearby squads. I moved up and took over the ballistic shield from TFO [REDACTED] so he could conduct a tactical reload of his firearm. I could see out of my peripheral vision that the female passenger who was seated next to Smith had finally exited the Maserati. I yelled out we needed to form a team on the passenger side to extract Smith so medical attention could be provided to him. Other squads were blocking most of my view when Smith was extracted from the vehicle via the front passenger side door and those Officers began life saving measures.

I then ran back down the stairs to move my squad in order to allow access for an ambulance. While at my squad I grabbed more medical supplies (small black "go bag" with medical supplies and additional magazines) and ran back up the stairs to the top of the parking ramp. I ran to see other Officers had already placed an AED on Smith and CPR was being performed. The group paused as the AED analyzed for a possible shockable heart rhythm but none was detected so CPR was continued. TFO [REDACTED] was applying a tourniquet to Smith's left arm. I put on gloves and placed gauze on two of Smith's gun-shot wounds. Then, I took over CPR and in doing so I observed what I believed to be a gun-shot entrance wound to Smith's chest/heart area. Another Deputy, I believe from Hennepin County who responded to the scene after the incident, took over CPR compressions from me. I heard a short time after the medics arrived, they declared Smith deceased at the scene.

At this point, the scene had been made secure by responding local law enforcement. TFO [REDACTED] was already seated in the passenger seat of TFO Novak's squad. I escorted TFO [REDACTED] down the stairs to my squad. At the direction of USMS [REDACTED] I drove TFO [REDACTED] to the Minneapolis Police 5th Precinct located at 3101 Nicollet Avenue. I did not discuss the case at any point while I was with TFO [REDACTED]. After TFO [REDACTED] and TFO [REDACTED] were checked out by medics at the 5th Precinct, I drove TFO [REDACTED] to the US Federal Courthouse in downtown Minneapolis at the direction of USMS [REDACTED]. Once at the USMS Task Force Office inside the courthouse, I kept TFO [REDACTED] separate from anyone else involved in the incident. TFO [REDACTED] never attempted to discuss the case with me. Next, I gave TFO [REDACTED] a ride to HCMC where BCA Agents collected a voluntary blood draw from TFO [REDACTED]. After this I gave TFO [REDACTED] a ride home and that was the end of my contact with him on June 3rd.

No BWC or Squad video available.

This is the end of my statement given to the best of my recollection.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/33

Report Date: 06/10/2021

Primary Information

Description:	Written Statement from Ramsey County Sheriff's Deputy [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of written statement from Ramsey County Sheriff's Deputy [REDACTED] is attached.

Narrative begins on the following page.

On 06/10/2021 at approximately 1515 hours, Senior Special Agent Brent Petersen received a copy of a written statement from the attorney for Ramsey County Sheriff's Deputy [REDACTED] [REDACTED]. The statement documents Deputy [REDACTED] actions and observations during the attempted arrest of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

An interview with Deputy [REDACTED] was requested on 06/04/2021 and was declined.

Copy of Deputy [REDACTED] written statement is attached to this supplement.

No exhibit(s) by virtue of this activity and report.

6-8-21 at approximately 8:46 AM

Statement by Ramsey County Deputy [REDACTED] badge # [REDACTED], POST # [REDACTED] (Task Force Officer US Marshals North Star Fugitive Task Force) regarding the officer involved shooting of Winston Smith 4-8-89 on 6-3-21.

I (Deputy [REDACTED]) am a licensed peace officer in the state of Minnesota and have been employed as a Deputy Sheriff with the Ramsey County Sheriff's Office for the [REDACTED] years. During my employment I have been assigned to the [REDACTED]. Throughout my employment I have participated in a wide variety of training topics including, but not limited to use of force, firearms, medical training, policy and procedure, state/federal criminal and civil law, implicit bias, and cultural diversity.

My primary duty in the [REDACTED] I have been a Task Force Officer "TFO" with the United States Marshal's Service North Star Fugitive Task Force "NSFTF". As a "TFO" I work with Deputy US Marshals and TFO's from other jurisdictions with a focus on arresting state and federal fugitives across the Twin Cities Metro area. The "NSFTF" primarily focuses on the apprehension of individuals who have arrest warrants for crimes of violence. These crimes include, but are not limited to: murder, felony weapons offenses, felony assault, criminal sexual conduct, human trafficking, terroristic threats, and predatory offender registration violations. While affiliated with the United States Marshals Service ("USMS") I have participated in numerous training classes that were sponsored by their agency. Some of these topics include criminal and civil law, tactical room clearing, high risk vehicle takedowns, and tactical medical procedures.

On 6-3-21, I (TFO [REDACTED]) was on duty and working as a member of the US Marshals NSFTF. On this day I was driving an unmarked Sheriff's Department [REDACTED] wearing plain clothes (button down shirt, tactical shorts), load bearing black tactical vest marked SHERIFF front/back in yellow lettering with compartments containing: hand cuffs, taser, chemical irritant, 2 spare 9 mm magazines, 1 AR-15 magazine, medical supplies, portable radio, and body worn camera) and carrying my department issued Glock 19 (9mm) in a concealable hip holster.

It should be noted that my BWC was on my vest and in the "off position" since recording during USMS task force cases is not yet permitted. My BWC remains on my vest since I am required to utilize it when not working on USMS cases. It is common to work both USMS cases and Ramsey County (non USMS) cases during my shift which requires me to have my camera readily available with short notice.

On 6-3-21 TFO [REDACTED] requested assistance at Stella's Fish Café (1402 LAKE ST W, MINNEAPOLIS, MN 55408) with a fugitive investigation involving Winston Smith 4-8-89 who was wanted for a felony Ramsey County firearms warrant. TFO [REDACTED] believed Smith was possibly at the restaurant and driving a silver Maserati SUV (MN#FRB-657). Task Force members responded to the area of Stella's in

order to set up surveillance. TFO [REDACTED] briefed team members over the radio regarding the circumstances of Smith's current firearms case as well as Smith's criminal history which included a previous flee police in a motor vehicle and armed robbery. TFO [REDACTED] notified team members that Smith had been seen recently on social media with a firearm.

Once in the area of Stella's, I began searching the area of Lake Street for any sign of the Maserati but did not locate it. I then parked my squad on Freemont Ave S just south of Lake Street with a partial view of the rooftop of Stella's from the east. I was joined shortly by TFO [REDACTED] who parked his squad in front of mine on Freemont Ave. TFO [REDACTED] told me he believed Smith sitting on the eastern part of the Stella's rooftop with a female companion (TFO [REDACTED] was utilizing binoculars). I observed the male and concurred that he appeared to match Smith's description. From here, TFO [REDACTED] requested that I take over his surveillance position so he could forward the team an operations plan (referred to as a USMS-45). TFO [REDACTED] aired his observations to the team and gave a description of what Smith was wearing (blue t-shirt, dark longer length shorts, tennis shoes). He also gave a description of what Smith's female companion was wearing.

Shortly after TFO [REDACTED] identified Smith on the Stella's rooftop, TFO [REDACTED] aired that he located Smith's vehicle in the parking ramp across the street from Stella's (referred to in Google maps as the Calhoun Square Parking Garage 3001 HENNEPIN AVE, MINNEAPOLIS, MN 55408). TFO [REDACTED] relayed that the vehicle was alone at roof level of the ramp and began airing possible "vehicle box" scenarios. This maneuver involves the physical blocking of the suspect vehicle with designated task force member vehicles. This maneuver is commonly utilized by the NSFTF because it aids in preventing the suspect from fleeing in a motor vehicle, which is a hazard to team members and the public. It also allows team members to form up from a designated side of the suspect vehicle in order to direct the suspect(s) out of the vehicle individually.

TFO [REDACTED] began directing task force members into various positions throughout the Calhoun Square Parking Garage in order to initiate the vehicle box. TFO [REDACTED] requested that I remain in my position (Freemont Ave S south of Lake St) in order to keep a view of Smith and air his movements to Task Force members who were responsible for the vehicle box.

Shortly after 14:00 hrs I observed Smith and his female companion leave their seats and begin walking to the rooftop exit. Approximately 1 minute later a team member positioned in the area of Lake St observed Smith and the female walking out the front entrance of Stella's and continue south across Lake St. Both appeared to be walking toward the Calhoun Square Parking Garage. I do not recall if team members reported that Smith and the female utilized the ramp elevator or stairwell (located in the northwest corner of the ramp).

Team members aired that Smith and the female were at the top level (rooftop) of the ramp and walking toward Smith's vehicle. TFO [REDACTED] radioed for team members to move in and initiate the vehicle box. Approximately 15-20 seconds after giving the radio call to move in, TFO [REDACTED] aired that they made contact with the suspect vehicle and were giving directives. By this time, I had moved my squad to the northwest corner of the ramp on the street level and acted as containment in the event that the suspect was able to flee. After TFO [REDACTED] radioed that he made contact with the suspect vehicle, in my position on the perimeter and because it was a Ramsey County warrant, I began adding CAD notes to keep an accurate record of Ramsey County involvement. I typed an entry of Code 4 with a male in custody in preparation to send once given notification that the suspect was in custody. After approximately 3

minutes TFO [REDACTED] requested additional team members respond to the roof (TFO [REDACTED] made this radio request calmly and clearly). I mistakenly added this entry about Code 4 to the CAD notes instead of deleting it and then corrected the CAD to disregard the previous entry. I then began walking up the northwest stairwell toward the roof.

As I approached the stairs 1 floor beneath the roof level, I heard yelling from what I believe to be task force officers (I could not identify who was yelling or what was said). As I reached the roof level and came around the corner, I observed multiple Task Force vehicles and immediately heard approximately 5-8 gunshots in rapid succession (I was unable to see who was firing or where team members were positioned). I immediately sought cover (around the corner from inside the stairwell), drew my service weapon, and scanned the roof, where I was able to see a partial view of the drivers side of the suspect vehicle (in addition to Task Force member vehicles). Through my training and experience I believed the rounds I heard to be from multiple handguns and not a rifle. I observed the suspect vehicle's rear window was broken out (I estimate that my view from the NW stairwell to the suspect vehicle was approximately 40-50 feet). I proceeded toward our team member vehicle's (there were approximately 6-7 vehicles positioned around the rear of the suspect vehicle, more favoring the driver's side of the suspect vehicle) and took a position of cover from behind TFO Novak's pickup truck. From this vantage point I observed that the suspect vehicle had multiple bullet holes in the front and back drivers side windows. I estimate there were 3-4 team members to the left (if facing the suspect vehicle from behind) behind tactical shield cover near TFO [REDACTED] vehicle (blue Ford F-150 pickup truck). The remaining team members were located behind the suspect vehicle, between TFO [REDACTED] ([REDACTED]) and Deputy US Marshal [REDACTED] squads.

As I moved up to join the members between [REDACTED] and [REDACTED] vehicles at the rear of the suspect vehicle, I saw that a female passenger was being called from the front passenger side of the suspect vehicle. From my vantage point I was not able to see Smith in the vehicle, but multiple team members did verbalize that he (Smith) was still in the drivers seat. Sgt. [REDACTED] requested that the group behind the suspect vehicle [REDACTED] [REDACTED] utilize a tactical shield and approach the vehicle from the passenger side. I retrieved a tactical shield from DUSM [REDACTED] vehicle and was positioned at the front of the retrieval team (joined by TFO [REDACTED] DUSM [REDACTED] DUSM [REDACTED], TFO [REDACTED] and I made multiple commands for Smith to show his hands (while we were positioned in the rear passenger door of the vehicle, but received no response. We moved forward to the front passenger side (I believe this door was still open from when the female passenger exited) and I observed Smith in the drivers seat and crouched to his right (body slightly over the center console- not responding to directives and not moving his body). TFO [REDACTED] requested I push forward past the A Pillar of the vehicle and provide him cover through the front windshield. From this position I kept my firearm trained on Smith while TFO [REDACTED] reached in and began pulling Smith out of the vehicle. TFO [REDACTED] gave multiple commands for Smith to show his hands before he secured a grip on him. Smith did not verbally or physically respond to any commands. As TFO [REDACTED] pulled Smith from the drivers seat out the front passenger door, his (Smith's) body appeared lifeless.

Smith was placed on his back near the front passenger door of the vehicle by TFO [REDACTED] and appeared to be suffering from gunshot wounds to the torso and left arm. I immediately began emptying Smith's pockets and checking his waistline to ensure no weapons were present. This was done as a precautionary measure since I heard at least 2 different task force members ask if the firearm was secured. I do not recall which members mentioned this. I donned rubber exam gloves and began

checking Smith's pulse (I attempted to get a pulse reading from Smith's carotid artery and radial artery, but none was detected). I did not observe any active or consistent chest rise to indicate active breathing from Smith. TFO [REDACTED] retrieved an Automated External Defibrillator "AED" and trauma sheers which he used to cut Smith's shirt from his body. I observed that Smith suffered from apparent gunshot wounds to the abdomen, sternum, and left arm. Since I was unable to detect a heartbeat or breathing from Smith I began performing chest compressions while TFO [REDACTED] began preparing the AED. (I estimate that chest compressions began less than 1 minute after Smith was removed from the vehicle). DUSM [REDACTED] applied a tourniquet to Smith's left upper arm. After approximately 1 minute of compressions TFO [REDACTED] and TFO Kvam attached the AED pads to Smith's body. The AED analyzed Smith and did not advise a shock, so I continued performing chest compressions while also utilizing a Bag Valve Mask "BVM" to provide breaths for Smith. I performed approximately 1 more minute of CPR before being relieved by TFO Kvam. Medics and additional personnel from the Hennepin County Sheriff's Office and Minneapolis PD arrived on scene and took over life saving measures.

Smith was declared deceased at the scene by medics.

At no time during the incident did I fire my service weapon or deploy any non-lethal weapons.

Team members were instructed to meet back at the US Marshals Minneapolis Office (300 S 4TH ST #402, MINNEAPOLIS, MN 55415) for follow up with the MN Bureau of Criminal Apprehension, who was handling the investigation.

Once at the Office I was photographed by the BCA with all gear that I wore during the incident. I reapplied my tactical vest while keeping all equipment in the same order that it was during the incident.

Once the BCA was finished processing the shooting scene, I was tasked with driving TFO [REDACTED] squad car back to the Ramsey County LEC underground garage (425 Grove St, St. Paul MN).

END OF STATEMENT

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/34

Report Date: 06/10/2021

Primary Information

Description:	Written Statement - Ramsey County Sheriff's Deputy [REDACTED]
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/10/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Copy of written statement from Ramsey County Sheriff's Deputy [REDACTED] is attached.

Narrative begins on the following page.

On 06/10/2021 at approximately 1515 hours, Senior Special Agent Brent Petersen received a written statement from the attorney for Ramsey County Sheriff's Deputy [REDACTED]. The statement documents Deputy [REDACTED] actions and observations during the attempted arrest of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

An interview with Deputy [REDACTED] was requested on 06/04/2021 and was declined.

A copy of Deputy [REDACTED] written statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

On 6/4/2021 at approximately 1330 hours I, Investigator/Task Force Officer [REDACTED] with the Ramsey County Sheriff's Office / Special Deputy U.S. Marshal arrived in the area of Hennepin Ave and Lake St. (Calhoun Square) in Minneapolis to assist with a fugitive investigation being conducted by the U.S. Marshals North Star Fugitive Task Force.

I was made aware by the case agent, TFO (task force officer [REDACTED]) that a Winston Boogie Smith 4/8/1989 was wanted for a felony Ramsey County Warrant #62-CR-19-9010 for ineligible possession of a firearm. TFO [REDACTED] had information that Smith was currently in the area of Stella's Fish Café and had recently been in possession of a silver Maserati SUV.

A short time later I heard via radio traffic that a task force member was observing a male on the rooftop of Stella's Fish Café which closely matched that of Smith. At about the same time TFO [REDACTED] aired via radio that he had located a silver Maserati SUV on the top floor of the Calhoun Square parking ramp.

Via radio an operations plan was discussed. Based on Smith's firearms and criminal history, it was decided that as a safety precaution to the public we would not attempt to arrest him at Stella's Fish Café or on the public street / storefront area due to the heavy presence of uninvolved people. TFO [REDACTED] formulated a vehicle box arrest plan for the Maserati in the parking ramp and began to position task force members as needed. I took a position on the ground floor level of the parking ramp in the north-east corner with a view of the north-east stairwell which leads to the top floor.

After a short time I heard via radio updates that Smith along with an unknown female appeared to be getting up from their table at Stella's Fish Café and leaving the area. About two minutes later I observed Smith and an unknown female at the intersection of Girard Ave. S. and W. Lake St. I was familiar with Smith's appearance from previously distributed photos and was easily able to identify Smith by his long-braided hair which was styled up in a high ponytail with blue and purple highlights. I watched as Smith and the unknown female crossed over Lake St. and continued south on Girard Ave until reaching the center staircase / elevator bay where TFO Kvam was positioned. I notified other task force members that Smith and an unknown female were last seen in the area of the elevator bay and were likely heading up to the parked Maserati.

About thirty seconds later I heard radio traffic that Smith and the unknown female were on the top floor of the parking ramp. A short time after that via radio I heard a task force member call out "initiate" which to me meant they were initiating the vehicle box and arrest plan. I remained in my position watching the north-east stairwell as perimeter containment and listened for radio updates for what felt like about three minutes with no updates aired.

I then heard via radio traffic that task force members on the top level of the parking ramp were requesting additional assistance. I drove to the top floor of the parking ramp and observed the vehicle box and task force members stacked up on the driver's side of the Maserati giving orders to the vehicle's occupants. At this point I realized that the occupants were being uncooperative as several minutes had seemed to already have passed and no progress had been made on the arrest. I approached the stack of task force members on the driver's side of the vehicle and observed that a task force member had a ballistic shield with "U.S. Marshal" markings on it at the front of the stack, and that near the front of the

stack TFO Novak had ready a less lethal 40mm option. Within several seconds of arriving and joining the stack I heard gunfire and estimated hearing ten to twelve rounds fired. At this time I withdrew to one of the law enforcement vehicles nearby for cover and repositioned to the rear of the Maserati. At about the same time I observed the unknown female exit the Maserati through the passenger side front door and run away from the vehicle. I observed this female be detained by task force members and secured in a squad.

At this point I was positioned at the rear of the Maserati with DUSM [REDACTED]. The rear window was heavily tinted and nearly impossible to see through. To assist with identifying any threats in the Maserati DUSM [REDACTED] used his rifle as a ram and ported the rear window of the Maserati providing a clear view inside the passenger compartment. With the window ported I could see what looked like a passenger in the driver's seat slumped over with their head resting near the center arm rest. With my sidearm drawn I covered this person as a possible threat. After a short period of time no movement was detected from this person and DUSM [REDACTED] and I approached and cleared the vehicle from the passenger side. While clearing the vehicle I could see that the driver was who I had earlier identified as Smith and it appeared that Smith was incapacitated as he was not moving and not talking.

TFO [REDACTED] joined me on the passenger side of the vehicle and the two of us were able to grip Smith by his shoulder and underarm area and pull him out of the vehicle and lay him on the floor of the parking ramp just outside the passenger door of the Maserati. I observed TFO [REDACTED] assess Smith's condition and observed him start to perform chest compressions. I retrieved an automatic external defibrillator (AED) from my squad and returned to Smith. I cut his shirt off with trauma sheers so that we could access his injuries for medical care. I handed the AED pads to TFO Kvam who I watched apply the pads to Smith's chest and torso and I operated the AED. At the same time TFO [REDACTED] was continuing to perform chest compressions on Smith and another task force member arrived with a bag valve mask to assist Smith with breathing. When cutting off Smith's shirt I observed approximately five wounds which appeared to be gun shot wounds in the area of his chest, torso and arm. While CPR was being conducted, I observed blood flowing from the area of Smith's wounds and DUSM [REDACTED] applied a tourniquet to the left arm of Smith where an apparent wound was located to mitigate blood loss. TFO [REDACTED] also applied pressure gauze to other wounds which blood was flowing out of to control blood loss. The AED cycled through approximately 4 cycles of "no shock advised" while CPR was conducted at which time medics arrived and took over the care of Smith. My best estimate is that task force members initiated medical care to Smith within about one minute after removing him from the Maserati.

Minneapolis and Hennepin County law enforcement arrived and took control of the scene.

Myself and other involved task force members were shuttled back to the Minneapolis Federal Court House. My squad, a red Jeep Cherokee was left at the parking ramp while the scene was processed. Several hours later I returned to the ramp with other members of the task force and retrieved my squad and AED and cleared the scene.

During this event I did not deploy my service weapon or any less lethal weapon. I was wearing clothing that was clearly marked with the word "Sheriff" in bright white lettering on a black external ballistic vest. I also had a body camera attached to the vest which was turned off for this operation. U.S. Marshals Policy at this time did not allow for the use of body cameras to record on task force operations. My body camera was on my vest as in normal daily operations it is routine to work both Ramsey County cases and U.S. Marshal Task Force cases during the same day. While working Ramsey

County cases I turn on the body camera as is required by sheriff's office policy. It should be noted that at some point during this event my body camera was knocked loose of the holder on my vest and was recovered on the floor of the parking ramp by another task force member. Photos which were taken of me by the BCA after this event will show that no body camera was on my vest.

Nothing further.

 6/9/2021

Minnesota BCA
Crime Scene Supplement 2021-399/35

Report Date: 06/10/2021

Primary Information

Description: **Processed photographs of scene and motor vehicle involved in use of force investigation**
Occurrence From: **06/03/2021 00:00**
Occurrence To: **06/09/2021 00:00**
Reporting LEO: **Kaneko, Mike (1362 / Technical Services / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **06/21/2021**
Approved By: **KATZOVITZ, Michael (Minnesota Bureau of Criminal Apprehension)**

Response Information

Weather Upon Arrival: **N/A**
Work Status: **COMPLETE**
Call Received By: **FOLLOW-UP**
Investigator: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Investigator Status: **ARRIVED**

Address #1 - Occurred #1 - 3015 GIRARD AVE S

Primary Information

Address: **3015 GIRARD AVE S, Minneapolis, Minnesota 55408 United States**

Address #2 - RELATED #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Property #1 - Processed Photos of Scene

Primary Information

Property Class: **Evidence**
Property Type: **CD, DVD, DISC, TAPE**
Description: **Processed Photos of Scene**
Property Status: **BCA / HQ**
Status Date: **06/10/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/35.1)**
Collected By: **Kaneko, Mike**
Collected Date/Time: **06/10/2021 00:00**

Property #2 - TFV of Scene

Primary Information

Property Class: **Evidence**

Minnesota BCA
Crime Scene Supplement 2021-399/35

Report Date: 06/10/2021

Property #2 - TFV of Scene - Continued

Primary Information - Continued

Property Type: **CD, DVD, DISC, TAPE**
Description: **TFV of Scene**
Property Status: **BCA / HQ**
Status Date: **06/10/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/35.2)**
Collected By: **Kaneko, Mike**
Collected Date/Time: **06/10/2021 00:00**

Property #3 - Processed photos of MV

Primary Information

Property Class: **Evidence**
Property Type: **CD, DVD, DISC, TAPE**
Description: **Processed photos of MV**
Property Status: **BCA / HQ**
Status Date: **06/10/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/35.3)**
Collected By: **Kaneko, Mike**
Collected Date/Time: **06/10/2021 00:00**

Narrative begins on the following page.

On 6-9-2021, SA Kaneko completed processing the photographs and video which were taken of the scene located at 3015 Girard Avenue South (parking ramp), Minneapolis, and of a vehicle processing which was conducted at the MN BCA HQ at 1430 Maryland Avenue East, St. Paul, MN. SA Kaneko produced items 2021-399/35.1, 35.2 and 35.3(discs containing photos and video of scene). These items were later property inventoried at BCA HQ.

On 6-3-2021, BCA Crime Scene Team(CST) responded to the above address regarding a Use of Force/OIS Investigation. SA R. Nelson assisted the CST with processing and documenting the scene. SA Nelson hand delivered copies of the raw photo and video data of the scene. On 6-7-2021, MN BCA CST processed a motor vehicle associated to this incident. SA O'Brien assisted the CST with the processing and documenting the vehicle. Both agents provided SA Kaneko with a copy of the original photographs for further processing for ease in viewing and storage.

SA Kaneko processed the raw image data and created a disc which contains the processed version of the photographs and the total footage video of the scene for ease in viewing. The items were labeled as BCA Exhibit 35.1, 35.2 and 35.3 were later inventoried at BCA HQ.

Additional copies of the evidence were produced for distribution through the divisions and agencies involved.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Offense Number: 2021-399/35

Case Agent: Petersen, Brent

Page 1 of 1

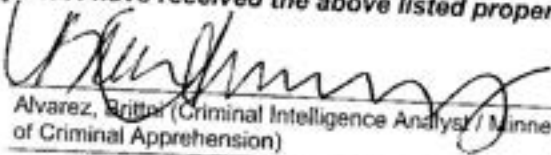
Item	Quantity	Description
1	1.00	Processed Photos of Scene
2	1.00	TFV of Scene
3	1.00	Processed photos of MV

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Name

Alvarez, Britta (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Date Received

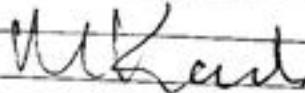
6/18/2021

Owner/For Owner

Address

City/State

Telephone



Released By

Kaneko, Mike (1362 / Technical Services / Minnesota BCA)

Verified By

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Primary Information

Description: Acquisition of Evidence From Hennepin County Medical Examiner's Office
Occurrence From: 06/11/2021 09:45
Occurrence To: 06/11/2021 13:15
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/20/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

Agency	Case/File Number
MN BCA Forensic Laboratory-St Paul	S21-09577
Hennepin County Medical Examiner	2021-3816

Synopsis

On 06/11/2021, SSA Petersen acquired the evidence from the Hennepin County Medical Examiner's Office from the autopsy of Winston Smith Jr. Several items submitted to the BCA laboratory for forensic testing. Remaining items secured in the property and evidence room. Acquisition of exhibit 2021-399/36.1 through 2021-399/36.29 by virtue of this activity and report. Receipts attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Address #2 - Occurred #2 - 530 CHICAGO AVE

Primary Information

Address: 530 CHICAGO AVE Hennepin County Medical Examiner's Office, Minneapolis, Minnesota 55415 United States
Description: Hennepin County Medical Examiner

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Subject #1 - SUBJECT #1 - Smith, Winston Jr - Continued

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Property #1 - DNA Sample/Blood on Cloth - Winston Smith Jr

Primary Information

Property Class:	Evidence
Property Type:	Biological Sample
Description:	DNA Sample/Blood on Cloth - Winston Smith Jr
Property Status:	BCA / HQ
Status Date:	06/11/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/36.1)
Collected By:	Petersen, Brent
Collected Date/Time:	06/11/2021 09:45

Property #2 - Projectile Fragment - Right 5th Finger - Winston Smith Jr

Primary Information

Property Class:	Evidence
Property Type:	MISCELLANEOUS
Description:	Projectile Fragment - Right 5th Finger - Winston Smith Jr
Property Status:	BCA / HQ
Status Date:	06/11/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/36.2)
Collected By:	Petersen, Brent
Collected Date/Time:	06/11/2021 09:45

Property #3 - Projectile Fragment - Left Forearm Skin - Winston Smith Jr

Primary Information

Property Class:	Evidence
Property Type:	MISCELLANEOUS
Description:	Projectile Fragment - Left Forearm Skin - Winston Smith Jr
Property Status:	BCA / HQ
Status Date:	06/11/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/36.3)
Collected By:	Petersen, Brent
Collected Date/Time:	06/11/2021 09:45

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #4 - Projectile Fragment - Left Axilla - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile Fragment - Left Axilla - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.4)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #5 - Projectile - Right Side of Back - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Right Side of Back - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.5)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #6 - Projectile Fragment - Posterior Right Forearm - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile Fragment - Posterior Right Forearm - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.6)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #7 - Projectile - Soft Tissue of Mid Chest - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #7 - Projectile - Soft Tissue of Mid Chest - Winston Smith Jr - Continued

Primary Information - Continued

Description: **Projectile - Soft Tissue of Mid Chest - Winston Smith Jr**
Property Status: **BCA / HQ**
Status Date: **06/11/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/36.7)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/11/2021 09:45**

Property #8 - Projectile - Right Scapula - Winston Smith Jr

Primary Information

Property Class: **Evidence**
Property Type: **MISCELLANEOUS**
Description: **Projectile - Right Scapula - Winston Smith Jr**
Property Status: **BCA / HQ**
Status Date: **06/11/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/36.8)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/11/2021 09:45**

Property #9 - Projectile (w/ fabric) - Heart - Winston Smith Jr

Primary Information

Property Class: **Evidence**
Property Type: **MISCELLANEOUS**
Description: **Projectile (w/ fabric) - Heart - Winston Smith Jr**
Property Status: **BCA / HQ**
Status Date: **06/11/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/36.9)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/11/2021 09:45**

Property #10 - Projectile (w/ fabric fragment) - 7th Thoracic Vertebra - Winston Smith Jr

Primary Information

Property Class: **Evidence**
Property Type: **MISCELLANEOUS**
Description: **Projectile (w/ fabric fragment) - 7th Thoracic Vertebra - Winston Smith Jr**
Property Status: **BCA / HQ**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #10 - Projectile (w/ fabric fragment) - 7th Thoracic Vertebra - Winston Smith Jr - Continued

Primary Information - Continued

Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.10)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #11 - Projectile - Left 7th Rib - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Left 7th Rib - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.11)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #12 - Projectile - Mouth - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Mouth - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.12)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #13 - Projectile - Soft Tissue of Inferior Midline Back - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Soft Tissue of Inferior Midline Back - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #13 - Projectile - Soft Tissue of Inferior Midline Back - Winston Smith Jr - Continued

Primary Information - Continued

Submitted To: Property & Evidence (2021-399/36.13)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #14 - Projectile - Soft Tissue of Superior Midline Back - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Soft Tissue of Superior Midline Back - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.14)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #15 - Projectile - Skin - Left Side of Chest - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Projectile - Skin - Left Side of Chest - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.15)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #16 - Pair of Socks - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pair of Socks - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.16)
Collected By: Petersen, Brent

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #16 - Pair of Socks - Winston Smith Jr - Continued

Primary Information - Continued

Collected Date/Time: 06/11/2021 09:45

Property #17 - Cut T-Shirt w/ Defects - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Cut T-Shirt w/ Defects - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.17)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #18 - Pair of Underwear - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Pair of Underwear - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.18)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #19 - Hair Binder/Clip - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Hair Binder/Clip - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.19)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #20 - Earring - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: JEWELRY (OTHER)
Description: Earring - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.20)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #21 - Tourniquet From Left Arm - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Tourniquet From Left Arm - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.21)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #22 - Nail Clippings - Left Hand - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Biological Sample
Description: Nail Clippings - Left Hand - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.22)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #23 - Nail Clippings - Right Hand - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Biological Sample

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #23 - Nail Clippings - Right Hand - Winston Smith Jr - Continued

Primary Information - Continued

Description: Nail Clippings - Right Hand - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.23)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #24 - Pulled Head Hairs - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: Biological Sample
Description: Pulled Head Hairs - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.24)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #25 - Body Bag - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Body Bag - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.25)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #26 - Trauma Sheet - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Trauma Sheet - Winston Smith Jr
Property Status: BCA / HQ

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #26 - Trauma Sheet - Winston Smith Jr - Continued

Primary Information - Continued

Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.26)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #27 - Paper Bag - Left Hand - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Paper Bag - Left Hand - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.27)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #28 - Paper Bag - Right Hand - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Paper Bag - Right Hand - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/36.28)
Collected By: Petersen, Brent
Collected Date/Time: 06/11/2021 09:45

Property #29 - Cut Seal From Drying Rack - Winston Smith Jr

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Cut Seal From Drying Rack - Winston Smith Jr
Property Status: BCA / HQ
Status Date: 06/11/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/36

Report Date: 06/11/2021

Property #29 - Cut Seal From Drying Rack - Winston Smith Jr - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/36.29)**

Collected By: **Petersen, Brent**

Collected Date/Time: **06/11/2021 09:45**

Narrative begins on the following page.

On 06/11/2021 at approximately 0945 hours, Senior Special Agent (SSA) Brent Petersen acquired evidence from the Hennepin County Medical Examiner's Office that was collected during the autopsy of Winston Smith Jr.

- See attached evidence receipt from the Medical Examiner's Office for an itemized list of the evidence collected.

At approximately 1200 hours, SSA Petersen submitted 15 items from the Medical Examiner to the BCA Forensic Sciences Laboratory for further forensic testing.

- See attached lab intake evidence receipt for an itemized list of evidence submitted to the lab.

At approximately 1315 hours, SSA Petersen submitted an additional 14 items from the Medical Examiner's Office to the BCA property and evidence room.

- See attached ACISS receipt for an itemized list of the evidence submitted to the property and evidence room.

Acquisition of exhibits 2021-399/36.1 through 2021-399/36.29 by virtue of this activity and report.

Evidence receipts attached.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 2

Offense Number: 2021-399/36



Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	DNA Sample/Blood on Cloth - Winston Smith Jr
2	1.00	Projectile Fragment - Right 5th Finger - Winston Smith Jr
3	1.00	Projectile Fragment - Left Forearm Skin - Winston Smith Jr
4	1.00	Projectile Fragment - Left Axilla - Winston Smith Jr
5	1.00	Projectile - Right Side of Back - Winston Smith Jr
6	1.00	Projectile Fragment - Posterior Right Forearm - Winston Smith Jr
7	1.00	Projectile - Soft Tissue of Mid Chest - Winston Smith Jr
8	1.00	Projectile - Right Scapula - Winston Smith Jr
9	1.00	Projectile (w/ fabric) - Heart - Winston Smith Jr
10	1.00	Projectile (w/ fabric fragment) - 7th Thoracic Vertebra - Winston Smith Jr
11	1.00	Projectile - Left 7th Rib - Winston Smith Jr
12	1.00	Projectile - Mouth - Winston Smith Jr
13	1.00	Projectile - Soft Tissue of Inferior Midline Back - Winston Smith Jr
14	1.00	Projectile - Soft Tissue of Superior Midline Back - Winston Smith Jr
15	1.00	Projectile - Skin - Left Side of Chest - Winston Smith Jr

State authority to release or manner of disposition:

LAB - BCA

I hereby certify that I have received the above listed property

Signature  Date Received 6/11/2021
Name MN BCA Forensic Laboratory-St Paul Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 2

Offense Number: 2021-399/36

Case Agent: Petersen, Brent

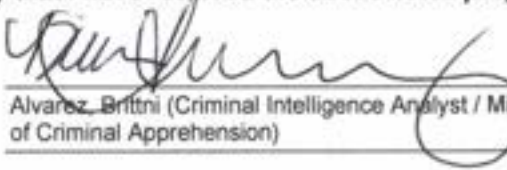
Item	Quantity	Description
16	1.00	Pair of Socks - Winston Smith Jr
17	1.00	Cut T-Shirt w/ Defects - Winston Smith Jr
18	1.00	Pair of Underwear - Winston Smith Jr
19	1.00	Hair Binder/Clip - Winston Smith Jr
20	1.00	Earring - Winston Smith Jr
21	1.00	Tourniquet From Left Arm - Winston Smith Jr
22	1.00	Nail Clippings - Left Hand - Winston Smith Jr
23	1.00	Nail Clippings - Right Hand - Winston Smith Jr
24	1.00	Pulled Head Hairs - Winston Smith Jr
25	1.00	Body Bag - Winston Smith Jr
26	1.00	Trauma Sheet - Winston Smith Jr
27	1.00	Paper Bag - Left Hand - Winston Smith Jr
28	1.00	Paper Bag - Right Hand - Winston Smith Jr
29	1.00	Cut Seal From Drying Rack - Winston Smith Jr

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/11/2021

Name

Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By





MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows for DNA and Firearms.

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Evidence dropped off by Brent Peterson at 1201 on 6/11/2021. Upon delivery, evidence was stored in a secure location until entry into the laboratory information management system.

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Lists Smith, Jr., Winston and Askar, Norhan Ashraf.

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Lists items 70 through 78.

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
79		One manila envelope containing evidence classified as bullet(s)	with fabric fragment from 7th thoracic vertebral, agency item 36.10	Winston Smith Jr.
80		One manila envelope containing evidence classified as bullet(s)	from posterior left 7th rib, agency item 36.11	Winston Smith Jr.
81		One manila envelope containing evidence classified as bullet(s)	from mouth, agency item 36.12	Winston Smith Jr.
82		One manila envelope containing evidence classified as bullet(s)	from soft tissue of inferior midline back, agency item 36.13	Winston Smith Jr.
83		One manila envelope containing evidence classified as bullet(s)	from soft tissue of superior midline back, agency item 36.14	Winston Smith Jr.
84		One manila envelope containing evidence classified as bullet fragment(s)	from skin of superolateral left side of chest, agency item 36.15	Winston Smith Jr.

Submitted By

Received By



06/11/2021 13:50

Brent Petersen

Marcala Boney

Submission Date and Time



Evidence Receipt

Decedent: Smith, Winston Boogie Jr.

ME Case #: 2021-3816

Investigating Agency: BCA

CCN#: 2021-399

Comments:

Reason: Release to Investigating Agency

Description

SocksTotal #:2

T-Shirt (cut) (DEFECTS)Total #:1

Underwear

Hair Binder/ClipsTotal #:1

Bag of Internal Evidence

Blood Prep for Investigating Agency

EarringDescription: white metal, clear stoneTotal #:1

Other PiercingDescription: nose stud; white metal, clear stoneTotal #:1

Turniquet from left arm

Left Hand Nail Clipping

Right Hand Nail Clipping

Pulled Head Hair

Body Bag

Trauma Sheet - TableTotal #:1

Left Paper Hand Bag

Right Paper Hand Bag

Cut Seal from Clothes Drying Rack

Bullet/ProjectileDescription: Projectile fragment from right 5th finger



Evidence Receipt

- Bullet/ProjectileDescription: Projectile fragment from left forearm skin
- Bullet/ProjectileDescription: Projectile fragment from left axilla
- Bullet/ProjectileDescription:Projectile from right side of the back
- Bullet/ProjectileDescription:Projectile fragment from the posterior right forearm
- Bullet/ProjectileDescription: Projectile from soft tissue of mid chest
- Bullet/ProjectileDescription: Projectile from right scapula
- Bullet/ProjectileDescription: Proejectile from heart with fabric fragment
- Bullet/ProjectileDescription:Projectile with fabric fragment from 7th thoracic verterbral body
- Bullet/ProjectileDescription:Projectile from posterior left 7th rib
- Bullet/ProjectileDescription:Projectile from mouth
- Bullet/ProjectileDescription:Projectile from soft tissue of inferior midline back
- Bullet/ProjectileDescription: Projectile from soft tissue of superior midline back
- Bullet/ProjectileDescription: Projectile fragment from skin of superolateral left side of the chest

Released To

Name: Petersen, Brent

Release To (Agency): BCA

Signature

Released By

Name: Morrone, Adabell

HCME

Release Date/Time: 06/11/2021 09:51 AM

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/37

Report Date: 06/11/2021

Primary Information

Description: **Surveillance Video Request - Mozaic West Office Building - Minneapolis**
Occurrence From: **06/11/2021 09:30**
Occurrence To: **06/11/2021 09:45**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/20/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 06/11/2021, SSA Petersen attempted to locate surveillance video relevant to this investigation. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1350 LAGOON AVE S

Primary Information

Address: **1350 LAGOON AVE S, Minneapolis, Minnesota 55408 United States**

Subject #1 - APARTMENT MANAGER #1 - Richter, Angela Ruth

Primary Information

Subject Name: **Richter, Angela Ruth**
Record Type: **Person**
Bio: **50 yr. old, White, Female**
Birth Date: **01/04/1971**
Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	1350 LAGOON AVE S, Minneapolis, Minnesota 55408 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
SUBSCRIBER	(952) 200-0250 (CELLULAR)

Narrative begins on the following page.

On 06/11/2021 at approximately 0930 hours, Senior Special Agent (SSA) Brent Petersen spoke with Angela Richter, an apartment manager at Mozaic West located at 1350 Lagoon Ave S in Minneapolis. This building is located a few blocks to the north of the Seven Point Parking Ramp where the fatal shooting occurred on 06/03/2021. SSA Petersen observed that this building, Mozaic West, is a 10-story building that is in sight of the fifth level of the parking ramp.

SSA Petersen inquired with Ms. Richter about any surveillance cameras mounted on the exterior of the building, particularly on the top floors of the building that might point in the direction of the parking ramp. Ms. Richter informed SSA Petersen that all the surveillance cameras in this building are internal and positioned in the lobbies and elevators.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/38

Report Date: 06/14/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Written Report - USMS TFO DOC - Jonahs Novak**
Occurrence From: **06/14/2021 00:00**
Occurrence To: **06/14/2021 00:00**
Reporting LEO: **Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/20/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 14th 2021, Senior Special Agent Michelle Frascone acquired the written report produced by Department of Corrections TFO Jonahs Novak. This document was obtained electronically and attached to this report. As a result, no evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Novak, Jonahs

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Novak, Jonahs**
Record Type: **Law Enforcement Official**
Bio: **Black, Male**
Rank/Position: **US Marshals Fugitive Task Force**
Juvenile: **NO**
LEO ID: **2303**

Narrative begins on the following page.

On June 14, 2021, Senior Special Agent Michelle Frascone acquired the written report produced by Department of Corrections Deputy Director/TFO Jonahs Novak. This document was obtained electronically and attached to this report. As a result, no evidence was obtained by virtue of this report.

Critical Incident Statement Deputy Director Jonahs [REDACTED] Novak 6/8/2021 @1100 hours:

On the afternoon of June 3, 2021, I was working in the capacity as a Task Force Officer (TFO) with the USMS Northstar Fugitive Task Force. At approximately 1300 hours, I went to the location of Stella's Fish Cafe located at 1400 W Lake St, Minneapolis MN to assist the task force with a possible fugitive apprehension. While in transit, information was aired over the radio that fugitive WINSTON BOOGIE SMITH JR was observed on social media on the rooftop of Stella's. Additional information was given that fugitive SMITH was observed in a dark gray, Maserati vehicle days prior. The license plate of the Maserati was given along with several photographs of fugitive SMITH, as the team was arriving in the area. I arrived in the area of Stella's [REDACTED] y after other TFO's arrived at location of Stella's Cafe. TFO [REDACTED] aired that he located the fugitive's vehicle parked, unoc [REDACTED] on the fifth level of the parking ramp, adjacent from Stella's.

I took the route of Hennepin SB to W Lake St and I turned EB towards the entrance off of Girard Av S. I noticed several other TFO vehicles headed to the ramp entrance as well and pulled in behind them. Several of us entered the ramp parking lot and dispersed throughout the ramp to cover each level and entrances. A TFO positioned on the first floor to cover the NW entrance and I headed to the fourth level, NW side of the ramp. I observed several [REDACTED] TFO's on the fourth floor inside of their vehicle's. TFO [REDACTED] stated he was in a position to view the fugitive's vehicle and wou [REDACTED] the call when to move in for the planned block/pin maneuver. A TFO on scene stated he had a possible visual of fugitive SMITH across the street, seated at a table on Stella's rooftop with an unknown white female companion. He advised the possible fugitive was wearing a black t-shirt with a colored logo on the back and that his dreadlocks were in a ponytail on top of his head.

[REDACTED] eh [REDACTED] n pla [REDACTED] formulated and disseminated that TFO [REDACTED] [REDACTED] and [REDACTED] would co [REDACTED] the block/pin maneuver [REDACTED] could [REDACTED] t [REDACTED] urth [REDACTED] with TFO [REDACTED], in case the fugitive fled on foot, jumped the fence to the four [REDACTED] r. [REDACTED] ed that I would have a 40mm less lethal in case it was needed. TFO [REDACTED] would give the command when to move in once fugitive SMI [REDACTED] female entered the vehicle.

Where I was positioned at the NW corner of the fourth floor parking ramp, using binoculars I also observed the same described male and white female seated at a table on the rooftop. After several minutes of planning the apprehension, the possible fugitive appeared to be paying for the meal to a waiter. Shortly after, the possible fugitive and female got up from their table, turned towards the parking ramp and walked to the exit that led downstairs. At this point, a positive identification of fugitive SMITH was made and disseminated to all. All TFO's on scene were advised that fugitive SMITH and the female were exiting the rooftop of Stella's.

I was still positioned on foot at the NW corner of the parking ramp and observed fugitive SMITH and the female exit Stella's main entrance onto W Lake Street and cross the street towards the parking ramp. I maintained visual of fugitive SMITH and female as they walked SB on the breezeway between the parking ramp and Calhoun Square shopping center. I relayed information to all TFO's that were in and around the ramp, that fugitive SMITH and female made it to the SW staircase/elevator and were out of my sight. TFO [REDACTED] got on the radio once he observed fugitive SMITH and female exit [REDACTED] fifth-floor stairwell/elevator area and walking towards the vehicle.

TFO [REDACTED] advised all that fugitive SMITH and female walked to the Mase [REDACTED] and fugitive SMITH opened the front passenger door for the female and let her in the front passenger seat. Fugitive SMITH walked to the driver side of the vehicle and got inside. The command was given for the take-down team to move in, in which they did from the fourth floor. I watched the vehicle's make their way to the fifth floor until they were out of my sight. I heard emergency sirens activated followed by several loud verbal commands being given by several people. The sirens were turned off and I heard someone on a squad's loud speaker continue to give commands. After several minutes of verbal commands, a TFO from the fifth [REDACTED] got on the radio and stated they needed more people. Myself and TFO [REDACTED] who were still on the fourth floor headed their way. I jumped TFO vehicle (gray Ford F-150) and drove to the fifth level.

As I rounded the corner, heading to the fifth level, I could see the front of fugitive SMITH's vehicle pointed EB, with several TFO and USMS vehicle's b [REDACTED] t in from the sides and rear. I pulled up directly behind TFO [REDACTED] blue truck (Ford F-150) which was parked at an angle, front end t [REDACTED] e fugitive SMITH's front left tire. I observed several TFO's and US Marshals at the driver side and rear of fugitive SMITH's vehicle, with their guns pointed still giving loud, concise verbal commands. I noticed several of the unmarked TFO and USMS vehicle had their emergency lights activated.

I ex [REDACTED] squad with my less lethal 40 mm and positioned myself behind TFO [REDACTED] vehicle initially. I was wearing a duty belt, raid vest with depa [REDACTED] ssued gold badge and several cle [REDACTED] sible markings stating POLICE US Marshal Fugitive Task Force. TFO [REDACTED] was standing behind the driver side front tire of his vehicle, l [REDACTED] on the hood with his handgun pointe [REDACTED] gitive SMITH who was in the driver seat of his vehicle. TFO [REDACTED] left his position, going back behind his vehicle and joined the othe [REDACTED] s who were positioned on the side and rear of the fugi [REDACTED] vehicle. At that point, I moved up and positioned myself where TFO [REDACTED] was originally positioned and pointed my 40 mm at fugitive SMIT [REDACTED] as approximately three feet away. Where I was positioned, I could clearly see fugitive SMITH through the front windshield and driver side window from his mid chest up past the steering wheel. I could also see the unknown female in the front passenger seat, crying hysterically, shaking with her hands in the air. Her lips were moving and she appeared to be yelling at fugitive SMITH.

While I was positioned in the area of front driver side of the fugitive's vehicle, behind TFO [REDACTED] engine block, I continued to observe the non-compliance from [REDACTED] SMITH. As concise, directed verbal commands were given to the fugitive to keep his hands visible, commands were also given to unlock and open the driver's door. Fugitive SMITH continued his non-compliance and his head and upper body shifted around the driver's seat from side to side and rocking forward and back in his seat. Fugitive SMITH appeared to be talking to the female instead of complying. Several times during verbal commands, the fugitive kept looking at me as I also told him to unlock the door. Several times he would drop his hands as he was shifting his body in various positions as stated above.

TFO [REDACTED] was the lead man in [REDACTED] behind TFO MICKELSON who had the [REDACTED] TFO [REDACTED] told TFO [REDACTED] to push forward, past the door handle with the [REDACTED]. As TFO [REDACTED] pushed past the driver's door handle and window, his body and [REDACTED] turned toward the seated fugitive SMITH, maintaining coverage with his shield and handgun. A [REDACTED] verbal commands and attempts to open the locked door, TFO [REDACTED] yelled for someone to retrieve a window breaker, in which someone [REDACTED] off from the stack and grabbed a long window breaking tool.

TFO [REDACTED] gave another command for the fugitive to unlock and open the door [REDACTED] he started hitting the lower right side of the driver's window with the tool. The window slowly began to break after several strikes. After several strikes and the window breaking more with each hit, I observed fugitive SMITH twist the front of his body quickly towards the center console [REDACTED] I could only see his back and back of his head. I observed TFO [REDACTED] slightly lean forward, moving side to side with his shield appearing [REDACTED] and see what fugitive SMITH was doing. I observed the fugitive push himself up on the center console with his legs and feet and it appeared [REDACTED] trying to push himself into the backseat of the vehicle as TFO [REDACTED] was trying to open the door.

TFO [REDACTED] continued striking the driver side window with the [REDACTED] tool and tried to unlock the door when I heard TFO [REDACTED] yell something to [REDACTED] of "don't you do it". Once those words [REDACTED] yelled, TFO [REDACTED] body stiffened, he leaned forward, his gun hand (right) locked [REDACTED] SMITH and he started firing his weapon. After several shots, TFO [REDACTED] yelled "He's got a gun" and continued to fire as he started moving [REDACTED] right. I could see the glass from the front windshield and driver's window explode with the impact of his rounds. I could see fugitive SMITH's body jerk and twist after each fired round of TFO [REDACTED] gun as they entered the vehicle front and driver's door window. [REDACTED] glass breaking and pieces of glass flying were also visible.

As the gunshots rang out, I spun around [REDACTED] left and transitioned to my [REDACTED] I ran around the back [REDACTED] truck towards TFO [REDACTED]. Once I reached TFO [REDACTED] grabbed the back collar of his [REDACTED] and began pulling him [REDACTED] towards the rear of the vehicle, with my handgun still pointed towards fugitive SMITH not knowing his status and or ability to possibly return fire. Everyone else that was previously stacked up on the driver's door, retreated for cover as well.

As I covered TFO [REDACTED], he stated he needed to conduct a reload in which he did. After conducting a combat reload, I observed his original magazine from his handgun [REDACTED] the ground, behind the front right wheel [REDACTED] squad. After TFO [REDACTED] reloaded, we continued [REDACTED] O [REDACTED] who was [REDACTED] [REDACTED] tire of TFO [REDACTED] TFO [REDACTED] myself and TFO [REDACTED] were [REDACTED] the rear driver [REDACTED] the fugitive's [REDACTED] USMS [REDACTED] approached the rear of the fugitive's vehicle window with his [REDACTED] and cleared some glass from the broken rear window with the muzzle of his rifle and continued yelling commands towards fugitive SMITH. I recall [REDACTED] stating fugitive SMITH was still moving. TFO [REDACTED] yelled to USMS [REDACTED] to pull back, in which he did.

A group approached the front passenger side of the fugitive's vehicle and pulled the female out, checked her thoroughly for any injuries and ran her away from the vehicle. She was hysterical but appeared to have minor injuries as she was pulled away and escorted to a squad for medical attention and detainment. A secondary approach was made for fugitive SMITH again from the front passenger door, with firearms pointed at the vehicle. Fugitive SMITH was pulled from the vehicle, out of the front passenger's door and placed on the ground on his back and medical attention was immediately started.

Several USMS Deputies and TFO's started chest compressions and tried to stop the bleeding from the gunshot wounds as others ran to their squads for medical [REDACTED]. As medical attention was given to fugitive SMITH, I took TFO [REDACTED] from the area where fugitive SMITH was being given medical attention and placed him in my vehicle's front passenger seat. At this point [REDACTED] the role of escort officer for the involved officer (TFO [REDACTED]). While seated in the vehicle, I noticed the position of [REDACTED] as facing directly towards the location where TFO's [REDACTED] tically giving fugitive SMITH life saving measures. TFO [REDACTED] was visibly shaking, breathing rapidly and his hands were [REDACTED] as he observed the life-saving measures being applied to fugitive SMITH.

I could see the effect of this visual sight of his partners continue to work on fugitive SMITH, so I moved my squad backwards a few feet behind another squad to obstruct our view of the medical attention provided. Prior to backing up my squad, I remembered TFO [REDACTED] original magazine was behind my front right tire. I got [REDACTED] the magazine (without gloves) and placed it in my squad. When the visual [REDACTED] longer present, I maintained support the best I could for TFO [REDACTED] as he was trying to compose himself. His hands were still shaking and could see his breathing was still staggered.

As the scene was continuously unfolding, I advised dispatch that CPR was being conducted on fugitive SMITH. At this point, the scene was Code 4 [REDACTED] e process has [REDACTED] secure the scene. During this process, TFO [REDACTED] who is TFO [REDACTED] immediate supervisor took over duties as [REDACTED] officer and [REDACTED] from the scene. As the scene was released

to supervisors and investigators, the decision was made by the USMS that all TFO's and USMS that were involved would transport and stage at the US Federal Court building in downtown Minneapolis. At this point, I had a DOC employee pick me up from the scene and drive me to the courthouse.

Once at the courthouse, BCA arrived and took photographs of what I was wearing during the critical incident, logged my duty firearm and conducted a round count. We staged at this location until the initial scene was processed and we were able to return to retrieve our vehicles.

End of Statement:

Please contact me if there are any additional questions.

Deputy Director Jonahs [REDACTED] Novak

MN Department of Corrections

USMS Northstar Fugitive Task Force

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/39

Report Date: 06/14/2021

Primary Information

Description: **Written Statement - Ramsey County Sheriff's Deputy [REDACTED]**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/20/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

6/13/2021 receipt of a written statement from Ramsey County Sheriff's Deputy [REDACTED] No evidence acquired with this report.

Narrative begins on the following page.

On 06/13/2021 at approximately 1125 hours, Senior Special Agent Brent Petersen received a written statement from the attorney for Ramsey County Sheriff's Deputy [REDACTED]. The statement documents Deputy [REDACTED] actions and observations during the attempted arrest of Winston Smith Jr on 06/03/2021 in the city of Minneapolis.

A request for an interview was made to Deputy [REDACTED] on 06/04/2021 and was declined.

A copy of Deputy [REDACTED] statement is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

I, Deputy [REDACTED], badge number [REDACTED], POST [REDACTED] and writing my statement on 06/11/2021. I have been with the Ramsey County Sheriff's Office since [REDACTED]. I was hired as a Ramsey County [REDACTED]. I am currently assigned to the Ramsey County [REDACTED], and was licensed by the US Marshals in [REDACTED]. I have been a full-time member of the North Star Fugitive Task Force since [REDACTED]. I have attended numerous and continual trainings with both Ramsey County and the US Marshals, including but not limited to vehicle intervention techniques, room clearing training, medical training, ballistic shield training/shooting, less lethal munitions, officer down training, cultural diversity, and complicit bias training.

The US Marshals North Star Fugitive Task Force (NSFTF) was asked to locate and arrest Winston Boogie Smith (DOB 04/08/1989). Smith had an active Ramsey County felony warrant for Possession of a Firearm by a Felon, warrant number 62-CR-19-9010, bail \$0. Winston's criminal history includes a past robbery and gun conviction. TFO [REDACTED] also advised task force members that Smith was recently seen on social media possessing a firearm.

On 06/03/2021, TFO [REDACTED] obtained information that Smith was at Stella's Fish Café located at 1400 W. Lake Street in Minneapolis. Officers went to the area and began to set up surveillance on Stella's. TFO [REDACTED] was able to get a visual of Stella's rooftop dining with binoculars, and was able to visually identify Winston Smith on the rooftop. Smith was accompanied by a female. Deputy [REDACTED] then took over the visual of Smith and the female. TFO [REDACTED] also advised that Smith was possibly driving a 2019 silver Maserati (MN plate FRB-

657). Remaining officers began to grid the area and search for the Maserati. TFO [REDACTED] located the Maserati in the Calhoun Square Parking Garage, which is located at 3001 Hennepin Avenue. In comparison to Stella's, the parking garage is directly to the south. The vehicle was on the very top level, and was the only vehicle on that level. The vehicle could be easily seen from Stella's rooftop.

Officers formulated a vehicle box technique for the takedown of Winston Smith. My job was to be the first vehicle to arrive and put a rear vehicle box on the Maserati, with my front bumper contacting the Maserati's rear bumper. Officers set up one floor below the Maserati so they could not be seen from Stella's rooftop. TFO [REDACTED] observed Smith and the female exit Stella's and walk toward the parking ramp. TFO [REDACTED] had a visual on the Maserati and was able to call out when Smith approached the vehicle. Smith approached the passenger side of the vehicle and assisted the female getting into the front passenger seat. Smith then went to the driver's door and got in the front driver seat. The command "execute" was given, and I proceeded up the ramp in my Ford F-150, turned on my emergency lights and made physical contact with the rear bumper of the Maserati, as the reverse lights came on. I stayed in my vehicle until other squads were in place with my emergency lights still activated. I exited my vehicle with my service weapon out, and loudly said, "Smith, you are under arrest, put your hands up and exit the vehicle". Smith did not comply. Smith and I made eye contact on multiple occasions through his side view mirror as I continued to give loud verbal commands for him to put his hands up and exit the vehicle slowly. Smith did not comply. TFO [REDACTED] then took over verbal commands as he and his vehicle were positioned near Smith's driver's side door. After several minutes of commands with no compliance, officers formulated an approach plan to the vehicle to

remove Smith. Verbal commands were also being given to the front female passenger to exit the vehicle during that same time frame, with no compliance. TFO [REDACTED] was first in the stack with ballistic shield, TFO [REDACTED] was second in stack, US Marshal [REDACTED] was window break, and I was assigned less lethal (Taser). We approached the driver side door, and TFO [REDACTED] grabbed the driver's door handle, and it was locked. Commands were given to Smith to unlock the door, with no compliance. US Marshal [REDACTED] attempted to break out the driver's side window with a pole window break device. The device was punching small holes in the window, and it began to spider, but the window remained intact. I then observed Smith's upper body quickly lunge to the backseat, in between the driver and passenger seat. He appeared to reach for something, and then recoiled back to the driver's seat. TFO [REDACTED] yelled, "gun, gun, gun" and shots were fired. I heard approximately 6-10 gunshots. Officers retreated back toward task force vehicles for cover. I did not deploy less lethal (taser) or my service weapon. Officers switched to LTAC1 radio communications, and aired that shots had been fired at the Calhoun Square Parking Garage. Multiple agencies responded.

I made my way toward the passenger side of the Maserati, where I observed US Marshal [REDACTED] with the female passenger. They were both standing at the rear of his vehicle. I approached the female and assisted US Marshal [REDACTED] with handcuffing her behind the back. We escorted the female to TFO [REDACTED] vehicle at the north end of the parking ramp, farthest away from the incident. The female had blood splatter on her body. The female was crying and scared. I completed a quick scan of the female, and did not observe any large blood stains to her clothing or any serious trauma to her body. I placed the female in back of TFO [REDACTED] squad. I told her an ambulance was on the way to

check her out. I asked the female how she knew Smith. She said she met him a couple weeks ago, and they were on a date. She asked, "is he a dangerous guy?" I asked her what Smith was saying in the vehicle when he wouldn't come out, and she said he was saying, "I am not going back to jail." I also asked her why she did not exit the vehicle when told to do so, she said, "I was scared." I asked her if she had seen Smith with a handgun, and she replied, "no." The female was then escorted by two Minneapolis officers to an awaiting ambulance for evaluation.

I went back to the scene, and lifesaving measures were exhausted and Hennepin County paramedics declared Smith deceased.

The scene was secured by the Hennepin County Sheriff's Office and Minneapolis Police.

We were transported from the scene back to the US Marshals Minneapolis Office.

The Bureau of Criminal Apprehension agents photographed officers involved and counted the ammunition on each officer. I was wearing a black US Marshal t-shirt which has identifiable markings on the sleeves. The white lettering on the sleeves read, Sheriff/US Marshal Fugitive Task Force. I was also wearing a black tactical vest that had clear and identifiable placards on the front and back. The placards were in white lettering and read, Sheriff/US Marshal Fugitive Task Force.

End of report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/40

Report Date: 06/19/2021

Primary Information

Description: **Filing of Crime Scene and Vehicle Search Warrants**
Occurrence From: **06/14/2021 00:00**
Occurrence To: **06/14/2021 00:00**
Reporting LEO: **Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/20/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 3rd 2021, Minnesota Bureau of Criminal Apprehension Senior Special Agent James ■ Reyerson authored two search warrants in response to the officer involved shooting incident that occurred in Minneapolis, Minnesota. No evidence items acquired by virtue of this report.

Address #1 - RELATED #1 - 1405 W LAKE ST

Primary Information

Address: **1405 W LAKE ST, Minneapolis, Minnesota 55408 United States**
Description: **Calhoun Square Parking Ramp**

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2019 MASERATI**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **ZN661XUS1KX337376**
Tag Number: **FRB657**
Tag State: **MN**

Narrative begins on the following page.

On June 3rd 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James [REDACTED] Reyerson authored two search warrants in response to the officer involved shooting incident that occurred in Minneapolis, Minnesota.

SSA Reyerson authored one search warrant for the overall crime scene located at 1405 West Lake Street, in Minneapolis, Minnesota. The second search warrant was for a related vehicle associated with the incident.

Both search warrants were authorized by Hennepin County District Court Judge Hoyos and later executed by BCA Agents and the BCA Crime Scene Team.

On June 14th 2021, SSA Reyerson electronically filed the aforementioned two search warrants into court filing number: 27-CR-CV-21-2.

SSA Reyerson attached both filed search warrants to this report.

No evidence items acquired by virtue of this report.

Application Page 1 - 5

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, James ■ Reyersson, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the motor vehicle(s) described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

- **Any weapons (firearms, knives, etc) or ammunition.**
- **Biological samples consisting of saliva swabs.**
- **Clothing which may contain suspected blood or body fluids.**
- **Trajectory scaling and measurements associating with the vehicle.**
- **Writings which may indicate motive and assist in identification of the subject.**
- **Papers and documents that would assist with the investigation and identification.**
- **Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.**
- **Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.**
- **Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)**
- **Prescription medication and any/all illicit narcotics**
- **Bodily fluids, hair, fibers, biological samples and items of identification.**
- **Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value.**

is or are in the motor vehicle(s) described as:

Grey in color Maserati SUV bearing Minnesota license plate: FRB-657.

located in city or township of Minneapolis, County of Hennepin, State of Minnesota.

Application Page 2 - 5

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Your Affiant has been a sworn Peace Officer for approximately twelve years. Your Affiant was a Police Officer with the New York City Police Department (NYPD), a Special Agent with the Drug Enforcement Administration (DEA), a Special Agent with the Minnesota Department of Commerce Fraud Bureau (CFB), and is currently a Senior Special Agent with the Bureau of Criminal Apprehension (BCA) in the Force Investigations Unit. Your Affiant has been trained on investigative tactics and techniques by the NYPD, DEA, CFB, and BCA. In this capacity, Your Affiant has training and experience in the investigation of crimes of violence against persons including, but not limited to, homicide, sexual assault, narcotics, officer involved shootings, robberies, and assaults.

Your Affiant has spoken with agents who have conducted a preliminary investigation into this matter and believes the information he has received to be true and accurate. Because this Affidavit is being submitted for the limited purpose of securing a search warrant, Your Affiant has not included each and every fact known to him concerning this investigation. Your Affiant has set forth only those facts that are necessary to establish probable cause to believe that evidence related to, or pertinent to, the investigation may be contained within the requested search. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part. Your Affiant believes the below fact pattern to be true and factual.

The facts establishing the grounds for issuance of a search warrant are as follows:

On June 3, 2021, members of the United States Marshals Fugitive Task Force came into contact with a yet to be identified Black Male on the top level of a parking garage located at 1405 West Lake Street Minneapolis, Minnesota.

At some point during the interaction, shots were fired. The yet to be identified male sustained injuries from the encounter.

Shortly thereafter medical intervention occurred, however the male was pronounced deceased on scene.

The deceased male is still on scene.

Also present on scene is a grey in color Maserati SUV bearing Minnesota license plate: FRB-657. The aforementioned SUV has multiple defects that could be the result of projectile

contact and contains a potentially associated firearm.

The BCA is investigating the incident. Your Affiant is respectfully requesting court authorization to allow the BCA Crime Scene Team and BCA agents to search and collect related evidence relating to the aforementioned SUV.

The BCA Crime Scene Team in conjunction with BCA agents will video and photograph the Vehicle for documentation purposes. Additionally, the BCA Crime Scene Team and agents will search for, collect, and process any and all physical evidence utilizing acceptable forensic evidence gathering techniques to include the collection of:

- **Any weapons (firearms, knives, etc) or ammunition.**
- **Biological samples consisting of saliva swabs.**
- **Clothing which may contain suspected blood or body fluids.**
- **Trajectory scaling and measurements associating with the vehicle.**
- **Writings which may indicate motive and assist in identification of the subject.**
- **Papers and documents that would assist with the investigation and identification.**
- **Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.**
- **Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.**
- **Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)**
- **Prescription medication and any/all illicit narcotics**
- **Bodily fluids, hair, fibers, biological samples and items of identification.**
- **Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value.**

Collection and processing of the above mentioned evidence will assist agents/investigators with corroborating statements made by Law Enforcement Officers and/or subjects of the

Application Page 4 - 5

investigation. Additionally, identification, collection, and seizure of the evidence will assist agents with establishing a timeline of the incident and potentially provide insight into the mid-set of the subject.

(End of Page)

Application Page 5 - 5

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because Preservation of evidence

I request a search warrant be issued, commanding James ■■■ Reyerson, SSA Reyerson, SSA Johnson, SSA Petersen, SSA Frascone, ASAIC Phill, SAIC Mueller, and BCA Crime Scene Team, BCA SOD Agent, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above described motor vehicle(s) for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: James ■■■ Reyerson _____
Minnesota Bureau of Criminal
Apprehension
Electronically Signed
06/03/2021 6:11 PM
Hennepin County, Minnesota

Search Warrant Page 1 - 3

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

SEARCH WARRANT

TO: JAMES ■ REYERSON, SSA REYERSON, SSA JOHNSON, SSA PETERSEN, SSA FRASCONI, ASAIC PHILL, SAIC MUELLER, AND BCA CRIME SCENE TEAM, BCA SOD AGENT PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, James ■ Reyerson has this day on oath made an application to this Court for a warrant to search the following described motor vehicle(s) :

Grey in color Maserati SUV bearing Minnesota license plate: FRB-657.

located in city or township of Minneapolis, State of Minnesota for the following described property and thing(s):

- Any weapons (firearms, knives, etc) or ammunition.
- Biological samples consisting of saliva swabs.
- Clothing which may contain suspected blood or body fluids.
- Trajectory scaling and measurements associating with the vehicle.
- Writings which may indicate motive and assist in identification of the subject.
- Papers and documents that would assist with the investigation and identification.
- Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.
- Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.
- Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)
- Prescription medication and any/all illicit narcotics
- Bodily fluids, hair, fibers, biological samples and items of identification.
- Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value.

Search Warrant Page 2 - 3

WHEREAS, the application of James [REDACTED] Reyerson was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are in the above-described motor vehicle(s)

(End of Page)

Search Warrant Page 3 - 3

The court further finds that a nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction, removal of the objects of said search, or to protect the safety of the searchers or the public.

NOW, THEREFORE, you James [REDACTED] Reyerson, SSA Reyerson, SSA Johnson, SSA Petersen, SSA Frascone, ASAIC Phill, SAIC Mueller, and BCA Crime Scene Team, BCA SOD Agent, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above-described motor vehicle(s), for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 03 June, 2021

Judicial Officer: Juan HoyosJudge of District Court
Electronically Signed
06/03/2021 6:29 PM

STATE OF MINNESOTA, COUNTY OF Hennepin

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, James [redacted] Reyerson, received the attached search warrant issued by the Honorable Juan Hoyos, on 06/03/2021, and have executed it as follows:

Pursuant to the warrant, on 06/03/2021, at 07:00 o'clock pm. I searched the following described in the search warrant.

Premises Motor Vehicle Person Device

I have left a true and correct copy of the search warrant (with) (in) (at)

Retained and in Vehicle

I took into custody the property and things listed below: (attach and identify additional sheets if necessary)

See attached.

Check the appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant was found.
- I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.

James [redacted] Reyerson Date: 06/14/2021
(Signature)
County: Hennepin State: Minnesota

COPIES TO: • COURT • PROS. ATTORNEY • PEACE OFFICER • PREMISES/MOTOR VEHICLE/PERSON



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved

Estimated Completion Date

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

	<u>Date Of Birth</u>	<u>Sex</u>	<u>Type</u>	<u>Race</u>	<u>ID Number</u>	<u>Comments</u>
Smith, Jr., Winston	4/8/1989	M	D			
[REDACTED]	[REDACTED]	[REDACTED]	O			
[REDACTED]		M	P	C		
[REDACTED]		M	P	C		

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
51		a vehicle	Gray Maserati Levante Q4, MN license plate FRB567	

Submitted By

Received By

06/07/2021 9:12

Hand Delivered with No Sig Cap Pad

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved	Estimated Completion Date
Crime Scene Team	07/07/2021
Firearms	10/05/2021

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Team: RT, AAG, SJS, SA O'Brien

PRINCIPALS:

	<u>Date Of Birth</u>	<u>Sex</u>	<u>Type</u>	<u>Race</u>	<u>ID Number</u>	<u>Comments</u>
Smith, Jr., Winston	4/8/1989	M	D			
[REDACTED]	[REDACTED]	[REDACTED]	O			
[REDACTED]		M	P	C		
[REDACTED]		M	P	C		

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
52		One brown paper bag containing evidence classified as a left shoe	left purple shoe from Item 51	
53		One brown paper bag containing evidence classified as plant material	in baggie, w/ other baggies from black string backpack in the backseat of Item 51	
54		One brown paper bag containing evidence classified as tablet(s)	in Rx bottle from black string backpack in the backseat of Item 51	
55		One brown paper bag containing evidence classified as plant material	in 2 plastic containers from black string backpack in the backseat of Item 51	
56		One brown paper bag containing evidence classified as tablet(s)	in Rx bottle from black string backpack in the backseat of Item 51	
57		One brown paper bag containing evidence classified as a magazine	Smith and Wesson M&P 380, loaded w/ 7 "Blazer 380 Auto" cartridges from duffel from Item 51	

Lab Case S21-09577 Continued..

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
58		One brown paper bag containing evidence classified as plant material	in 3 plastic containers from duffel bag in the backseat of Item 51	
59		One brown paper bag containing evidence classified as an item of evidence	\$228 from duffel bag in backseat of Item 51	
60		One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
61		One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
62		One manila envelope containing evidence classified as bullet fragment(s)	from rear passenger seat of Item 51	
63		One manila envelope containing evidence classified as bullet fragment(s)	from front driver seat of Item 51	
64		One manila envelope containing evidence classified as bullet fragment(s)	from front driver floor of Item 51	
65		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
66		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
67		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
68		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	

Submitted By

Received By



06/07/2021

12:40

Crime Scene Collection

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Agency Case Number

2021399

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved

Crime Scene Team

Estimated Completion Date

07/07/2021

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Collected at 1535 on 6.7.21

PRINCIPALS:

	<u>Date Of Birth</u>	<u>Sex</u>	<u>Type</u>	<u>Race</u>	<u>ID Number</u>	<u>Comments</u>
Smith, Jr., Winston	4/8/1989	M	D			
[REDACTED]	[REDACTED]	[REDACTED]	O			
[REDACTED]		M	P	C		
[REDACTED]		M	P	C		

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
69		One brown paper bag containing evidence classified as plant material	in baggie, from black string backpack in the backseat of Item 51	

Submitted By

Received By

06/07/2021 16:38

Crime Scene Collection

Ross Thomas

Submission Date and Time

Application Page 1 - 5

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, James ■ Reyerson, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

- Any weapons (firearms, knives, etc) or ammunition.
- Biological samples consisting of saliva swabs.
- Clothing which may contain suspected blood or body fluids.
- Writings which may indicate motive and assist in identification of the subject.
- Papers and documents that would assist with the investigation and identification.
- Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.
- Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.
- Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)
- Prescription medication and any/all illicit narcotics
- Bodily fluids, hair, fibers, biological samples and Items of Identification.
- Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value
- Photographs, videos, livescan

is or are at the premises described as:

Parking garage located at: 1405 West Lake Street Minneapolis, Minnesota

located in city or township of Minneapolis, County of Hennepin, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Your Affiant has been a sworn Peace Officer for approximately twelve years. Your Affiant was a Police Officer with the New York City Police Department (NYPD), a Special Agent with the Drug Enforcement Administration (DEA), a Special Agent with the Minnesota Department of Commerce Fraud Bureau (CFB), and is currently a Senior Special Agent with the Bureau of Criminal Apprehension (BCA) in the Force Investigations Unit. Your Affiant has been trained on investigative tactics and techniques by the NYPD, DEA, CFB, and BCA. In this capacity, Your Affiant has training and experience in the investigation of crimes of violence against persons including, but not limited to, homicide, sexual assault, narcotics, officer involved shootings, robberies, and assaults.

Your Affiant has spoken with agents who have conducted a preliminary investigation into this matter and believes the information he has received to be true and accurate. Because this Affidavit is being submitted for the limited purpose of securing a search warrant, Your Affiant has not included each and every fact known to him concerning this investigation. Your Affiant has set forth only those facts that are necessary to establish probable cause to believe that evidence related to, or pertinent to, the investigation may be contained within the requested search. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part. Your Affiant believes the below fact pattern to be true and factual.

The facts establishing the grounds for issuance of a search warrant are as follows:

On June 3, 2021, members of the United States Marshals Fugitive Task Force came into contact with a Black male later identified as Winston Smith Jr, DOB: 04/08/1989, on the top level of a parking garage located at 1405 West Lake Street Minneapolis, Minnesota.

At some point during the interaction, shots were fired. Smith sustained injuries from the encounter.

Shortly thereafter medical intervention occurred, however Smith was pronounced deceased

on scene.

The deceased male is still on scene.

The BCA is investigating the incident. Your Affiant is respectfully requesting court authorization to allow the BCA Crime Scene Team and BCA agents to search and collect related evidence relating to the scene.

The BCA Crime Scene Team in conjunction with BCA agents will video and photograph the scene for documentation purposes. Additionally, the BCA Crime Scene Team and agents will search for, collect, and process any and all physical evidence utilizing acceptable forensic evidence gathering techniques to include the collection of:

- **Any weapons (firearms, knives, etc) or ammunition.**
- **Biological samples consisting of saliva swabs.**
- **Clothing which may contain suspected blood or body fluids.**
- **Writings which may indicate motive and assist in identification of the subject.**
- **Papers and documents that would assist with the investigation and identification.**
- **Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.**
- **Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.**
- **Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)**
- **Prescription medication and any/all illicit narcotics**
- **Bodily fluids, hair, fibers, biological samples and items of identification.**
- **Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value.**

Collection and processing of the above mentioned evidence will assist agents/investigators with corroborating statements made by Law Enforcement Officers and/or subjects of the

Application Page 4 - 5

investigation. Additionally, identification, collection, and seizure of the evidence will assist agents with establishing a timeline of the incident and potentially provide insight into the mid-set of the subject.

(End of Page)

Application Page 5 - 5

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because Preservation of Evidence

I request a search warrant be issued, commanding James [REDACTED] Reyerson, SSA Reyerson, SSA Johnson, SSA Petersen, SSA Frascone, ASAIC Phill, SAIC Mueller, and BCA Crime Scene Team, BCA SOD Agent, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above described premises for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: James [REDACTED] Reyerson
Minnesota Bureau of Criminal
Apprehension
Electronically Signed
06/03/2021 4:29 PM
Hennepin County, Minnesota

Search Warrant Page 1 - 3

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

SEARCH WARRANT

TO: JAMES ■ REYERSON, SSA REYERSON, SSA JOHNSON, SSA PETERSEN, SSA FRASCONI, ASAC PHILL, SAIC MUELLER, AND BCA CRIME SCENE TEAM, BCA SOD AGENT PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, James ■ Reyerson has this day on oath made an application to this Court for a warrant to search the following described premises :

Parking garage located at: 1405 West Lake Street Minneapolis, Minnesota

located in city or township of Minneapolis, State of Minnesota for the following described property and thing(s):

- Any weapons (firearms, knives, etc) or ammunition.
- Biological samples consisting of saliva swabs.
- Clothing which may contain suspected blood or body fluids.
- Writings which may indicate motive and assist in identification of the subject.
- Papers and documents that would assist with the investigation and identification.
- Court authorization to photograph, video tape and process for physical evidence using acceptable forensic evidence gathering techniques, searching for evidence to include but not limited to: latent fingerprints, fibers, hairs and bodily fluids, including trace evidence.
- Cell phone(s) located in or near the crime scene, subsequent warrant will be written to access the data within.
- Collect and process any notes, writings, journals or diaries, both hand written and in digital format (to include all data contained within computer, cell phone, and electronic data device to include any device that may show motive, reason, background information, assist investigators with establishing a time line and/or assist with the investigation.)
- Prescription medication and any/all illicit narcotics
- Bodily fluids, hair, fibers, biological samples and items of identification.
- Trace evidence including but not limited to: blood, hair, fibers, fingerprints, bodily fluids, powder residue, cartridge casing(s), bullets, bullet fragments, and other items identified as holding forensic evidentiary value
- Photographs, videos, livescan

Search Warrant Page 2 - 3

WHEREAS, the application of James ■ Reyerson was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are at the above-described premises

(End of Page)

Search Warrant Page 3 - 3

The court further finds that a nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction, removal of the objects of said search, or to protect the safety of the searchers or the public.

NOW, THEREFORE, you James [REDACTED] Reyerson, SSA Reyerson, SSA Johnson, SSA Petersen, SSA Frascone, ASAIC Phill, SAIC Mueller, and BCA Crime Scene Team, BCA SOD Agent, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above-described premises, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 03 June, 2021

Judicial Officer: Juan Hoyos

Judge of District Court

Electronically Signed

06/03/2021 4:44 PM

STATE OF MINNESOTA, COUNTY OF Hennepin

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, James [redacted] Reyerson, received the attached search warrant issued by the Honorable Juan Hoyos on 06/03/2021 and have executed it as follows:

Pursuant to the warrant, on 06/03/2021 at 05:00 o'clock pm, I searched the following described in the search warrant.

Premises Motor Vehicle Person Device

I have left a true and correct copy of the search warrant (with) (in) (at)

At the scene/retained

I took into custody the property and things listed below: (attach and identify additional sheets if necessary)

See attached

Check the appropriate:
 I left a receipt for the property and things listed above with a copy of the warrant.
 None of the items set forth in the search warrant was found.
 I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.
James [redacted] Reyerson Date: 06/14/2021
 (Signature)
 County: Hennepin State: Minnesota

COPIES TO: • COURT • PROS. ATTORNEY • PEACE OFFICER • PREMISES/MOTOR VEHICLE/PERSON



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Agency Case Number
2021399

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Laboratory Number
S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved	Estimated Completion Date
Crime Scene Team	07/04/2021
Digital Multimedia Evidence	12/01/2021
DNA	10/02/2021
Firearms	10/02/2021
Latent Prints	09/02/2021

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Collected on 6.3.21 at 2030 hrs

Team: Thomas, Granger, Swenson, SA Nelson

Digital Multimedia Evidence received will be examined by the DME Unit located within the Investigations Division of the BCA.

PRINCIPALS:

	Date Of Birth	Sex	Type	Race	ID Number	Comments
Smith, Jr., Winston	4/8/1989	M	D			
[REDACTED]	[REDACTED]	[REDACTED]	O			

ITEM DESCRIPTION OF EVIDENCE:

Item #	In Container	Packaging and Type	Description	Source
1		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
2		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
3		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
4		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
5		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
6		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
7		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
8		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	

Lab Case S21-09577 Continued...

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
9		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
10		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
11		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
12		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
13		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
14		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
15		One manila envelope containing evidence classified as cartridge(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
16		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151 TCA	
17		One brown paper bag containing evidence classified as a magazine	loaded magazine in black plastic glove from front passenger seat of MN license plate EKL 907	
18		One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5	
19		One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5	
20		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151 TCA	
21		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
22		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
23		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
24		One manila envelope containing evidence classified as a swab of apparent blood	near rear bumper of MN license plate 281 XGG	
25		One cardboard box containing evidence classified as an item of evidence	handcuffs with apparent blood behind MN license plate 281 XGG	
26		One brown paper bag containing evidence classified as an item of evidence	small black backpack behind MN license plate 281 XGG	
27		One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380, SN: NHD9367, from front driver side of Maserati	
28		One manila envelope containing evidence classified as bullet(s)	from under decedent	
29		One brown paper bag containing evidence classified as an item of evidence	keys near decedent	

Lab Case S21-09577 Continued..

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
30		One brown paper bag containing evidence classified as mobile phone	black Samsung phone near decedent	
31		One brown paper bag containing evidence classified as mobile phone	purple iPhone near decedent	
32		One manila envelope containing evidence classified as an item of evidence	\$836 near decedent	
33		One brown paper bag containing evidence classified as an item of evidence	black bag labeled "Ammo Medical" and "Go Bag" near body	
34		One brown paper bag containing evidence classified as clothing	jean shorts with belt and right purple shoe near decedent	
35		One manila envelope containing evidence classified as an item of evidence	lighter and bead near decedent	
36		One brown paper bag containing evidence classified as mobile phone	pink and black iPhone from Item 26	
37		One manila envelope containing evidence classified as bullet(s)	from front driver floor of Maserati	
38		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
39		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
40		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from driver side floor of Maserati	
41		One manila envelope containing evidence classified as bullet fragment(s)	from dashboard of Maserati	
42		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
43		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
44		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front passenger side of Maserati	
45		One brown paper bag containing evidence classified as mobile phone	black iPhone from front passenger seat of Maserati	

Submitted By

Received By



06/04/2021

8:35

Crime Scene Collection

Ross Thomas

Submission Date and Time

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/41

Report Date: 06/15/2021

Primary Information

Description: **Acquisition of City of Minneapolis Video - W Lake St/Hennepin Ave S**
Occurrence From: **06/15/2021 11:00**
Occurrence To: **06/15/2021 11:00**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/20/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 06/15/2021, SSA Petersen acquired surveillance video from a city-owned camera mounted at W Lake St and Hennepin Ave S in the city of Minneapolis. Video saved to DVD and acquired as exhibit 2021-399/41.1. Summary of video included in this report. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Property #1 - City Milestone Video on DVD - Lake/Hennepin - Mpls

Primary Information

Property Class: **Evidence**
Property Type: **VIDEO RECORDING**
Description: **City Milestone Video on DVD - Lake/Hennepin - Mpls**
Property Status: **BCA / HQ**
Status Date: **06/15/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/41.1)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/15/2021 11:00**

Narrative begins on the following page.

On 06/15/2021 at approximately 1100 hours, Senior Special Agent (SSA) Brent Petersen received surveillance video from the city of Minneapolis via a secured link to Evidence.com. SSA Petersen requested video from a city-owned camera mounted at the intersection of W. Lake St and Hennepin Ave S. The video requested and obtained is from 06/03/2021 from 1230 to 1430 hours.

The video depicts the intersection of Lake and Hennepin. The camera is positioned in such a manner that it is facing north on Hennepin Ave and does not capture any video to the east on Lake St, which is where the incident under investigation would have occurred. Emergency personnel are visible on the video responding and turning east on Lake St from Hennepin but nothing else is captured.

Video saved to a DVD and acquired as exhibit 2021-399/41.1.

ACISS evidence receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/41



Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	City Milestone Video on DVD - Lake/Hennepin - Mpls

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 6/15/2021
Name Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Forensic Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/42

Report Date: 06/21/2021

Primary Information

Description: **Surveillance Video Request - City Camera at W Lake St/Girard Ave S - Minneapolis**
Occurrence From: **06/15/2021 17:00**
Occurrence To: **06/16/2021 13:30**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/22/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 06/15/2021, SSA Petersen requested video from a city-owned camera at the corner of W Lake St and Girard Ave S in the city of Minneapolis. No video acquired by virtue of this request. Email correspondence attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent (SSA) Brent Petersen learned of a city-owned security camera mounted at or near the intersection of West Lake St and Girard Ave S in the Uptown neighborhood of Minneapolis. SSA Petersen made a data request to the city of Minneapolis for a copy of video from this camera for the date of 06/03/2021 beginning at 1230 hours and ending at 1430 hours.

On 06/16/2021, SSA Petersen received correspondence from the Minneapolis Police Department's Strategic Information Center that the camera in question was installed on 06/03/2021 after the shooting of Winston Smith Jr. There is not video from this camera prior to 1500 hours on 06/03/2021. The shooting of Smith occurred just after 1400 hours.

No video exists for the time frame relevant to this investigation.

Copy of email correspondence with the city of Minneapolis is attached to this supplement.

From: [Lindgren, Jessica A](#)
To: [Police BWC Requests](#); [Petersen, Brent \[REDACTED\] \(DPS\)](#)
Cc: [Zenzen, Mary L.](#); [Goodbear, Priscilla](#); [Police - SICM Intel](#)
Subject: RE: [EXTERNAL] Additional city camera - MPD 21-119996
Date: Wednesday, June 16, 2021 1:26:24 PM

Spoke with our IT and the footage requested does not exist. The Milestone camera was installed that day and a few hours after the incident, the camera was available in the server around 3:00 pm.

Jessica Lindgren

Intelligence Analyst

Minneapolis Police Department

Strategic Information Center

612-673-3700

Jessica.Lindgren@minneapolismn.gov

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From: Police BWC Requests <PoliceBWCRequests@minneapolismn.gov>

Sent: Wednesday, June 16, 2021 12:54 PM

To: Petersen, Brent [REDACTED] (DPS) <[brent\[REDACTED\].petersen@state.mn.us](mailto:brent[REDACTED].petersen@state.mn.us)>

Cc: Zenzen, Mary L. <Mary.Zenzen@minneapolismn.gov>; Goodbear, Priscilla <priscilla.goodbear@minneapolismn.gov>; Police - SICM Intel <Police-SICMIntel@minneapolismn.gov>

Subject: RE: [EXTERNAL] Additional city camera - MPD 21-119996

I can't confirm if SICM was consulted, I have copied them on this email to inquire.

SICM – BCA Special Agent Petersen is looking for street camera video from W Lake St at Girard Ave S, for 06/03/2021 from 12:30 pm to 2:30 pm.

Please advise.

Thank you

Scot Dubois

Records Management Specialist

MPD Records Information Unit



From: Petersen, Brent [REDACTED] (DPS) <[brent.\[REDACTED\].petersen@state.mn.us](mailto:brent.[REDACTED].petersen@state.mn.us)>
Sent: Wednesday, June 16, 2021 12:49 PM
To: Police BWC Requests <PoliceBWCRequests@minneapolismn.gov>
Cc: Zenzen, Mary L. <Mary.Zenzen@minneapolismn.gov>; Goodbear, Priscilla <priscilla.goodbear@minneapolismn.gov>
Subject: Re: [EXTERNAL] Additional city camera - MPD 21-119996

Shoot. Ok. Would someone at SICM have possibly preserved it? Or were they consulted?

From: Police BWC Requests <PoliceBWCRequests@minneapolismn.gov>
Sent: Wednesday, June 16, 2021 12:32:53 PM
To: Petersen, Brent [REDACTED] (DPS) <[brent.\[REDACTED\].petersen@state.mn.us](mailto:brent.[REDACTED].petersen@state.mn.us)>
Cc: Zenzen, Mary L. <Mary.Zenzen@minneapolismn.gov>; Goodbear, Priscilla <priscilla.goodbear@minneapolismn.gov>
Subject: RE: [EXTERNAL] Additional city camera - MPD 21-119996

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good Afternoon,

Unfortunately, we just missed the cutoff for the 14 day video retention period which expired today. The time period requested is not available, and does not appear to be preserved in evidence.com. It is unknown if the video for the time requested is preserved elsewhere.

Thank you

Scot Dubois
Records Management Specialist
MPD Records Information Unit



From: Zenzen, Mary L. <Mary.Zenzen@minneapolismn.gov>
Sent: Wednesday, June 16, 2021 12:06 PM
To: Petersen, Brent W (DPS) <brent.petersen@state.mn.us>; Police Data <policedata@minneapolismn.gov>
Cc: Police BWC Requests <PoliceBWCRequests@minneapolismn.gov>
Subject: RE: [EXTERNAL] Additional city camera

Hi Brent, I'm going to have our video specialists look into street camera in this case. Thanks all!

Mary Zenzen

Manager, Police Record Services

From: Petersen, Brent W (DPS) <brent.petersen@state.mn.us>
Sent: Tuesday, June 15, 2021 5:21 PM
To: Police Data <policedata@minneapolismn.gov>
Cc: Zenzen, Mary L. <Mary.Zenzen@minneapolismn.gov>
Subject: [EXTERNAL] Additional city camera

Good afternoon. I learned that there is a city camera mounted on W Lake St at Girard Ave S. I would like to request video from that camera for 06/03/2021 from 12:30 pm to 2:30 pm. This is regarding BCA case 2021-399 and MPD case 2021-119996.

Thank you again!

Brent Petersen
BCA Special Agent

[EXTERNAL] This email originated from outside of the City of Minneapolis. Please exercise caution when opening links or attachments.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/43

Report Date: 06/25/2021

Primary Information

Description: Acquisition of Body-Worn Camera Video - Hennepin County Sheriff's Office
Occurrence From: 06/16/2021 07:15
Occurrence To: 06/21/2021 10:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/16/2021, SSA Petersen received a download link for body-worn camera videos from the Hennepin County Sheriff's Office. Videos downloaded and saved to a flash drive, acquired as exhibit 2021-399/43.1. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - MENTION IN REPORT #1 - Hennepin County Sheriff

Primary Information

Subject Name: Hennepin County Sheriff
Record Type: Agency
Juvenile: NO

Property #1 - BWC Videos on Flash Drive - Henn Co SO

Primary Information

Property Class: Evidence
Property Type: VIDEO RECORDING
Description: BWC Videos on Flash Drive - Henn Co SO
Property Status: BCA / HQ
Status Date: 06/21/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/43.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/16/2021 07:15

Narrative begins on the following page.

On 06/09/2021, Senior Special Agent (SSA) Brent Petersen made a data request to the Hennepin County Sheriff's Office for all body-worn camera video from deputy response to Minneapolis on 06/03/2021.

On 06/16/2021, SSA Petersen received a secured download link from the sheriff's office to access the videos via Evidence.com.

On 06/21/2021, SSA Petersen successfully downloaded all of the videos provided by the sheriff's office and saved them to a flash drive for evidence.

Review of the videos will be documented under separate investigative supplement.

Flash drive with videos acquired as exhibit 2021-399/43.1 by virtue of this activity and report.

ACISS evidence receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/43

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	BWC Videos on Flash Drive - Henn Co SO

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/25/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/44

Report Date: 06/25/2021

Primary Information

Description: Acquisition of Body-Worn Camera Video - Minneapolis Park Police Department
Occurrence From: 06/15/2021 12:00
Occurrence To: 06/21/2021 12:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/21/2021, SSA Petersen received a flash drive containing body-worn camera videos from the Minneapolis Park Police Department relevant to this investigation. Flash drive acquired as exhibit 2021-399/44.1 by virtue of this activity and report. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - MENTION IN REPORT #1 - Minneapolis Park Police Department

Primary Information

Subject Name: Minneapolis Park Police Department
Record Type: Agency
Juvenile: NO

Property #1 - BWC Videos on Flash Drive - Mpls Park PD

Primary Information

Property Class: Evidence
Property Type: VIDEO RECORDING
Description: BWC Videos on Flash Drive - Mpls Park PD
Property Status: BCA / HQ
Status Date: 06/21/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/44.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/15/2021 12:00

Officers

LEO
Swanson, Mark (Lieutenant / Minneapolis Park Police Department)
Hayes, Hezekiah (Force Investigations / Minnesota Bureau of Criminal Apprehension)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/44

Report Date: 06/25/2021

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent (SSA) Brent Petersen contacted the Minneapolis Park Police Department and inquired if any officers responded to the Uptown neighborhood on 06/03/2021 to provide assistance at the scene of the law enforcement shooting of Winston Smith Jr. The Park Police stated that two officers did respond to the area to provide assistance. SSA Petersen requested all body-worn camera videos from any park officers who responded.

Lieutenant Mark Swanson with the Park Police notified SSA Petersen that he copied the body-worn camera videos from his officers to a flash drive. SSA Petersen arranged for BCA Investigative Aide Hezekiah Hayes to retrieve the flash drive, which he did on 06/16/2021.

On 06/21/2021, SSA Petersen received the flash drive and retained it as evidence. The flash drive is acquired as exhibit 2021-399/44.1 by virtue of this activity and report.

Review of the videos will be documented under separate investigative supplement.

ACISS evidence receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/44

Case Agent: Petersen, Brent

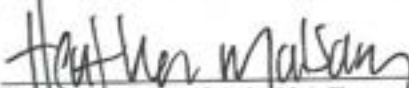
Item	Quantity	Description
1	1.00	BWC Videos on Flash Drive - Mpls Park PD

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/25/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address


City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/45

Report Date: 06/21/2021

Primary Information

Description: Request for Body-Worn Camera Video and Data - Metro Transit Police Department
Occurrence From: 06/15/2021 12:40
Occurrence To: 06/16/2021 05:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/22/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/15/2021, SSA Petersen requested any body camera videos, squad car camera videos and/or police reports from the Metro Transit Police Department relevant to this investigation. A copy of Metro Transit CAD report and email correspondence, respectively, attached. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - MENTION IN REPORT #1 - METRO TRANSIT POLICE

Primary Information

Subject Name: METRO TRANSIT POLICE
Record Type: Agency
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	560 6th Ave N, Minneapolis, MN Metro Transit Police Department, Minneapolis, Minnesota 55411 United States

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent (SSA) Brent Petersen contacted the Metro Transit Police Department to inquire if any officers had responded to or been at the scene of the death of Winston Smith Jr on 06/03/2021 in Minneapolis. SSA Petersen requested that if any officers had been on the call, that Metro Transit Police provide any relevant body-worn camera video, squad car camera video and any written reports/statements.

SSA Petersen learned from Metro Transit that no officers arrived on the scene of the incident in Uptown on 06/03/2021. As a result, there is no body-worn or squad car camera video available. Additionally, no reports exist because no officers were at the scene. Metro Transit officers were initially dispatched to assist, but none arrived on scene and were cancelled prior to arriving.

Metro Transit had a computer-aided dispatch (CAD) report/log for the call for assistance in Minneapolis and provided a copy of it to SSA Petersen.

CAD report attached along with email correspondence with Metro Transit Police.

No exhibit(s) by virtue of this activity or report.

Incident Detail Report

Data Source: **Data Warehouse**
 Incident Status: **Closed**
 Incident number: **MC210603-031468**
 Case Numbers:
 Incident Date: **06/03/2021 14:11:52**
 Report Generated: **06/16/2021 05:29:40**

Incident Information

Incident Type:	MC007-AOA	Alarm Level:	
Priority:	2	Problem:	Assist Other Agency
Determinant:		Agency:	Metro Transit Police
Base Response#:		Jurisdiction:	Metro Transit Police
Confirmation#:		Division:	Metro Transit West
Taken By:	Kizer, Timothy - MC	Battalion:	Metro Transit West
Response Area:	MCSO	Response Plan:	South-AOA
Disposition:	Other Agency Handled - MCOAH,Other Agency Handled - MCOAH	Command Ch:	
Cancel Reason:		Primary TAC:	
Incident Status:	Closed	Secondary TAC:	
Certification:		Delay Reason (if any):	
Longitude:	93297243	Latitude:	44948364

Incident Location

Location Name:		County:	HENNEPIN
Address:	1405 Lake St W	Location Type:	
Apartment:		Cross Street:	GIRARD AVE S/HENNEPIN AVE
Building:		Map Reference:	
City, State, Zip:	MINNEAPOLIS MN 55408		

Call Receipt

Caller Name:		Call Back Phone:	
Method Received:		Caller Location:	
Caller Type:		Caller Location Phone:	
Caller Address:		Caller Apartment:	
Caller Building:		Caller County:	
Caller City, State, Zip:			

Time Stamps

Description	Date	Time	User	Elapsed Times Description	Time
Phone Pickup	06/03/2021	14:11:47			
1st Key Stroke	06/03/2021	14:11:49		Received to In Queue	00:00:24
In Waiting Queue	06/03/2021	14:12:16		Call Taking	
Call Taking Complete	06/03/2021	14:12:16	Kizer, Timothy - MC	In Queue to 1st Assign	00:00:19.4
1st Unit Assigned	06/03/2021	14:12:35		Call Received to 1st Assign	00:00:48.4
1st Unit Enroute				Assigned to 1st Enroute	
1st Unit Arrived				Enroute to 1st Arrived	
Closed	06/03/2021	14:13:05	Erlandsen, Kimberly - MC	Incident Duration	00:01:18

Resources Assigned

Unit	Primary Flag	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm. Enroute	Odm. Arrived	Cancel Reason
120	Y	14:12:35	Other Agency Handled - MCOAH						14:13:05			
122	N	14:12:35	Other Agency Handled - MCOAH						14:13:05			

Personnel Assigned

Unit	Name
120	Pehrson, Cody - MC (MCCP73243)
122	Keyes, Amy - MC (MCAK69216)

Caution Notes

No Caution Notes found

Pre-Scheduled Information

No Pre-Scheduled Information

Transports

No Transports Information

Transport Legs

No Transports Information

Comments

Date	Time	User	Type	Conf	Comments
06/03/2021	14 12 11		Response		[1] SHOTS FIRED MPD AND US MARSHALLS
06/03/2021	14 12 16		Response		[2] HELP CALL
06/03/2021	14:12:36		Response		[3] [Notification] [Metro Transit Police] Problem changed from Shots to Assist Other Agency by Metro Transit Police
06/03/2021	14 12 51		Response		[4] PER MPLS CHANNEL 3 / CODE 4 ON THE HELP CALL
06/03/2021	14 12 59		Response		[5] 102 ACK

Address Changes

No Address Changes

Priority Changes

Date	Time	Changed from Priority	Reason	User
06/03/2021	14 12 35	1	Default MCDF	

Alarm Level Changes

No Alarm Level Changes

Activity Log

Date	Time	Radio	Activity	Location	Log Entry	User
06/03/2021	14 12 30		Read Incident		Incident 394 was Marked as Read	
06/03/2021	14 12 31		Pending Incident Time Warning		Pending Incident Time Warning timer expired	
06/03/2021	14 12 31		Incident Late			
06/03/2021	14 12 35		Incident Priority Change		Incident priority changed from 1 to 2 due to Default MCDF	
06/03/2021	14 12 35	122	Change Unit Priority		Change Unit Priority from 1 to 2	
06/03/2021	14 12 35	120	Change Unit Priority		Change Unit Priority from 1 to 2	
06/03/2021	14 12 35		Incident Timer Clear	1405 Lake St W	Incident Late Timer cleared for MC210603 031468	
06/03/2021	14 12 35	120	DI	1405 Lake St W		
06/03/2021	14 12 35	122	DI	1405 Lake St W		
06/03/2021	14 13 05	122	Response Closed	1405 Lake St W	Response Disposition Other Agency Handled MCOAH	
06/03/2021	14 13 05	122	Disposition	1405 Lake St W	Other Agency Handled MCOAH	
06/03/2021	14 13 05	122	AV	1405 Lake St W		
06/03/2021	14 13 05	120	Disposition	1405 Lake St W	Other Agency Handled MCOAH	
06/03/2021	14 13 05	120	AV	1405 Lake St W		
06/03/2021	14 19 34		UserAction		User clicked Exit/Save	
06/03/2021	15 04 02		UserAction		User clicked Exit/Save	

Edit Log

Date	Time	Field	Changed From	Changed To	Reason	Table	Workstation	User
06/03/2021	14 11 50	Incident Type		MC067 SHOTS	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 50	Priority Number	0	1		Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 50	Priority Description		1		Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 50	ResponsePlanType	0	0	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 50	Problem		Shots	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 54	Address	(Blank)	1405 LAKE	New Entry	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 57	Longitude	0	93254996	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 57	Latitude	0	44948365	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 57	Address	1405 LAKE	1405 LAKE ST E	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	ResponsePlanType	0	1	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	DispatchLevel		Default MC	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	Response Plan		South SHOTS	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	Response Area		MCSO	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	Battalion		Metro Transit West	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	Division		Metro Transit West	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	Jurisdiction		Metro Transit Police	(Response Viewer)	Response Master Incident	TCC DISPATCH2	
06/03/2021	14 11 58	City		MINNEAPOLIS	Updated City	Response Master Incident	TCC DISPATCH2	

06/03/2021 14 12 02	Address	(Blank)	1405 LAKE ST W	New Entry	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 03	Address	1405 LAKE ST W	1405 LAKE ST W	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 03	Latitude	44948365	44948364	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 03	Longitude	93254996	93297243	Entry Selected/Returned from GeoLocator	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	ResponsePlanType	0	1	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	Response Plan		South SHOTS	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	Response Area		MCSO	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	Battalion		Metro Transit West	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	Division		Metro Transit West	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	Jurisdiction		Metro Transit Police	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 04	City		MINNEAPOLIS	Updated City	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 30	Read Call	False	True	(Response Viewer)	Response Master Incident	TCC OP10	█
06/03/2021 14 12 35	Current UnitRespPriorityDescMC120	1	2	Default MCDF	Response Vehicles Assigned	TCC DISPATCH2	█
06/03/2021 14 12 35	Current UnitRespPriorityDescMC122	1	2	Default MCDF	Response Vehicles Assigned	TCC DISPATCH2	█
06/03/2021 14 12 35	Problem	Shots	Assist Other Agency	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 35	Response Plan	South SHOTS	South AOA	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 35	Priority Description	1	2	Default MCDF	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 35	Priority Number	1	2	Default MCDF	Response Master Incident	TCC DISPATCH2	█
06/03/2021 14 12 35	Incident Type	MC067 SHOTS	MC007 AOA	(Response Viewer)	Response Master Incident	TCC DISPATCH2	█

Custom Time Stamps

No Custom Time Stamps

Custom Data Fields

No Custom Data Fields

Attachments

No Attachment

From: [Zerwas, Tony](#)
To: [Petersen, Brent](#) (DPS)
Subject: RE: 6/3/2021 Uptown Shooting
Date: Wednesday, June 16, 2021 5:32:20 AM
Attachments: [CAD Report Uptown AOA.html](#)

Brent,

Good morning! Attached is the CAD report for the Uptown AOA.

Tony Zerwas
Business Technology Unit
Metropolitan Transit Police Department
560 6th Avenue North
Minneapolis, MN 55411
Tony.Zerwas@transitpd.org
612-349-7197 (Desk)
612-590-6329 (Work Cell)

From: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Sent: Tuesday, June 15, 2021 5:21 PM
To: Zerwas, Tony <Tony.Zerwas@transitpd.org>
Subject: Re: 6/3/2021 Uptown Shooting

Thank you!

From: Zerwas, Tony <Tony.Zerwas@transitpd.org>
Sent: Tuesday, June 15, 2021 4:43:39 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Subject: Re: 6/3/2021 Uptown Shooting

I will get it to you first thing in the AM

Tony Zerwas
Business Technology Unit
Metropolitan Transit Police Department
[560 6th Avenue North](#)
[Minneapolis, MN 55411](#)
Tony.Zerwas@transitpd.org
[612-349-7197](tel:612-349-7197)
[612-590-6329](tel:612-590-6329)
[651-246-7672](tel:651-246-7672)

Sent from my iPhone

On Jun 15, 2021, at 13:30, Petersen, Brent [REDACTED] (DPS) <[brent\[REDACTED\].petersen@state.mn.us](mailto:brent[REDACTED].petersen@state.mn.us)> wrote:

Yes please! Thank you for checking on that.

bp

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT

<[image003.png](#)>

BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | [brent\[REDACTED\].petersen@state.mn.us](mailto:brent[REDACTED].petersen@state.mn.us)

From: Zerwas, Tony <Tony.Zerwas@transitpd.org>
Sent: Tuesday, June 15, 2021 1:23 PM
To: Petersen, Brent [REDACTED] (DPS) <[brent\[REDACTED\].petersen@state.mn.us](mailto:brent[REDACTED].petersen@state.mn.us)>
Subject: RE: 6/3/2021 Uptown Shooting

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Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Brent,

It looks like our officers were dispatched to respond to the help call but were cancelled roughly 30 seconds later so they did not even arrive on scene, therefore we have no video available. Would you like a copy of our CAD report for the event?

Tony Zerwas
Business Technology Unit
Metropolitan Transit Police Department
560 6th Avenue North
Minneapolis, MN 55411
Tony.Zerwas@transitpd.org
612-349-7197 (Desk)
612-590-6329 (Work Cell)

From: Petersen, Brent [REDACTED] (DPS) <[brent\[REDACTED\].petersen@state.mn.us](mailto:brent[REDACTED].petersen@state.mn.us)>
Sent: Tuesday, June 15, 2021 12:38 PM
To: Zerwas, Tony <Tony.Zerwas@transitpd.org>

Subject: 6/3/2021 Uptown Shooting

Good Afternoon, Tony.

Are you aware, or could you please check, if any MTPD officers responded to Uptown on 06/03/2021 for the US Marshal TF shooting? If any did, I'd like to make a request for any BWC/squad videos your agency has, as well as any written reports/documents. Would you have time to check on that for me? No huge rush...just putting it on your radar.

Thank you!

bp

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT

[<image005.png>](#)

BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | brent.petersen@state.mn.us

Caution! This email was sent from an external source. Do not click any links or open attachments unless you trust the sender and know the content is safe.

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Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/46

Report Date: 06/21/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Winston Smith Arrest Operational Plan - US Marshal Service Taskforce
Occurrence From: 06/16/2021 09:00
Occurrence To: 06/16/2021 09:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/22/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/16/2021, SSA Petersen received a copy of the US Marshal Service operational plan for the arrest of Winston Smith Jr on 06/03/2021. Document attached to this supplement. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - SUBJECT #2 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/46

Report Date: 06/21/2021

Subject #2 - SUBJECT #2 - Smith, Winston Jr - Continued

Personal Information - Continued

Date Deceased: 06/03/2021 00:00

Addresses

Relationship

Address

HOME ADDRESS

847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Narrative begins on the following page.

On 06/16/2021, Senior Special Agent Brent Petersen received a copy of the operational plan for the arrest of Winston Smith Jr by US Marshal Taskforce members. The form, known as a "USMS 45," was drafted by Ramsey County Deputy [REDACTED] in preparation for the arrest of Smith on 06/03/2021 in Minneapolis.

A copy of the operational plan is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/47

Report Date: 06/21/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Photographs from Hennepin County Sheriff's Office Crime Lab
Occurrence From: 06/21/2021 12:00
Occurrence To: 06/21/2021 12:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

Agency	Case/File Number
Hennepin County Sheriff's Office Crime Lab	21-0993

Synopsis

On 06/21/2021, SSA Petersen received a disc and written reports from the Hennepin County Sheriff's Crime Lab that are relevant to this investigation. Disc acquired as exhibit 2021-399/47.1. Copy of crime lab reports attached to this supplement, along with the ACISS evidence receipt.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Address #2 - RELATED #1 - 3101 NICOLLET AVE S

Primary Information

Address: 3101 NICOLLET AVE S, Minneapolis, Minnesota
Description: MPD, 5TH Pct

Subject #1 - LAW ENFORCEMENT OFFICER #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: [REDACTED]
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/47

Report Date: 06/21/2021

Subject #2 - LAW ENFORCEMENT OFFICER #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Subject #3 - LAW ENFORCEMENT OFFICER #3 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Juvenile: NO

Property #1 - Disc Containing Deputy Photos - Henn Co Crime Lab

Primary Information

Property Class: Evidence
Property Type: Photo / Negative / Slide / Film
Description: Disc Containing Deputy Photos - Henn Co Crime Lab
Property Status: BCA / HQ
Status Date: 06/21/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/47.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/21/2021 12:00

Narrative begins on the following page.

On 06/21/2021, Senior Special Agent (SSA) Brent Petersen received a package via US Mail from the Hennepin County Sheriff's Office Crime Lab. Contained within the package was a disc and three separate documents. The disc contained photographs taken by crime lab personnel of three Hennepin County deputies on 06/03/2021. The three documents are reports from the crime lab related to the deputy photographs.

The three deputies photographed on 06/03/2021 are Deputy [REDACTED] Deputy [REDACTED] and Deputy [REDACTED]. All three deputies appear to have been photographed due to apparent blood on their uniforms. How the blood got on the uniforms is not clearly articulated in the corresponding reports from the crime lab.

Photos retained as exhibit 2021-399/47.1 by virtue of this activity or report.

Crime lab reports attached, along with the ACISS evidence receipt.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/47

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Disc Containing Deputy Photos - Henn Co Crime Lab

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/25/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By





Hennepin County Sheriff's Office
Forensic Science Laboratory

531 Park Avenue South Minneapolis, Minnesota 55415 612-596-7010

Laboratory Examination Report

Agency: MN Bureau of Criminal Apprehension
1430 Maryland Ave E
St. Paul, MN 55106

Agency Case #: 2021399

ATTN : Supervisor Investigative

Offense: Death - Officer Involved
1405 Lake St W
Minneapolis, MN

Principal(s): (O) [redacted] Deputy

Section Reporting: Crime Scene
Examination(s) Conducted: Crime Scene Investigation
Investigation Date(s) : June 03, 2021

Laboratory Case #: 21-0993
Request #: 0001



Description of Items Collected:

No items collected.

Photographic Documentation:

Item 0001 Envelope containing a laboratory photo memory card with digital photographs taken at scene

Results / Interpretations / Opinions: (The reported results relate only to the item(s) or area(s) tested.)

PROCESSING LOCATION: 3101 Nicollet Ave, Minneapolis

OBSERVATIONS AND INTERPRETATIONS

Deputy [redacted] was in conference room #117 at the Minneapolis 5th Precinct. He was wearing a Hennepin County Sheriff's Deputy uniform, a duty belt with tactical gear around his waist, and a baseball hat. Deputy [redacted] had an area of blood-like substance on his left pant leg, below the knee.

PROCESSING RESULTS

Photographs of Deputy [redacted] were taken by CSI Thompson.

Submitting Agency Follow-Up:

As additional case information becomes available, please contact and update our Laboratory at 612-596-7010.

Report Distribution:

MN Bureau of Criminal Apprehension

Sarah Blonk-Buck, Sergeant

Technical Review:

Administrative Review:

Report Release Date: June 10, 2021

Electronically signed

This report shall not be reproduced except in full without written approval from the laboratory



Hennepin County Sheriff's Office
Forensic Science Laboratory

531 Park Avenue South Minneapolis, Minnesota 55415 612-596-7010

Laboratory Examination Report

Agency: MN Bureau of Criminal Apprehension
1430 Maryland Ave E
St. Paul, MN 55106

Agency Case #: 2021399

ATTN: Supervisor Investigative

Offense: Death - Officer Involved
1405 Lake St W
Minneapolis, MN

Principal(s): (O) [Redacted] Deputy

Section Reporting: Crime Scene

Laboratory Case #: 21-0993

Examination(s) Conducted: Crime Scene Investigation

Request #: 0002

Investigation Date(s) : June 03, 2021



Description of Items Collected:

No items collected.

Photographic Documentation:

Item 0002 Envelope containing a laboratory photo memory card with digital photographs taken at scene

Results / Interpretations / Opinions: (The reported results relate only to the item(s) or area(s) tested.)

PROCESSING LOCATION: 3101 Nicollet Ave, Minneapolis

OBSERVATIONS AND INTERPRETATIONS

Deputy [Redacted] was in conference room #117 at the Minneapolis 5th Precinct. He was wearing a Hennepin County Sheriff's Deputy uniform, a duty belt with tactical gear around his waist, and a baseball hat. Deputy [Redacted] had an area of blood-like substance on his left pant leg, below the knee.

PROCESSING RESULTS

Photographs of Deputy [Redacted] were taken by CSI Thompson.

Submitting Agency Follow-Up:

As additional case information becomes available, please contact and update our Laboratory at 612-596-7010.

Report Distribution:

MN Bureau of Criminal Apprehension

Sarah Blonk-Buck, Sergeant

Technical Review:

Administrative Review:

Report Release Date: June 10, 2021

Electronically signed

This report shall not be reproduced except in full without written approval from the laboratory.



Hennepin County Sheriff's Office
Forensic Science Laboratory

531 Park Avenue South Minneapolis, Minnesota 55415 612-596-7010

Laboratory Examination Report

Agency: MN Bureau of Criminal Apprehension
1430 Maryland Ave E
St. Paul, MN 55106

Agency Case #: 2021399

ATTN: Supervisor Investigative

Offense: Death - Officer Involved
1405 Lake St W
Minneapolis, MN

Principal(s): (O) [REDACTED] Deputy

Section Reporting: Crime Scene

Laboratory Case #: 21-0993

Examination(s) Conducted: Crime Scene Investigation

Request #: 0003

Investigation Date(s) : June 03, 2021



Description of Items Collected:

No items collected.

Photographic Documentation:

Item 0003 Envelope containing a laboratory photo memory card with digital photographs taken at scene

Results / Interpretations / Opinions: (The reported results relate only to the item(s) or area(s) tested.)

PROCESSING LOCATION: 3101 Nicollet Ave, Minneapolis

OBSERVATIONS AND INTERPRETATIONS

Deputy [REDACTED] was in conference room #117 at the Minneapolis 5th Precinct. He was wearing blue jeans, a black t-shirt, and boots. He had a pistol and handcuffs on a belt around his waist. Deputy [REDACTED] stated that, at the time of the incident he was wearing an exterior, black-colored raid vest with yellow lettering that read 'SHERIFF.' Deputy [REDACTED] tactical gear was fastened to the exterior side of his raid vest. Deputy [REDACTED] had an area of blood-like substance on his left pant leg, below the knee.

PROCESSING RESULTS

Photographs of Deputy [REDACTED] were taken by CSI Thompson.

Submitting Agency Follow-Up:

As additional case information becomes available, please contact and update our Laboratory at 612-596-7010.

Report Distribution:

MN Bureau of Criminal Apprehension

This report shall not be reproduced except in full without written approval from the laboratory.

 A handwritten signature in cursive script that reads "Sarah Blonk-Buck". The name is written in black ink on a white background.


Sarah Blonk-Buck, Sergeant

Report Release Date: June 10, 2021

Electronically signed

 A handwritten signature consisting of the letters "AS" in a stylized, cursive font.

Technical Review:

 A handwritten signature consisting of the letters "BS" in a stylized, cursive font.

Administrative Review

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/48

Report Date: 06/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Training and Personnel Records - Ramsey CO SO Deputy [REDACTED]
Occurrence From: 06/23/2021 09:30
Occurrence To: 06/23/2021 09:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/23/2021, SSA Petersen acquired the training and personnel records for Ramsey County Sheriff's Deputy [REDACTED]. Records acquired on a flash drive and retained as exhibit 2021-399/48.1 by virtue of this activity and report. ACISS receipt attached.

Address #1 - Occurred #1 - 425 GROVE ST, St. Paul, MN

Primary Information

Address: 425 GROVE ST, St. Paul, MN Ramsey County Sheriff's Office, St. Paul, Minnesota 55101 United States
Description: Ramsey County Sheriff Office

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Property #1 - Training/Personnel Records - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Documents
Description: Training/Personnel Records - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 06/25/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/48.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/48

Report Date: 06/25/2021

Property #1 - Training/Personnel Records - Dep [REDACTED] - Continued

Primary Information - Continued

Collected By: Petersen, Brent
Collected Date/Time: 06/23/2021 09:30

Officers

LEO
Hankee, Mike (Commander / RAMSEY COUNTY SHERIFF'S OFFICE)

Narrative begins on the following page.

On 06/23/2021 at approximately 0930 hours, Senior Special Agent (SSA) Brent Petersen acquired from the Ramsey County Sheriff's Office a flash drive containing the personnel and training records for Deputy [REDACTED]. SSA Petersen acquired the records from Commander Mike Hankee in the Training Unit.

The flash drive is acquired as exhibit 2021-399/48.1 by virtue of this activity and report and has been secured in the property room at BCA headquarters.

ACISS evidence receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/48

Case Agent: Petersen, Brent

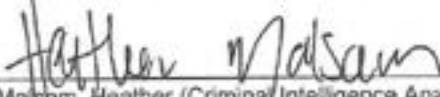
Item	Quantity	Description
1	1.00	Training/Personnel Records - Dep [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/25/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

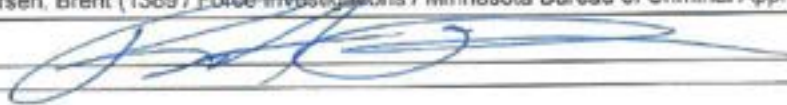
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/49

Report Date: 06/25/2021

Primary Information

Description: Cell phone data retrieval - Samsung 49.1
Reporting LEO: Cheung, Donny (Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/30/2021
Approved By: Cheung, Donny (Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 17, 2021, SA Brent Petersen submitted a Samsung cell phone for data retrieval. Cellebrite analysis report was generated and turned over to SA Petersen for further review.

Property #1 - Samsung SA-A115U

Primary Information

Property Class: Evidence
Property Type: CELLULAR PHONE
Description: Samsung SA-A115U
Property Status: BCA / HQ
Status Date: 06/25/2021
Make: Samsung
Quantity: 1
Control Number: 49.1
Serial No: 355357112609966
Submitted To: Property & Evidence (2021-399/49.1)
Collected By: Cheung, Donny
Collected Date/Time: 06/25/2021 11:09

Property #2 - USB Flash drive

Primary Information

Property Class: Evidence
Property Type: Computer Storage Media / Device
Description: USB Flash drive
Property Status: BCA / HQ
Status Date: 06/25/2021
Quantity: 1
Control Number: 49.2
Submitted To: Property & Evidence (2021-399/49.2)
Collected By: Cheung, Donny
Collected Date/Time: 06/25/2021 11:09

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/49

Report Date: 06/25/2021

Narrative begins on the following page.

On June 17, 2021, SA Brent Petersen submitted a Samsung cell phone (item 49.1) for data retrieval.

- Model SM-A115U
- IMEI: 355357112609966

Examiner Cheung was assigned to assist with the data retrieval process. Examiner Cheung verified that the device could not receive any radio signal before conducting the data retrieval. Two sets of data were retrieved.

It should be noted that during the data extraction process, the cell phone operating performed an automatic update. According to the "Download and install" settings from the phone, it appeared the phone checked for software updates on May 31, 2021. The update was likely downloaded and stored on the phone before the phone was taken into custody.

The data was compiled into a UFED Reader report. The report and the retrieved data were transferred onto a flash drive (item 49.2). The flash drive and cell phone were returned to SA Petersen for further review. No additional request for service was received at this time.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/49

Case Agent: Petersen, Brent

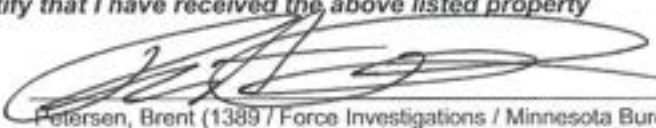
Item	Quantity	Description
1	1.00	Samsung SA-A115U
2	1.00	USB Flash drive

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

6/25/2021

Name

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

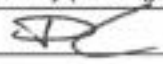
City/State

Telephone

Released By

Cheung, Donny (Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Offense Number: 2021-399/49

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Samsung SA-A115U
2	1.00	USB Flash drive

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (13897 Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/50

Report Date: 06/25/2021

Primary Information

Description: **2 - Latent Prints**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **06/25/2021**
Approved By: **Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent Brent Petersen received BCA laboratory report number two (2) from the Latent Prints Section of the lab.

Lab report number 2 is attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul Lab No. S21-09577
1430 Maryland Avenue East
St. Paul, MN 55106
Attention: SA Brent Petersen Report No. 2

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Latent Prints 06/11/2021

Laboratory Number: S21-09577 Requesting Agency: BCA St. Paul
Section Reporting: Latent Prints Agency Case Number: 2021399
Case Type: Officer Involved Shooting/with a Death County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar

Description of Submitted Evidence:

Table with 4 columns: Item, Type and Packaging, Description, Source. Row 1: 27, One cardboard box containing evidence classified as a pistol, Smith and Wesson M&P 380, SN: NHD9367, from front driver side of Maserati. Row 2: 50, One manila envelope containing evidence classified as known major case prints, Winston Smith, Jr.

Results of Laboratory Examination:

Examination of Item 27 (pistol and magazine) failed to reveal any latent prints that were suitable for further examination.

The cartridge from Item 27 was not examined.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Nicole Praska (handwritten signature)

Nicole Praska
Forensic Scientist

Lab No. S21-09577
Report No. 2

Disposition Policy:

Lab will hold all evidence until exams are completed.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/51

Report Date: 06/25/2021

Primary Information

Description:	3 & 4 - Toxicology - Alcohol
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/25/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent Brent Petersen received BCA laboratory reports three (3) and four (4), respectively, from the Toxicology Section of the lab. Both reports document the absence of alcohol in the blood samples provided by Deputy [REDACTED] and Deputy [REDACTED] [REDACTED] respectively.

Lab reports 3 and 4 separately attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577

Report No. 3

Attention: SA Brent Petersen

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

Laboratory Number: S21-09577
Section Reporting: Toxicology
Case Type: Officer Involved Shooting/with a Death
Principal: [Redacted]

Requesting Agency: BCA St. Paul
Agency Case Number: 2021399
County: Hennepin
Date of Birth:

Description of Submitted Evidence:

Table with 6 columns: Item, Type and Packaging, Kit Number, Description, Source, Date/Time Collected. Row 1: 48, Sealed BCA DWI blood collection kit, B437370, item 5.1, [Redacted], 06/03/21 20:00

Results of Laboratory Examination:

Analysis failed to reveal the presence of ethyl alcohol.

Pursuant to Minn. Statute 634.15, I have analyzed at the Minnesota Bureau of Criminal Apprehension Forensic Science Laboratory, using an approved gas chromatographic procedure, this sealed sample of blood identified to me as having been obtained from the above individual. I hereby certify that I am trained in the analysis and interpretation of blood and urine tests for alcohol pursuant to Minn. Rule 7502.0600 and that the above is true and accurate.

[Handwritten signature]

Georgina Lowden
Forensic Scientist

Disposition: Additional toxicology report(s) to follow.

Distribution:

BCA St. Paul



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577
Report No. 4

Attention: SA Brent Petersen

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

Laboratory Number: S21-09577
Section Reporting: Toxicology
Case Type: Officer Involved Shooting/with a Death
Principal: [Redacted]

Requesting Agency: BCA St. Paul
Agency Case Number: 2021399
County: Hennepin
Date of Birth:

Description of Submitted Evidence:

Table with 6 columns: Item, Type and Packaging, Kit Number, Description, Source, Date/Time Collected. Row 1: 49, Sealed BCA DWI blood collection kit, B437379, item 5.2, [Redacted], 06/03/21 20:07

Results of Laboratory Examination:

Analysis failed to reveal the presence of ethyl alcohol.

Pursuant to Minn. Statute 634.15, I have analyzed at the Minnesota Bureau of Criminal Apprehension Forensic Science Laboratory, using an approved gas chromatographic procedure, this sealed sample of blood identified to me as having been obtained from the above individual. I hereby certify that I am trained in the analysis and interpretation of blood and urine tests for alcohol pursuant to Minn. Rule 7502.0600 and that the above is true and accurate.

[Handwritten signature]

Georginia Lowden
Forensic Scientist

Disposition: Additional toxicology report(s) to follow.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/52

Report Date: 06/25/2021

Primary Information

Description:	5 & 6 - Toxicology - Drugs
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/25/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent Brent Petersen received BCA laboratory reports five (5) and six (6), respectively, from the Toxicology Section of the lab. Both reports document the absence of drugs in the blood samples provided by Deputy [REDACTED] and Deputy [REDACTED] [REDACTED] respectively.

Lab reports 5 and 6 separately attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577
Report No. 5

Attention: SA Brent Petersen

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

Requesting Agency: BCA St. Paul
Case Type: Officer Involved Shooting/with a Death
Principal: [Redacted]

Agency Case Number: 2021399
County: Hennepin
Date of Birth
Section Reporting Toxicology

Description of Submitted Evidence

Table with 6 columns: Item, Type and Packaging, Kit Number, Description, Source, Date/Time Collected. Row 1: 48, Sealed BCA DWI blood collection kit, B437370, item 5.1, [Redacted], 06/03/2021 20:00

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

MINNESOTA DEPARTMENT OF PUBLIC SAFETY
Bureau of Criminal Apprehension - Forensic Science Laboratory

Lab No. S21-09577
Report No. 5

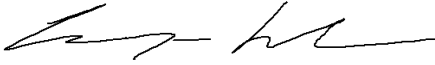
Results of Laboratory Examination

The following are presumptive screening results obtained by immunoassay:

Type of Drug:

cannabinoids	Not Detected
cocaine metabolite	Not Detected
opiates	Not Detected
amphetamines	Not Detected
phencyclidine (PCP)	Not Detected
barbiturates	Not Detected
benzodiazepines	Not Detected
methadone	Not Detected
fentanyl	Not Detected
zolpidem	Not Detected

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Georginia Lowden
Forensic Scientist

If a concentration is reported with an associated expanded uncertainty it is expressed to a 95.45% level of confidence.

For drug scheduling information, visit

<https://dps.mn.gov/divisions/bca/bca-divisions/forensic-science/Pages/toxicology-alcohol.aspx>

Disposition: Lab will hold all evidence until exams are completed.

Distribution:

BCA St. Paul



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577
Report No. 6

Attention: SA Brent Petersen

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

Requesting Agency: BCA St. Paul
Case Type: Officer Involved Shooting/with a Death
Principal: [Redacted]

Agency Case Number: 2021399
County: Hennepin
Date of Birth
Section Reporting Toxicology

Description of Submitted Evidence

Table with 6 columns: Item, Type and Packaging, Kit Number, Description, Source, Date/Time Collected. Row 1: 49, Sealed BCA DWI blood collection kit, B437379, item 5.2, [Redacted], 06/03/2021 20:07

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 06/11/2021

MINNESOTA DEPARTMENT OF PUBLIC SAFETY
Bureau of Criminal Apprehension - Forensic Science Laboratory

Lab No. S21-09577
Report No. 6

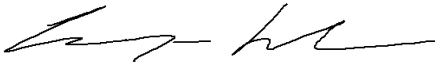
Results of Laboratory Examination

The following are presumptive screening results obtained by immunoassay:

Type of Drug:

cannabinoids	Not Detected
cocaine metabolite	Not Detected
opiates	Not Detected
amphetamines	Not Detected
phencyclidine (PCP)	Not Detected
barbiturates	Not Detected
benzodiazepines	Not Detected
methadone	Not Detected
fentanyl	Not Detected
zolpidem	Not Detected

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Georginia Lowden
Forensic Scientist

If a concentration is reported with an associated expanded uncertainty it is expressed to a 95.45% level of confidence.

For drug scheduling information, visit

<https://dps.mn.gov/divisions/bca/bca-divisions/forensic-science/Pages/toxicology-alcohol.aspx>

Disposition: Lab will hold all evidence until exams are completed.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/53

Report Date: 06/25/2021

Primary Information

Description:	7 - DNA - Recovered Firearm
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	06/25/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

On 06/15/2021, Senior Special Agent Brent Petersen received BCA laboratory report number seven (7) from the DNA Section of the lab. The report documents the presence of Winston Smith's DNA on the stolen firearm recovered by crime scene personnel from inside the Maserati.

Lab report number 7 is attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul Lab No. S21-09577
1430 Maryland Avenue East
St. Paul, MN 55106

Attention: SA Brent Petersen Report No. 7

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

DNA 06/15/2021

Laboratory Number: S21-09577 Requesting Agency: BCA St. Paul
Section Reporting: DNA Agency Case Number: 2021399
Case Type: Officer Involved Shooting/with a Death County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [Redacted] Winston
Boogie Smith, Jr.

Description of Submitted Evidence:

Table with 4 columns: Item, Type and Packaging, Description, Source. Contains evidence items 27, 27A, 27B, 27C, 27D, 27E, 70, and 2 (S19-18944).

Results of Laboratory Examination:

Five samples were collected from Item 27 as Items 27A through 27E.

Blood was not detected on Item 27A.

Presumptive testing indicated the presence of blood on Items 27B and 27C.

DNA profiling* was performed on Items 27A through 27D and was previously performed on the known sample from Winston Boogie Smith, Jr. (Item 2, BCA case S19-18944, White Bear Lake PD case 19025215). The DNA results are as follows:

Item 27A

- . Mixture of five or more individuals
- . Major male DNA profile matches Winston Boogie Smith, Jr.
- . Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population
- . Due to the complexity of the mixture, the minor types are not suitable for comparison

Item 27B

- . Mixture of four or more individuals
- . Major male DNA profile matches Winston Boogie Smith, Jr.
- . Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population
- . Due to insufficient genetic information, no statement can be made on the minor types

Items 27C and 27D

- . Mixtures of three or more individuals
- . Major male DNA profile matches Winston Boogie Smith, Jr.
- . Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population
- . Due to insufficient genetic information, no statement can be made on the minor types

DNA analysis will be performed on Item 70. If you have not received a report within two months of the date on this report, or if DNA analysis is not needed, please contact the Biology Section of the BCA Laboratory.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Erik Koeppen
Forensic Scientist

*DNA STR loci tested using PCR includes some or all of the following: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, Amelogenin, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338, Penta E, D6S1043, DYS576 and DYS570.

Disposition Policy:

Lab will hold all evidence until exams are completed.

Portions of pertinent evidence items have been removed and are being stored at the BCA Laboratory.

A DNA profile has been developed from Item 27C in this case which will be entered into the Minnesota DNA Databases. You will receive a laboratory report if any associations are made.

Item 85 (extracts) will be retained by the laboratory.

Distribution:
BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/54

Report Date: 06/28/2021

Primary Information

Description: Review of Cellular Data - Samsung Cell Phone - Winston Smith Jr
Occurrence From: 06/28/2021 14:00
Occurrence To: 06/28/2021 15:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/30/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/28/2021, SSA Petersen reviewed the cellular data from a Samsung cellphone recovered in the vehicle Winston Smith Jr occupied at the time of his death. This report is a review of the data. No exhibit(s) acquired by virtue of this activity or report.

Cross reference with ACISS supplement 2021-399/49.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Officers

LEO
Cheung, Donny (Investigations / Minnesota Bureau of Criminal Apprehension)

Narrative begins on the following page.

On 06/28/2021, Senior Special Agent (SSA) Brent Petersen reviewed data extracted from a Samsung Galaxy cell phone recovered from inside a 2019 Maserati occupied by Winston Smith Jr at the time of his death on 06/03/2021. Special Agent In-Charge (SAIC) Donny Cheung was successful in accessing the cell phone using forensic software and provided SSA Petersen with the downloaded data saved to a flash drive.

See ACISS supplement 2021-399/49 for details regarding accessing the cell phone.

SSA Petersen received the cell phone and data on the flash drive, respectively, from SAIC Cheung on 06/25/2021 at BCA Headquarters in Saint Paul. SSA Petersen retained custody of exhibits 2021-399/49.1 and 2021-399/49.2.

The following is a summary of the data from the Samsung:

- Device Name: Winston's Galaxy A11
- MSISDN: 651-352-9170

SSA Petersen reviewed data from the date of 06/03/2021 pursuant to the terms and limits in the search warrant that was previously obtained in Ramsey County District Court.

There are no images, videos, audio files, chat/instant messaging, or text messaging of any relevance to the fatal interaction with law enforcement.

Exhibits 2021-399/49.1 (Samsung device) and 2021-399/49.1 (data on flash drive) were placed into property and evidence at BCA Headquarters.

ACISS receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/55

Report Date: 06/28/2021

Primary Information

Description: Acquisition and Review Cellular Data - iPhone 11 Pro Max - Winston Smith Jr
Occurrence From: 06/25/2021 12:00
Occurrence To: 06/28/2021 16:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 06/30/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/25/2021, SSA Petersen received a flash drive from the DME section of the lab containing a download of data from an Apple iPhone 11 Max Pro recovered from the vehicle occupied by Winston Smith Jr at the time of his death. A summary of the data is included in this report. Flash drive with data acquired as exhibit 2021-399/55.1 by virtue of this activity and report. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Property #1 - Cellular Data on Flash Drive - iPhone 11 Pro Max

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Cellular Data on Flash Drive - iPhone 11 Pro Max
Property Status: BCA / HQ
Status Date: 06/28/2021

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/55

Report Date: 06/28/2021

Property #1 - Cellular Data on Flash Drive - iPhone 11 Pro Max - Continued

Primary Information - Continued

Quantity: 1
Submitted To: Property & Evidence (2021-399/55.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/25/2021 12:00

Officers

LEO
Houghton, Christopher (Digital Forensics / Minnesota Bureau of Criminal Apprehension)

Narrative begins on the following page.

On 06/25/2021, Senior Special Agent (SSA) Brent Petersen received a flash drive from the Digital Multimedia Evidence Section of the BCA laboratory. The flash drive contains data extracted from an Apple iPhone 11 Pro Max that was recovered inside a 2019 Maserati occupied by Winston Smith Jr on 06/03/2021.

On 06/28/2021, SSA Petersen reviewed the data on the flash drive. The following is a summary of the data:

- Device Name: iPhone de Winston
- Apple ID: smithwinstonjr@gmail.com
- MSISDN: 1-612-300-4658

SSA Petersen reviewed data from 06/03/2021 pursuant to the terms and limits of the search warrant previously obtained in Ramsey County District Court.

There are no videos, images, audio files, chat/instant messages, or text messages of any relevance to the fatal law enforcement interaction from 06/03/2021.

Flash drive acquired as exhibit 2021-399/55.1 by virtue of this activity and report.

ACISS receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/55

Case Agent: Petersen, Brent

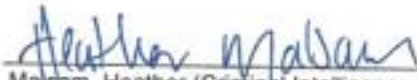
Item	Quantity	Description
1	1.00	Cellular Data on Flash Drive - iPhone 11 Pro Max

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/29/2021

Name

Maksam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/56

Report Date: 06/28/2021

Primary Information

Description: **Minneapolis Fire Department Run Report**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/01/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Minneapolis Fire Department	21-0020091

Synopsis

Minneapolis Fire Department report is attached to this supplement.

Narrative begins on the following page.

On 06/28/2021, Senior Special Agent Brent Petersen received a copy of a run report from the Minneapolis Fire Department regarding fire response to the shooting on 06/03/2021 involving the death of Winston Smith Jr.

Minneapolis Fire case number: **21-0020091**

Copy of fire report is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

B Location* Check this box to indicate that the address for this incident is provided on the Wildland Fire Census Tract [] - [] Module in Section B "Alternative Location Specification". Use only for Wildland fires.

Street address Intersection In front of Rear of Adjacent to Directions
 1405 [] LAKE [ST] [W] []
 Number/Milepost Prefix Street or Highway Street Type Suffix
 [] [] MINNEAPOLIS [MN] 55408 [] - []
 Apt./Suite/Room City State Zip Code
 Cross street or directions, as applicable

C Incident Type *
 321 EMS call, excluding vehicle
 Incident Type

E1 Date & Times Midnight is 0000
 Check boxes if dates are the same as Alarm ALARM always required
 Date. Alarm * 06 03 2021 14:12:31
 Month Day Year Hr Min Sec
 ARRIVAL required, unless canceled or did not arrive

E2 Shift & Alarms Local Option
 A 01 222D
 Shift or Alarms District Platoon

D Aid Given or Received*
 1 Mutual aid received
 2 Automatic aid recv.
 3 Mutual aid given
 4 Automatic aid given
 5 Other aid given
 N None
 Their FDID Their State
 Their Incident Number

Arrival * 06 03 2021 14:17:58
 CONTROLLED Optional, except for wildland fires
 Controlled
 LAST UNIT CLEARED, required except for wildland fires
 Last Unit Cleared 06 03 2021 14:43:22

E3 Special Studies Local Option
 9244 3
 Special Study ID# Special Study Value

F Actions Taken *
 32 Provide basic life
 Primary Action Taken (1)
 Additional Action Taken (2)
 Additional Action Taken (3)

G1 Resources *
 Check this box and skip this section if an Apparatus or Personnel form is used.
 Apparatus Personnel
 Suppression 0001 0003
 EMS
 Other
 Check box if resource counts include aid received resources.

G2 Estimated Dollar Losses & Values LOSSES: Required for all fires if known. Optional for non fires. None
 Property \$ [] , [] 000 , [] 000
 Contents \$ [] , [] 000 , [] 000
 PRE-INCIDENT VALUE: Optional
 Property \$ [] , [] 000 , [] 000
 Contents \$ [] , [] 000 , [] 000

Completed Modules
 Fire-2
 Structure-3
 Civil Fire Cas.-4
 Fire Serv. Cas.-5
 EMS-6
 HazMat-7
 Wildland Fire-8
 Apparatus-9
 Personnel-10
 Arson-11

H1* Casualties None
 Deaths Injuries
 Fire Service [] []
 Civilian [] []
H2 Detector Required for Confined Fires.
 1 Detector alerted occupants
 2 Detector did not alert them
 U Unknown

H3 Hazardous Materials Release
 N None
 1 Natural Gas: slow leak, no evacuation or HazMat actions
 2 Propane gas: <21 lb. tank (as in home BBQ grill)
 3 Gasoline: vehicle fuel tank or portable container
 4 Kerosene: fuel burning equipment or portable storage
 5 Diesel fuel/fuel oil: vehicle fuel tank or portable
 6 Household solvents: home/office spill, cleanup only
 7 Motor oil: from engine or portable container
 8 Paint: from paint cans totaling < 55 gallons
 0 Other: Special HazMat actions required or spill > 55gal., Please complete the HazMat form

I Mixed Use Property
 NN Not Mixed
 10 Assembly use
 20 Education use
 33 Medical use
 40 Residential use
 51 Row of stores
 53 Enclosed mall
 58 Bus. & Residential
 59 Office use
 60 Industrial use
 63 Military use
 65 Farm use
 00 Other mixed use

J Property Use* Structures
 131 Church, place of worship
 161 Restaurant or cafeteria
 162 Bar/Tavern or nightclub
 213 Elementary school or kindergarten
 215 High school or junior high
 241 College, adult education
 311 Care facility for the aged
 331 Hospital
 341 Clinic, clinic type infirmary
 342 Doctor/dentist office
 361 Prison or jail, not juvenile
 419 1-or 2-family dwelling
 429 Multi-family dwelling
 439 Rooming/boarding house
 449 Commercial hotel or motel
 459 Residential, board and care
 464 Dormitory/barracks
 519 Food and beverage sales
 539 Household goods, sales, repairs
 579 Motor vehicle/boat sales/repair
 571 Gas or service station
 599 Business office
 615 Electric generating plant
 629 Laboratory/science lab
 700 Manufacturing plant
 819 Livestock/poultry storage (barn)
 882 Non-residential parking garage
 891 Warehouse
Outside
 124 Playground or park
 655 Crops or orchard
 669 Forest (timberland)
 807 Outdoor storage area
 919 Dump or sanitary landfill
 931 Open land or field
 936 Vacant lot
 938 Graded/care for plot of land
 946 Lake, river, stream
 951 Railroad right of way
 960 Other street
 961 Highway/divided highway
 962 Residential street/driveway
 981 Construction site
 984 Industrial plant yard
 Lookup and enter a Property Use code only if you have NOT checked a Property Use box:
 Property Use 965
 Vehicle parking area
 NFIRS-1 Revision 03/11/99

Delete
 Change

FDID * 27218 State * MN Incident Date * 6/3/2021 Station 22 Incident Number * 21-0020091 Exposure * 000

B Apparatus or * Resource	Date and Times					Sent <input checked="" type="checkbox"/>	Number of * People	Use <small>Check ONE box for each apparatus to indicate its main use at the incident.</small>	Actions Taken	
	Check if same as alarm date									
	Month	Day	Year	Hour	Min			<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
1 ID E22 Type 11	6	3	2021	14:12		<input checked="" type="checkbox"/>	3	<input checked="" type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
	6	3	2021	14:17		<input checked="" type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
	6	3	2021	14:43		<input checked="" type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
2 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
3 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
4 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
5 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
6 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
7 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
8 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other
9 ID Type						<input type="checkbox"/>		<input type="checkbox"/> Suppression	<input type="checkbox"/> EMS	<input type="checkbox"/> Other

Type of Apparatus or Resources

Ground Fire Suppression 11 Engine 12 Truck or aerial 13 Quint 14 Tanker & pumper combination 16 Brush truck 17 ARF (Aircraft Rescue and Firefighting) 10 Ground fire suppression, other Heavy Ground Equipment 21 Dozer or plow 22 Tractor 24 Tanker or tender 20 Heavy equipment, other Aircraft 41 Aircraft: fixed wing tanker 42 Helitanker 43 Helicopter 40 Aircraft, other	Marine Equipment 51 Fire boat with pump 52 Boat, no pump 50 Marine apparatus, other Support Equipment 61 Breathing apparatus support 62 Light and air unit 60 Support apparatus, other Medical & Rescue 71 Rescue unit 72 Urban Search & rescue unit 73 High angle rescue unit 75 BLS unit 76 ALS unit 70 Medical and rescue unit, other	More Apparatus? Use Additional Sheets	Other 91 Mobile command post 92 Chief officer car 93 HazMat unit 94 Type 1 hand crew 95 Type 2 hand crew 99 Privately owned vehicle 00 Other apparatus/resource NN None UU Undetermined
--	--	---	--

NFIRS-9 Revision 11/17/98

MM DD YYYY

27218
FDID *

MN
State *

6 3
Incident Date *

2021

22
Station

21-0020091
Incident Number *

000
Exposure *

Complete
Narrative

Narrative:

E22 was dispatched to a shooting. E22 was advised CPR was started and we were needed along with medics to the 5th floor of a parking ramp. We arrived and were led up stairs to the 5th floor by an MPD officer. We arrived to the patient who was receiving CPR by an Hennepin County Sheriff officer. Medics were on scene and checked the patients injuries and vitals. They advised CPR to stop and called the patient DOA. E22 was cleared by medics. On the way down to our rig we were advised there was possibly another victim. That victim was on the street level with police. E22 arrived to the patient with a Hennepin County supervisor. The supervisor had started another ambulance for the patient with police. Police removed the patient from their squad car and we assessed the injuries. Hennepin county's supervisor had E22 get some 4x4s and kerlix from the ambulance. E22 then assisted with bandaging a cut on the patients left thigh. The patient was then walked over and placed in the second arriving ambulance. Medics then cleared E22 and we went back in service.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/57

Report Date: 06/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Cash & Bracelet from Crime Scene
Occurrence From: 06/03/2021 00:00
Occurrence To: 06/03/2021 00:00
Reporting LEO: Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/01/2021
Approved By: Mueller, Scott (1305 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 3rd 2021, ASAIC Phill assisted the BCA CST in processing the 5th floor parking garage crime scene. At the end, ASAIC Phill was provided a bracelet and cash recovered by the CST and not needed for forensics. Items 25.1 (bracelet) and 25.2 (cash) acquired with this report.

Address #1 - Occurred #1 - 1405 W LAKE ST

Primary Information

Address: 1405 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Calhoun Square Parking Ramp

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Subject #2 - SUBJECT #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/57

Report Date: 06/28/2021

Subject #3 - SUBJECT #3 - Smith, Winston Jr

Primary Information

Subject Name: **Smith, Winston Jr**
Record Type: **Person**
Bio: **32 yr. old, Black, Male**
Birth Date: **04/08/1989**
Juvenile: **NO**

Personal Information

Deceased: **YES**
Date Deceased: **06/03/2021 00:00**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Subject #4 - ASSC OF SUSPECT #1 - Askar, Norhan Ashraf

Primary Information

Subject Name: **Askar, Norhan Ashraf**
Record Type: **Person**
Bio: **27 yr. old, White, Female**
Birth Date: **01/27/1994**
Juvenile: **NO**

Personal Information

Height: **505**
Weight: **170**
Eye Color: **Brown**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	6680 CENTRAL AVE NE, Fridley, Minnesota 55432 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(763) 312-9898 (CELLULAR)

Vehicle #1 - Related #1 - FRB657

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2019 MASERATI**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **ZN661XUS1KX337376**
Tag Number: **FRB657**
Tag State: **MN**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/57

Report Date: 06/28/2021

Property #1 - Metal Bracelet in Small Envelope

Primary Information

Property Class: Evidence
Property Type: JEWELRY (OTHER)
Description: Metal Bracelet in Small Envelope
Property Status: BCA / HQ
Status Date: 06/28/2021
Quantity: 1
Damaged: UNKNOWN
Submitted To: Property & Evidence (2021-399/57.1)
Remote Bin: BCA-HQ
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected By: Phill, Charles
Collected Date/Time: 06/03/2021 21:00

Property #2 - 3 Sealed Envelopes of Cash from Crime Scene

Primary Information

Property Class: Evidence
Property Type: US Currency
Description: 3 Sealed Envelopes of Cash from Crime Scene
Property Status: BCA / HQ
Status Date: 06/28/2021
Currency Type: U.S. DOLLARS
Quantity: 842
Owner: Smith, Winston Jr
Submitted To: Property & Evidence (2021-399/57.2)
Remote Bin: BCA-HQ
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Location Found: 1405 Lake St W
Collected By: Phill, Charles
Collected Date/Time: 06/03/2021 00:00

Officers

LEO
Swenson, Steve (MN BCA Lab)
Thomas, Ross (Minnesota Bureau of Criminal Apprehension)

Narrative begins on the following page.

On June 3rd 2021, Assistant Special Agent in Charge (ASAIC) Phill assisted the Bureau of Criminal Apprehension (BCA) Crime Scene Team (CST) with the Use of Deadly Force shooting scene on the 5th floor parking structure near 1405 Lake St West in Minneapolis. ASAIC Phill primarily coordinated crime scene efforts and logistics while also making contact with several law enforcement officers (LEOs) from various agencies involved in the incident; and the security of the scene afterwards.

Towards the conclusion of scene processing by CST Leaders Ross Thomas and Steve Swenson, ASAIC Phill was given 4 envelopes of items collected on scene that would not be needed for BCA Lab forensic testing. The first envelope contained a bracelet that was collected in the vicinity where Winston Smith was fatally shot by Deputies [REDACTED] and [REDACTED]. It is unknown whether the bracelet belongs to Smith or his passenger in the Maserati: Norhan Askar. The next three envelopes contained cash recovered from the area immediately near Smith's body and blown by the wind from that same location.

The totals in cash in the three envelopes was \$842.00. The money was sealed in an evidence bag and labeled item 25.2 while the bracelet was given item number 25.1 in a separate evidence bag.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/57

Case Agent: Petersen, Brent

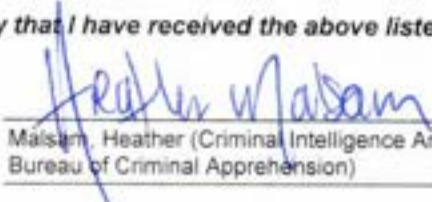
Item	Quantity	Description
1	1.00	Metal Bracelet in Small Envelope
2	842.00	3 Sealed Envelopes of Cash from Crime Scene

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Primary Information

Description: **Contact with Parking Lot Patrons**
Occurrence From: **06/28/2021 14:00**
Occurrence To: **07/09/2021 13:00**
Reporting LEO: **Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/13/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 28th, 2021, Senior Special Agent (SSA) Nancy Lang, was tasked with contacting patrons of the Minneapolis parking ramp, located at 1405 W. Lake St. A list of vehicles were documented as being present in the ramp on 06/03/2021, during the time frame of a critical incident that occurred in the parking ramp.

No evidence obtained by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Subject #1 - WITNESS #1 - Hammarstedt, Paul Allen

Primary Information

Subject Name: **Hammarstedt, Paul Allen**
Record Type: **Person**
Bio: **56 yr. old, Unknown, Male**
Birth Date: **03/30/1965**
Juvenile: **NO**

Personal Information

Height: **509**
Weight: **175**
Eye Color: **Blue**

Addresses

Relationship	Address
BUSINESS LOCATION	17 E 27TH ST APARTMENT #4, Minneapolis, Minnesota 55408-1679 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(612) 386-5168 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #2 - LAW ENFORCEMENT OFFICER #1 - Landi, Angel Marcelo Chalo

Primary Information

Subject Name: Landi, Angel Marcelo Chalo
Record Type: Person
Bio: 35 yr. old, Unknown, Male
Birth Date: 11/30/1985
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3035 CHICAGO AVE, 3 MINNEAPOLIS, Minnesota 55407 United States

Subject #3 - MENTION IN REPORT #1 - Elbarawi, Sherif Amr Mohamed

Primary Information

Subject Name: Elbarawi, Sherif Amr Mohamed
Record Type: Person
Bio: 22 yr. old, Unknown, Male
Birth Date: 01/14/1999
Juvenile: NO

Subject #4 - MENTION IN REPORT #2 - Emerson, Nadine Marie

Primary Information

Subject Name: Emerson, Nadine Marie
Record Type: Person
Bio: 71 yr. old, Unknown, Female
Birth Date: 04/20/1950
Juvenile: NO

Personal Information

Height: 507
Weight: 160
Eye Color: Blue

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3104 W LAKE ST #310, Minneapolis, Minnesota 55416-5250 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(651) 432-2261 (CELLULAR)

Subject #5 - MENTION IN REPORT #3 - Farah, Mohameed Ali

Primary Information

Subject Name: Farah, Mohameed Ali

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #5 - MENTION IN REPORT #3 - Farah, Mohameed Ali - Continued

Primary Information - Continued

Record Type: **Person**
Bio: **65 yr. old, Black, Male**
Birth Date: **12/10/1955**
Juvenile: **NO**

Personal Information

Height: **511**
Weight: **163**
Eye Color: **Black**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	4111 PIPEWOOD LN, Excelsior, Minnesota 55331-7768 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(908) 590-4581 (CELLULAR)

Subject #6 - MENTION IN REPORT #4 - Feist, Toni Marie

Primary Information

Subject Name: **Feist, Toni Marie**
Record Type: **Person**
Bio: **32 yr. old, Unknown, Female**
Birth Date: **10/28/1988**
Juvenile: **NO**

Personal Information

Height: **503**
Weight: **180**
Eye Color: **Blue**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3244 BLAISDELL AVE #102, Minneapolis, Minnesota 55408-4425 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 458-7567 (CELLULAR)

Subject #7 - MENTION IN REPORT #5 - Gibis, Adam Wayne

Primary Information

Subject Name: **Gibis, Adam Wayne**
Record Type: **Person**
Bio: **28 yr. old, Unknown, Male**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #7 - MENTION IN REPORT #5 - Gibis, Adam Wayne - Continued

Primary Information - Continued

Birth Date: 10/05/1992

Juvenile: NO

Personal Information

Height: 511

Weight: 165

Eye Color: Brown

Addresses

Relationship Address

BUSINESS LOCATION 1038 44 1/2 AVE NE, Columbia Heights, Minnesota 55421 United States

Telephones / E-Addresses

Relationship Number/E-Address

BUSINESS (651) 587-5769 (CELLULAR)

Subject #8 - MENTION IN REPORT #6 - Gonzalez, Abraham Enoc Dominguez

Primary Information

Subject Name: Gonzalez, Abraham Enoc Dominguez

Record Type: Person

Bio: 38 yr. old, Unknown, Male

Birth Date: 06/02/1983

Juvenile: NO

Personal Information

Height: 600

Weight: 165

Eye Color: Brown

Addresses

Relationship Address

BUSINESS LOCATION 2104 EMERALD LN, Eagan, Minnesota 55122-2842 United States

Telephones / E-Addresses

Relationship Number/E-Address

BUSINESS (651) 404-0194 (CELLULAR)

Subject #9 - MENTION IN REPORT #7 - Gorjanc, Lauren Marie

Primary Information

Subject Name: Gorjanc, Lauren Marie

Record Type: Person

Bio: 31 yr. old, Unknown, Female

Birth Date: 04/28/1990

Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #9 - MENTION IN REPORT #7 - Gorjanc, Lauren Marie - Continued

Personal Information

Height: 509
Weight: 145
Eye Color: Blue

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	22 UNIVERSITY AVE NE APARTMENT #203, Minneapolis, Minnesota 55413-2204 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(952) 452-0452 (CELLULAR)

Subject #10 - MENTION IN REPORT #8 - Griswold, Bonnie Ann

Primary Information

Subject Name: Griswold, Bonnie Ann
Record Type: Person
Bio: 50 yr. old, Unknown, Female
Birth Date: 01/21/1971
Juvenile: NO

Personal Information

Height: 501
Weight: 115
Eye Color: Hazel

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	503 RICE ST, ST PAUL, Minnesota 55103

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 710-1414 (CELLULAR)

Subject #11 - MENTION IN REPORT #9 - Hanson, Rachael Leah

Primary Information

Subject Name: Hanson, Rachael Leah
Record Type: Person
Bio: 51 yr. old, Unknown, Female
Birth Date: 11/02/1969
Juvenile: NO

Personal Information

Height: 507
Weight: 225

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #11 - MENTION IN REPORT #9 - Hanson, Rachael Leah - Continued

Personal Information - Continued

Eye Color: **Blue**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	2858 ARTHUR ST NE, Minneapolis, Minnesota 55418-3002 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 605-0626 (CELLULAR)

Subject #12 - MENTION IN REPORT #10 - HO, HAN NGOC

Primary Information

Subject Name: **HO, HAN NGOC**
Record Type: **Person**
Bio: **45 yr. old, Asian, Female**
Birth Date: **12/03/1975**
Juvenile: **NO**

Personal Information

Height: **501**
Weight: **115**
Eye Color: **Black**

Employment Information

Occupation: **nail technician**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	1216 84TH WAY N, Brooklyn Park, Minnesota 55444-1489 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(763) 639-5566 (CELLULAR)

Subject #13 - MENTION IN REPORT #11 - Johnston, Darcey Le

Primary Information

Subject Name: **Johnston, Darcey Le**
Record Type: **Person**
Bio: **50 yr. old, Unknown, Male**
Birth Date: **03/27/1971**
Juvenile: **NO**

Personal Information

Height: **505**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #13 - MENTION IN REPORT #11 - Johnston, Darcey Le - Continued

Personal Information - Continued

Weight: 135
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	20 6TH ST NW APARTMENT #312, Osseo, Minnesota 55369-1264 United States

Subject #14 - MENTION IN REPORT #12 - Kern, Yvana Marie

Primary Information

Subject Name: Kern, Yvana Marie
Record Type: Person
Bio: 31 yr. old, Unknown, Female
Birth Date: 09/25/1989
Juvenile: NO

Personal Information

Height: 507
Weight: 155
Eye Color: Blue

Addresses

Relationship	Address
BUSINESS LOCATION	7520 EDINBOROUGH WAY APARTMENT #2207, Edina, Minnesota 55435-5602 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(716) 785-7337 (CELLULAR)

Subject #15 - MENTION IN REPORT #13 - Koehnen, Kelly Kaye

Primary Information

Subject Name: Koehnen, Kelly Kaye
Record Type: Person
Bio: 50 yr. old, Unknown, Female
Birth Date: 07/07/1970
Juvenile: NO

Personal Information

Height: 508
Weight: 135
Eye Color: Blue

Addresses

Relationship	Address
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Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Subject #15 - MENTION IN REPORT #13 - Koehnen, Kelly Kaye - Continued

Addresses - Continued

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	2600 HARRIET AVE, Minneapolis, Minnesota 55408-1419 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 874-6785 (CELLULAR)

Subject #16 - MENTION IN REPORT #14 - Kruger, Eve Marie

Primary Information

Subject Name: **Kruger, Eve Marie**
Record Type: **Person**
Bio: **30 yr. old, Unknown, Female**
Birth Date: **04/20/1991**
Juvenile: **NO**

Personal Information

Height: **506**
Weight: **151**
Eye Color: **Blue**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	20829 Italy Ave, Lakeville, Minnesota 55044 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 619-9853 (CELLULAR)

Subject #17 - MENTION IN REPORT #15 - Lange, Kristin Lynn

Primary Information

Subject Name: **Lange, Kristin Lynn**
Record Type: **Person**
Bio: **51 yr. old, Unknown, Female**
Birth Date: **03/06/1970**
Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	1513 2ND ST NE, Minneapolis, Minnesota 55413-1135 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 599-6283 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Vehicle #1 - Observed #1 - 008XPU

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2017 HONDA CIVIC**
Exterior Top Color: **BLUE**
Vehicle VIN Number: **19XFC2F77HE056246**
Tag Number: **008XPU**
Tag State: **MN**

Vehicle #2 - Observed #2 - 244TGV

Primary Information

Vehicle Type: **AUTOMOBILE**
Vehicle Description: **2016 FORD**
Exterior Top Color: **ALUMINUM/SILVER**
Vehicle Style: **3 DOOR/HATCHBACK**
Vehicle VIN Number: **3FADP4TJ4GM107834**
Tag Number: **244TGV**
Tag State: **MN**

Vehicle #3 - Observed #3 - 314XPM

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2004 ACURA**
Exterior Top Color: **ALUMINUM/SILVER**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **JH4CL96964C013966**
Tag Number: **314XPM**
Tag State: **MN**

Vehicle #4 - Observed #4 - 508PWH

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2014 SUBARU**
Exterior Top Color: **BLACK**
Vehicle VIN Number: **JF2GPAGC6E8341736**
Tag Number: **508PWH**
Tag State: **MN**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Vehicle #5 - Observed #5 - 739VHV

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2014 VOLKSWAGEN JETTA**
Exterior Top Color: **BLACK**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **3VW2K7AJ9EM311477**
Tag Number: **739VHV**
Tag State: **MN**

Vehicle #6 - Observed #6 - 795UVW

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2015 FORD TAURUS**
Exterior Top Color: **BLUE**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **1FAHP2E80FG142752**
Tag Number: **795UVW**
Tag State: **MN**

Vehicle #7 - Observed #7 - 956UUK

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2016 KIA**
Exterior Top Color: **BLACK**
Vehicle VIN Number: **5XXGU4L30GG047196**
Tag Number: **956UUK**
Tag State: **MN**

Vehicle #8 - Observed #8 - 986VBV

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2012 HONDA ACCORD**
Exterior Top Color: **GRAY**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **1HGCP2F34CA191847**
Tag Number: **986VBV**
Tag State: **MI**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Vehicle #9 - Observed #9 - AFL461

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2006 TOYOTA Camry**
Exterior Top Color: **TAN**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **4T1BE32K26U683973**
Tag Number: **AFL461**
Tag State: **MN**

Vehicle #10 - Observed #10 - BXP367

Primary Information

Vehicle Type: **SUV**
Vehicle Description: **2018 MERCEDES-BENZ ALL OTHER**
Exterior Top Color: **GRAY**
Vehicle VIN Number: **4JGDA5HBXJB168053**
Tag Number: **BXP367**
Tag State: **MN**

Vehicle #11 - Observed #11 - CEK894

Primary Information

Vehicle Type: **AUTOMOBILE**
Vehicle Description: **2016 SUBARU**
Exterior Top Color: **BLACK**
Vehicle Style: **STATION WAGON**
Vehicle VIN Number: **JF1GPAB69G8267981**
Tag Number: **CEK894**
Tag State: **MN**

Vehicle #12 - Observed #12 - EBL719

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2013 FORD FOCUS**
Exterior Top Color: **GRAY**
Vehicle VIN Number: **1FADP3F26DL209325**
Tag Number: **EBL719**
Tag State: **MN**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Vehicle #13 - Observed #13 - ESK353

Primary Information

Vehicle Type: VAN
Vehicle Description: 2022 TOYOTA
Exterior Top Color: GREEN
Vehicle Style: VAN
Vehicle VIN Number: 5TDYK3DC1DS374672
Tag Number: ESK353
Tag State: MN

Vehicle #14 - Observed #14 - FRB854

Primary Information

Vehicle Type: SUV
Vehicle Description: 2020 MAZDA
Exterior Top Color: WHITE
Vehicle VIN Number: JM3KFBCM0L0858386
Tag Number: FRB854
Tag State: MN

Vehicle #15 - Observed #15 - FRB854

Primary Information

Vehicle Type: SUV
Vehicle Description: 2020 MAZDA
Exterior Top Color: WHITE
Vehicle VIN Number: JM3KFBCM0L0858386
Tag Number: FRB854
Tag State: MN

Vehicle #16 - Observed #16 - FRZ590

Primary Information

Vehicle Type: Sedan
Vehicle Description: 2015 LINCOLN
Exterior Top Color: WHITE
Vehicle Style: 4 DOOR
Vehicle VIN Number: 1LNHL9FT1FG602742
Tag Number: FRZ590
Tag State: MN

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/58

Report Date: 07/13/2021

Vehicle #17 - Observed #17 - GFJ365

Primary Information

Vehicle Type:	Sedan
Vehicle Description:	2013 CHEVROLET
Exterior Top Color:	ALUMINUM/SILVER
Vehicle Style:	4 DOOR
Vehicle VIN Number:	1G1PC5SB3D7303586
Tag Number:	GFJ365
Tag State:	MN

Narrative begins on the following page.

On 06/28/2021, Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Nancy Lang was tasked with contacting several individuals from a list of vehicles which were present in the parking ramp during the critical incident on 06/03/2021 in Minneapolis. The list provided names and phone numbers of people who were associated with the vehicles. The information on the list was obtained by officers at the parking ramp, who had taken the information prior to the vehicles being released from the area.

Between the dates of 06/28/2021 and 07/09/2021, SSA Lang made multiple phone calls and texted several people from the list of names provided. Ultimately, SSA Lang made contact with the following people, all of which denied seeing or hearing anything regarding the critical incident:

Elbarawi, Sherif Amr Mohamed Morsi
Emerson, Nadine Marie
Farah, Mohamed Ali / Harah, Mohamad Ali (On list with two different names)
Griswold, Bonnie Ann
Hammarstedt, Paul Allen
Hanson, Rachael Lean
Ho, Han, Hgoc
Kern, Yvana Marie
Koehnen, Kelly Kaye
Kruger, Eve Marie
Lange, Kristin Lynn

The following people were contacted numerous times and did not return calls or texts to SSA Lang:

Feist, Toni Marie
Gibis, Adam Wayne
Gorjanc, Lauren Marie
Johnston, Darcey
Landi, Angel Marcelo Chalo (no phone number listed and no valid number located in records inquiry)

One person from the list, Paul Hammarstedt, did provide a statement which was documented under report 2021-399/69.

No evidence obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/59

Report Date: 07/07/2021

Primary Information

Description: **Phone Contacts of Parking Ramp Patrons**
Occurrence From: **06/28/2021 00:00**
Occurrence To: **06/28/2021 00:00**
Reporting LEO: **Olson, Matthew S (1343 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/07/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 28th 2021, Senior Special Agent (SSA) Matt Olson was tasked with contacting numerous individuals who had their vehicles parked at the parking ramp where this incident occurred. Two individuals who were at Stella's Fish Café provided information that was relevant to this investigation. SSA Olson and SSA Remme conducted interviews with these individuals. Please see the respective reports, transcripts, and audio (2021-399/60 and 2021-399/80) for details in relation to their interviews.

No evidence obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Narrative begins on the following page.

On June 28th 2021, Senior Special Agent (SSA) Matt Olson was tasked with contacting numerous individuals who had their vehicles parked at the parking ramp where this incident occurred. The identities of these individuals were obtained by officers on scene at the parking ramp; any person who had their vehicle parked at the ramp was identified and escorted to their vehicle prior to it being released by officers on scene.

SSA Olson called twenty individuals by phone which occurred over several days. SSA Olson spoke with the following individuals who indicated that they did not hear or see anything that would be of interest to this investigation. Those contacted were:

Jerad Matthew Palonis,
Hajrusa Pekmic,
Michelle Poirier,
Renee Poirier,
Ryan Nicole Poldberg,
Thomas William Powers,
Ra Sekou Ptah,
Michelle Elizabeth Reitan,
Chansamone Sivoravong,
Cody Tyler Smith,
Isaac Benedict Swartzler,
Elizabeth Ann Taitt,
Ana Lucia Zhicay Taza,
Yan Fang Yang,

The following individuals were at Stella's Fish Café during the incident. SSA Olson and SSA Remme conducted interviews with these individuals. Please see the respective reports, transcripts, and audio for details in relation to their interview.

Jenna Megan Perlich, (See report 399/60)
Matthew Lawson Skinner, (See report 399/80)

SSA Olson has called the individuals noted below several times, left voicemails, and to date has received no response back.

Brian William Prevost, (No contact)
Erin Nicole Stewart, (No contact)
Madeline Carroll Yanz, (No contact)

No evidence obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/60

Report Date: 07/15/2021

Primary Information

Description: Interview of Jenna Perlich
Occurrence From: 06/29/2021 00:00
Occurrence To: 06/29/2021 00:00
Reporting LEO: Olson, Matthew S (1343 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/15/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/29/21, Senior Special Agent (SSA) Matt Olson and Senior Special Agent Nikki Remme conducted an interview via telephone with Jenna Perlich at the BCA Headquarters.

Acquisition of evidence item 399/60.1 obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - WITNESS #1 - Perlich, Jenna Megan

Primary Information

Subject Name: Perlich, Jenna Megan
Record Type: Person
Bio: 26 yr. old, Unknown, Female
Birth Date: 08/19/1994
Juvenile: NO

Employment Information

Occupation: Hostess

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	150 26TH AVE SE #301, Minneapolis, Minnesota 55414 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(507) 319-3883 (CELLULAR)

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
Related	(507) 319-3883 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/60

Report Date: 07/15/2021

Property #1 - Audio of interview with Jenna Perlich

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	Audio of interview with Jenna Perlich
Property Status:	BCA / HQ
Status Date:	06/29/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/60.1)
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Olson, Matthew S
Collected Date/Time:	06/29/2021 13:55

Narrative begins on the following page.

On 06/29/21, Senior Special Agent (SSA) Matt Olson and Senior Special Agent Nikki Remme conducted an interview via telephone with Jenna Perlich at the BCA Headquarters.

Jenna Perlich is a bartender at Stella's Fish Café but was working as a hostess during this incident. She seated the individual who died in this incident along with a female he was with that day. They were at Stella's for about an hour and a half. She again saw them when the two came down the elevator to leave. As they left she thanked them for coming in and told them to have a good day as they left.

Shortly after they left she remembered hearing a few shots but she did not know if it was gunfire or not. She went over to the side of Stella's that faces the parking ramp after the shots and saw an unmarked pickup truck with its emergency lights on at the entrance of the parking ramp. She could also hear sirens in the area and other police cars arriving.

The officers taped off the area with crime scene tape; a short while later she saw officers escorting a female to the paramedic truck, but she was not totally sure that was the same female who she had seen in Stella's prior to the incident.

This is a summary of Jenna Perlich's interview. The interview was audio recorded, transcribed and later attached to this report. For exact words and verbiage, please refer to the recording and/or transcript.

Acquisition of evidence item 399/60.1 obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/60

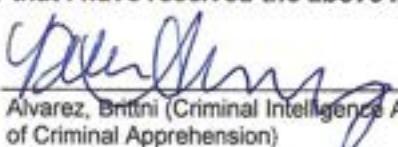
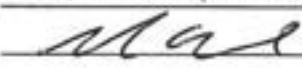
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Audio of interview with Jenna Perlich

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 7/15/2021 PM
Name Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner 7/12/2021
Address _____
City/State _____
Telephone _____
Released By Olson, Matthew S (1392 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	06/29/21 @ 1239	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	60
INTERVIEW OF:	Jenna Megan Perlich (JP)	INTERVIEWED BY:	SSA Matt Olson (MO) SSA Nikki Remme (NR)
REVIEWED BY:	MO #92		

MO Um I have my recorder on now. Uh Jenna I'm just gonna go over a few things um just for my records so I remember. Uh this is for case number 2021-399. I'm on the phone with Jenna Megan uh do you pronounce it Perlich?

JP Yes.

MO And it's P-E-R-L-I-C-H?

JP Correct.

MO And it's 8-19 of 94 is your date of birth?

JP Yes.

MO Okay.

JP Yes.

MO Um (clears throat) let's see here what time we got now. 12:39. 29th. Uh it's 12:39 on June 29th, 2021. Uh I'm here with Special Agent Nikki Remme in the room with me and we're on the phone with Jenna Perlich. Uh hey Jenna I know we spoke earlier but um we're just kinda gonna go back over um kind of from the beginning. Um and that started with you, you, you said that you are employed with Stella's. Is that right?

JP Uh, yes.

MO Okay. Um and at Stella's you're employed as a hostess or host?

JP Um I'm employed as a bartender but um that day was my first day on the job. So I was at the host stand uh learning a few things.

MO Okay. Um you know I'll just have you kinda go through that day. What you thought wa um which was of interest and then I'll just ask you some questions probably afterwards. Um I know you said that...

JP Sure.

MO ...you thought you had seated um the individual that had passed away in the shooting?

JP Yeah.

MO Okay. Um do, can you tell me more about that? Like do you remember when they came in or who they were with or what your conversation was with them?

JP Um yeah I, I guess I don't remember exactly what time. I guess just because I didn't uh see it I, I a big deal I guess at the time. But um I know that he had come in with one other individual. Um it was a woman. Um she might have looked a little bit older, I guess. And then and it was just the two of them from what I remember. And um they just asked for a

table up on the patio. And so I, we found a table. I was with another gentleman and um sent 'em up to the patio. And uh maybe an hour and a half later um he had come down the elevator and I guess I just told them to, thanks for coming in and have a good day. And that was all I remember from my encounter personally with him.

MO Um-hm.

JP But...

MO (inaudible)

JP ...so it wasn't anything...

MO Okay.

JP ...extreme but.

MO Getting out of the elevator. Um I should go back a little bit. What was your shift that day, your hours of your shift?

JP If I remember correctly I started at 11:00 um and I was on a swing shift so I was supposed to be there until probably about 10 o'clock at night but yeah I started at 11:00 I believe.

MO Okay. Do you remember about what time you saw um this individual and uh the female come in?

JP Um I'd say it was probably around noon. Maybe, 12:30.

MO Okay.

JP I guess come in, yeah.

MO Um would you be able to describe this guy for me? Like what you remember he looked like or wearing. Uh his physical description?

JP I can try. Yeah um I know that he was a little taller. Kind of a lankier, skinnier build. Um he had very long like dreads. Um and I think they were of a different color if I remember correctly too. I don't think it was just like his regular hair. Um and I guess her like I said I think she was shorter than him. Maybe a little bit older. Little bit heavier set. Um and I couldn't tell if she was maybe like Hispanic or um something like of a different ethnicity.

MO Okay. Uh was he uh a black male? White male?

JP Uh yeah he was a black male. Probably looked like he was in his I guess mid to upper twenties if not young thirties.

MO Okay. When they were seated in Stella's did you um have any, any act interaction with them?

JP I did not other than greeting them and then when the left. Um I know they had been served. I don't know who served them but I know that they had been there for lunch and they sat on the patio. Because our dining room is closed.

MO Okay. When you say a patio is that the outdoor patio?

JP Yeah on the fourth floor, the top (inaudible) floor. That's the only area of the restaurant that's opened at that time. So that was the only seating that we had available.

MO Okay. Um I'm sure you've seen pictures and stuff on the news. Does that guy that had passed away resemble the guy that you saw in the, in Stella's?

JP Yeah. After I'd seen the pictures that was kinda when I remembered. I was like oh that was, I remember him coming in.

MO Okay.

JP Yeah. They were parked right at the entrance of the ramp. But nothing was blocked off at that point. So people like regular cars were still trying to come into the ramp. And then they kept getting turned around. So that they couldn't enter the ramp.

MO Yeah. Prior to this did you, you say you knew something was going on cuz you had saw an unmarked vehicle?

JP That was my first kind of thought when I saw that vehicle...

MO So you saw this same...

JP ...when...

MO ...truck you're saying with the lights on, prior to that and you, you thought that it might be an officer?

JP Um the only time that I had seen it was when it had first been parked um right in front of the ramp.

MO Okay.

JP And it had its, its lights on.

MO Oh okay so it had already had its lights on.

JP Yeah. I didn't see it...

MO Okay I was...

JP ...prior to.

MO ...thinking it was like sss...

JP I (inaudible)

MO ...sitting you know in front of Stella's without it's lights on or something that you might have thought it was an officer...

JP No.

MO ...but prior. Okay.

JP Yeah no I only, yeah saw it when the lights were on and it had already been pulled in front of the ramp.

MO Okay. Did you see, you know anything else um like any other vehicles or people moving around or officers or, or this individual and the female that you saw in the store, after they had exited uh you know after they had exited the restaurant?

JP The only time that I saw more vehicles was after I had kind of been paying attention to that pickup truck. I saw two squad cars um coming in pretty fast. Um I guess I, they were coming down Lake Street and those were the ones that immediately got out of their cars and started um taping everything off. And I think the only other time that I saw a woman, I didn't know if she was involved or not. Um I don't know if she was the one that I had seen, I just saw officers like escorting a woman um to like the paramedics. Um and she looked pretty frazzled so I don't know if she was the woman that I had seen or not. But she was coming from what looked like the ramp, on the street level being walked to like paramedics.

MO Um-hm.

JP Other than that no I really didn't see, I didn't see him anymore. Like I wasn't paying attention I guess. You know I didn't, see the need to pay attention to anything else.

MO Okay.

JP But,

MO All right. After you saw her get escorted into um the ambulance or to the paramedics, um did you see anything else or did you kind of just go back to work?

JP Um I didn't see anything else of importance at that point. I was just, uh continued to be at work I guess. I mean I watched out the windows and we went out to the rooftop a little bit. And observed. But at that point everything had been taped off and there was you know officers that were trying to kind of close the street down a little bit. So other than that yeah I was more just trying to control the situation I guess.

MO And then I'm assuming uh at the, at when you finished your shift at 10 o'clock or around 10 o'clock that night you went out to the parking ramp to get your car?

JP So we ended up closing early. Um because people were starting to get together and people um it, my managers just decided that it might be safer for us to close early.

MO Um-hm.

JP So we ended up closing early and I think I left there about like 5:30 p.m.

MO Okay.

JP And I went up to the police tape with another uh person that I worked with. And an officer approached me, I think he could kind of tell that I didn't know how to get to my car.

MO Um-hm.

JP And he asked me if my car was in the ramp. And I told him yes. And then he um let me through and escorted me to my car.

MO Okay. And then uh you left and I'm assuming that's kind of, your...

JP (inaudible)

MO ...you know your out of the, out of there by then.

JP Uh yeah I, as soon as I got to my car I left and I went um back home.

MO Okay. All right Um, Agent Remme do you have anything that you?

NR I don't. Thank you Jenna.

MO Um,

JP Yeah thank you guys.

MO Thank you for this. Um I have to do a report on, on this. Um and like I said I wanted to get this statement from you because I thought it was of interest to our investigation. And uh we have your information. This is your, cell phone I'm on with you. Is that right?

JP Correct.

MO Okay. Um if we need to contact you any further I can get a hold of you by that. Um but other than that for today I think that's it. If you don't have anything.

JP Okay.

MO We should be done. All right Jenna I don't...

JP No I don't think so.

MO All right. Have a good day.

JP Yeah you as well. Thanks. Bye.

MO Take care. Bye.

(phone disconnects)

MO This concludes the interview by SSA Olson and SSA Remme. On June 29th, 2021 at 20 or
uh I'm sorry 12:54 hours.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/61

Report Date: 07/29/2021

Primary Information

Description: Interview of Erika Brown
Occurrence From: 06/29/2021 00:00
Occurrence To: 06/30/2021 00:00
Reporting LEO: Byron, Daniel (Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On June 30th 2021, Senior Special Agents Daniel Byron and Nicki Remme conducted a recorded interview of Erika Brown via phone. Evidence item 61.1 (CD of the interview) acquired with this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Address #2 - RELATED #1 - 1400 W LAKE ST

Primary Information

Address: 1400 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Restaurant

Subject #1 - WITNESS #1 - Brown, Erika Leigh

Primary Information

Subject Name: Brown, Erika Leigh
Record Type: Person
Bio: 34 yr. old, White, Female
Birth Date: 01/02/1987
Juvenile: NO

Employment Information

Occupation: Server

Addresses

Relationship	Address
BUSINESS LOCATION	610 BUCHANAN ST NE, MINNEAPOLIS, Minnesota 55413 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(763) 258-6006 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/61

Report Date: 07/29/2021

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
Related	(763) 258-6006 (CELLULAR)

Property #1 - Item 61.1, CDR with Audio Recording of Interview

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Item 61.1, CDR with Audio Recording of Interview
Property Status:	BCA / HQ
Status Date:	07/29/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/61.1)
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Byron, Daniel
Collected Date/Time:	07/29/2021 11:15

Narrative begins on the following page.

On June 29th 2021, Senior Special Agent (SSA) Daniel Byron contacted Erika Brown at phone number 763-258-6006 and left a message. Brown called SSA Byron and stated that she was working at Stella's Fish Café on June 3rd 2021 and served the Winston Smith and a female.

SSA Byron set up a phone interview for June 30th 2021. On that date, at approximately 1110 hours, Erika Brown contacted SSA Byron via phone call. SSA Byron and SSA Nichole Remme then conducted a recorded phone interview.

Brown stated that she was working as a server at Stella's Fish Café on June 3rd 2021. Brown was working on the rooftop. Brown stated that Winston (Winston Smith) was seated at her table.

Brown's shift started at 1000 hours and the restaurant opened at 1100 hours. Brown didn't recall what time she served Smith. Brown printed Smith's receipt but didn't recall what time was on the receipt.

Smith was with a female and Brown didn't know if they were on a date, but hadn't gathered that from their interaction. Brown said Smith and the female were nice and believed they were at the table for thirty to forty five minutes. They ordered the beef bites, coconut shrimp and a walleye sandwich with fries.

Brown said twenty to thirty minutes after Smith and the female left the restaurant, Brown heard gunshots. Brown estimated she heard eleven to thirteen shots, and stated they were back to back. At first Brown thought they were fireworks and Brown noticed the reactions from people on the patio and they were looking across the street and they appeared to be nervous.

Brown saw police cars, or what she believed were undercover police cars. Brown said she could see the parking lot where the shooting occurred. Brown said she looked over and realized they were gunshots. Brown crouched down and walked fast behind a wall. Brown continued to watch and a bartender named Aaron Shoop watched for about ten minutes. Shoop told Brown he saw an officer he believed was a US Marshal use the bottom of his gun to break out the windows of the car after the shots were fired. Brown provided Shoop's phone number and stated it was 612-615-3521. Brown said she didn't see anything else.

Brown provided Aaron Schoop's phone number which was identified as 612-615-3521. SSA Byron ended the phone interview with Brown.

Brown's vehicle was parked in the parking garage and she had to be escorted to her vehicle by a police officer. Brown did not recall if Smith and the female were drinking but stated that they didn't seem intoxicated or on anything. Brown said she didn't have anything bad to say and Smith and the female appeared to be having a good day.

SSA Remme confirmed Brown's address and date of birth for the report.

The recording of this interview was downloaded for evidence and identified as Item 61.1. SSA Byron burned the audio to a CD-R and provided for evidence storage. No other evidence was gained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/61

Case Agent: Petersen, Brent

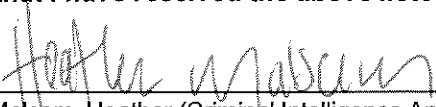
Item	Quantity	Description
1	1.00	Item 61.1, CDR with Audio Recording of Interview

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Byron, Daniel (Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



MINNESOTA DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION

INVESTIGATIVE INTERVIEW

BCA Case Number:	2021-399	Person(s) Interviewed:	EB Erika Leigh Brown, DOB: 1/2/1987
Date/Time of Interview:	6/30/2021 @1100 hours	Item:	61.1
Interviewed By:	DB Senior Special Agent Dan Byron and NR Senior Special Agent Nichole Remme		
Others Present:			
Reviewed By/Date:	SSA Dan Byron/ 07/29/2021-1100 hours		

DB: Alright, so, I'm going to put you on speaker. I'm here with uh, my partner, um, Special Agent Nicky Remme.

EB: Hello.

DB: Can you hear here?

EB: Um, no.

NR: Hello.

EB: Oh, hi.

DB: So um, just so you know, um, I'm just taking a recorded statement. Wanted to find out um, where you were at on June 3rd and just kind of, some of the stuff that you um, you know, uh, you're aware of. Um. So we just start out with June 3rd, um, where were you at? Or what did your day look like June 3rd.

EB: Yeah, um. I was at work on June 3rd. That, I believe, was a Thursday. I was at Stella's um, on the rooftop working. And uh, Winston Smith had actually come in and sat at my table, I was a um, I was his server.

DB: What time was that at?

EB: Um. I – I don't recall. I don't know. Um. I mean it was lunch shift, so –

DB: What, what time did your shift start that day?

EB: Um, ten, I believe. We open at 11. I want to – I mean, we printed his uh, receipt, I just can't remember what time it said on it.

DB: Ok.

EB: Um –

DB: That's ok.

EB: Yeah, I – I just don't want to say the wrong time.

DB: No. No worries. Um.

EB: Yeah.

DB: Ok, so he was seated in your section and you served him that day.

EB: Correct.

DB: Was he with anyone else?

EB: Yep. He was with a female. Um. It – from my understanding, like watching the news and what not – they were like on a date, but I didn't gather that from our interaction or anything. Um. I don't know, it was just two people, out for lunch. They seemed to be having a good day. They were really nice, really funny. They were there for maybe 45 minutes or so. 30 minutes or so. Um.

DB: What did they eat? Do you remember?

EB: When they – yep. They had beef bites, coconut shrimp, um, and then Winston had a walleye sandwich with fries, and I told Winston to have a good day, and then, I don't know. 20 to 30 minutes later, I heard the gunshots.

DB: What did you hear?

EB: Um. Um. Who. Well. Um. It was like 11 to 13 shots, back to back.

DB: Have you heard gunshots before?

EB: I don't know.

DB: Ok.

EB: Um. So, *nervous laugh*, I thought right way, I thought maybe it was fireworks?

DB: Ok.

EB: But then I saw everyone's reaction from the patio. And they were looking across, across the street and they looked nervous and so then I looked across the street and I saw like a bunch of you know, a, I want to say they were all um, police cars, that were um, like they didn't say police on them but they were, like, undercover maybe?

DB: Ok. Could you see the top –

EB: Yeah.

DB: So you're on the deck, right? At Stella's?

EB: Correct.

DB: Can you see the parking lot like the 5th level?

EB: Yep. Correct.

DB: Ok.

EB: Yep. Yep. It was just right across the way.

DB: Do you know, do you know which direction?

EB: And so when I looked over and realized that it was gun shots, I remember crouching down and walking, um, real fast like, um, behind a wall because I didn't know if the gun shots were coming like towards us. I didn't know what was going on.

DB: Did everybody in that area get down?

EB: No.

DB: Ok.

EB: No. Um. Some did, some didn't. I think it happened so fast and then the gunshots were done and over with that, you know, maybe everyone thought that they were safe? I – I don't know.

DB: Did you go – did you continue watching what happened after that?

EB: Yeah. And so did um, a friend of mine, a bartender, and he's a little bit taller. I had to continue, like, waiting on tables, he didn't have as many, um, customers at the moment.

DB: Ok.

EB: And so he was able to like watch for like ten minutes straight. He said he saw, huh, an officer or you know, who knows, US Marshall, take the um, bottom of a gun and start breaking out one of the windows of Winston's car.

DB: K.

EB: I – and – I – I – that was after the shots were fired.

DB: Did he know what kind of car?

EB: I can ask him, I don't know. I didn't – I don't know.

DB: What's his – what is his name?

EB: Uh, Aaron Shupe.

DB: How do you spell his last name, do you know?

EB: Uh, I do not know.

DB: Ok.

EB: Um, S-H-O-O-P? Maybe?

DB: Ok. Do you have his phone number by chance?

EB: I do.

DB: What's his phone number?

EB: Um. 612-

DB: K.

EB: 615 –

DB: K.

EB: 3521.

DB: Ok. I – I'll probably give him a call, if you see him today, if you're working, you may want to let him know he might be getting a call.

EB: Yeah. For sure.

DB: Ok, so. He was able to see some of it. Did you - you went back to uh, your tables? Did you see anything else?

EB: No, no, I didn't.

DB: Ok. Was your car parked in the parking lot, too?

EB: Correct. Yep. So I had to get escorted by one of the police officers to go get my car.

DB: Ok. Do you have the um, sheet with the – their information? I just want to make sure that her information is right.

NR: Uh, what is her last name?

DB: Brown.

NR: Erika?

DB: Yep.

NR: They have 610 Buchanan Street North East listed for your address, Erika, is that correct?

EB: That's correct.

NR: Ok. Thank you.

DB: Date of birth?

EB: 1/2/87.

DB: Ok. Just making sure we got that stuff down, um. Do you have any questions?

NR: I just have a quick follow up question. You talked about what they ate, but did anybody have any drinks at all?

EB: Um –

NR: And if you don't remember, that's fine, I was just wondering if you remembered.

EB: I do not recall.

NR: Ok, thank you.

EB: Yep. They – I will say, they did not seem intoxicated, they didn't seem like they were on anything. They were both very polite. They were funny. They were having a good day. I really enjoyed them, um, at my table. Um, they tipped nice. *Laughter*

DB: K.

EB: It was just, there was nothing, there's just nothing bad to say. They were –

DB: Ok.

EB: They were really happy and just having a good day.

DB: All right. Sounds good. Well I don't have any other questions, I appreciate you taking the time to talk to us.

EB: Yeah, of course. Yeah.

DB: I will probably be giving Aaron a call at some point, might be tomorrow.

EB: Ok.

DB: Um, so if you do see him, um, just let him know and it's just the same, we're just checking, seeing who saw what or if anybody knew anything. So I do appreciate it. I hope you have a good day.

EB: Yeah, yeah, of course, you too.

DB: Do you have any questions for me or anything?

EB: Um. Um. So you're just investigating the case or?

DB: Right. Yep. We're investigating the shooting.

EB: Ok. Ok. Yeah. Um. I heard that one of the latest things is that the gun was – Winston's gun was um, not present? I suppose you can't talk about that.

DB: I can't. Yeah, there's – we can't really -

EB: Yeah. That's ok.

DB: Comment but, um.

EB: Yeah.

DB: We are doing a thorough investigation and we are checking everything that we can find out –

EB: Sure –

DB: So uh, eventually all – you know, the information will be released.

EB: Sure. Ok.

DB: Alright?

EB: Yeah, yeah.

DB: Thanks again.

EB: Thank you very much.

DB: Alright, have a good day.

EB: You too, bye.

DB: Ok. Bye. This is Special Agent Dan Byron and Special Agent Nicky Remme. Time is 1122, I'll be ending the recording.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/62

Report Date: 06/30/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Hennepin County Sheriff's Lieutenant Nathan Wasgatt
Occurrence From:	06/29/2021 14:40
Occurrence To:	06/29/2021 14:49
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/01/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis	
On 06/29/2021, SSA Petersen interviewed Hennepin County Sheriff's Lieutenant Nathan Wasgatt regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/62.1. Interview transcript and ACISS receipt, respectively, attached.	

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Wasgatt, Nathan	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Wasgatt, Nathan
Record Type:	Law Enforcement Official
Bio:	Male
Rank/Position:	Lieutenant
Juvenile:	NO

Property #1 - Recorded Interview Saved to Disc - Lt Nathan Wasgatt	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Lt Nathan Wasgatt
Property Status:	BCA / HQ
Status Date:	06/29/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/62.1)
Collected By:	Petersen, Brent

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/62

Report Date: 06/30/2021

Property #1 - Recorded Interview Saved to Disc - Lt Nathan Wasgatt - Continued

Primary Information - Continued

Collected Date/Time: **06/29/2021 14:49**

Narrative begins on the following page.

On 06/29/2021 at approximately 1440 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Lieutenant (Lt) Nathan Wasgatt regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Wasgatt. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Wasgatt's statement:

Lt. Wasgatt stated that on 06/03/2021 he was on-duty for the sheriff's office and responded to the Uptown area of Minneapolis upon hearing that shots had been fired at a parking ramp. Lt. Wasgatt arrived on scene near the east entrance to the parking ramp, the approximate area of Lake St and Girard Ave S, and entered into the ramp with his captain, Captain Magnuson.

Lt. Wasgatt stated that he and Captain Magnuson both went to the fifth level of the ramp. Lt. Wasgatt observed several unmarked police vehicles surrounding another vehicle. There was a deceased male lying on the pavement. There was no active emergency medical care being provided to the male upon Lt. Wasgatt's arrival. Lt. Wasgatt stated that he began making phone calls up the chain-of-command with the sheriff's office. Lt. Wasgatt stated that Deputy [REDACTED] was not on the scene upon his (Lt. Wasgatt's) arrival. Lt. Wasgatt denied having any contact with Deputy [REDACTED] or any other taskforce members while on scene.

Lt. Wasgatt left the scene at some point to help facilitate the mobilization of a mobile field force response due to the increasingly agitated crowd at the scene. Lt. Wasgatt has not had any contact with Deputy [REDACTED] or any other taskforce members since this incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/62.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Offense Number: 2021-399/62

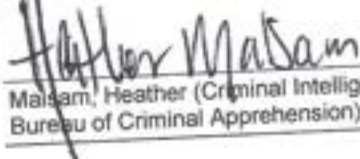
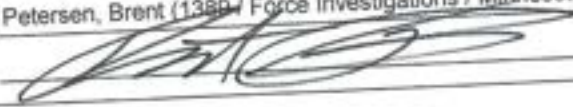
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Nathan Wasgatt

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 6/30/2021
Name Matsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 29, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/62.1
INTERVIEW OF:	Lt. Nathan Wasgatt (NW)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 6/30/2021		

- BP All right so today's date is June 29th, 2021. And it's 1440. And the BCA case number is 2021-399. Uh and this is Senior Special Agent Brent Petersen and I'm speaking with Hennepin County Sheriff's Lieutenant Nathan Wasgatt. Um Lieutenant do you have a badge number?
- NW I do. It's 396.
- BP All right and um I presume you're a licensed peace officer in the State of Minnesota?
- NW I am.
- BP What is your POST number?
- NW 13696.
- BP And how long have you been uh, a peace officer?
- NW 24 years.
- BP Has your entire career been with Hennepin County Sheriff?
- NW It has.
- BP Okay. And you're at the rank of Lieutenant. Um how long have you been a Lieutenant?
- NW January 31st, 2021.
- BP Oh, so very recently. All right.
- NW (laugh) yeah.
- BP Congratulations. Um what do you do as a Lieutenant? What's your role?
- NW I oversee the emer, enforcement service divisions. Uh which is basically the patrol division with the Sheriff's Office. I deal with fleet management. Personnel issues. Ordering supplies. Um many other duties as assigned. But I also function as a peace officer.
- BP Okay. Great. Um and then in your role as a Lieutenant do you typic-typically wear a uniform day to day?
- NW I do.
- BP Okay and uh do you, are you issued a body worn camera?
- NW I am.
- BP Okay. Um what um what hours do you normally work?
- NW Monday through Friday 8:00 a.m. to 4:00 p.m.

BP Okay. So I'll just I guess direct your attention then back to um the afternoon of um June the 3rd. Uh around 1400 hours. Were you on duty?

NW I was.

BP Um did you respond at some point down to the, the area or maybe actually to the parking ramp uh in Uptown there, Lake and Hennepin area?

NW I did.

BP Can you just tell me what, like how you got notified of this? What you knew? And kind of what you did and observed while you were there?

NW Uh I overheard a radio transmission on a frequency I don't remember which one it was. That there were shots fired uh at officers. Officers returned fire. And the suspect was down. And another individual was running. It was a female. And that is about the information I could gather at the time. So I went, responded red lights and siren from the City of Brooklyn Park down to Minneapolis.

BP Were you at the uh, uh patrol uh what I'm sorry emergency services building in...

NW Yeah.

BP ...Brooklyn Park there, is that how you res-responded from?

NW I, I had actually left patrol. I was going to check on another vehicle that was at uh a dealership. And I heard the call come out and responded. I was about a mile away from Brooklyn Park...

BP Oh okay.

NW ...when I responded.

BP All right. Um did you activate your body worn camera?

NW I did.

BP Okay. Um was anybody with you in the squad when you drove down?

NW No.

BP Okay. Can you just tell uh tell me kind of what happened when you, like where you went when you got to Minneapolis?

NW I pulled up to the area just east of Lake and Hennepin.

BP Um-hm.

NW It was about in front of I think it's Girard.

BP Um-hm.

NW Not sure but it was the entrance to the parking ramp. I parked my squad. It was a chaotic scene. Many police cars. Uh many civilians milling about. Shouting, screaming. Um I arrived about the same time that my Captain did and decided to, Captain Magnuson.

BP Um-hm.

NW And I spoke to um Deputy Tomasko, asked him if he'd had any information cuz he had arrived prior to me. And he did not have any additional information.

BP Um-hm.

NW So it was then that uh Captain Magnuson and myself we entered the scene.

BP Um-hm.

NW Where Minneapolis had taped off the scene.

BP Um-hm.

NW The entrance at the roadway and entered into the parking ramp.

BP Did you go up to the 5th level?

NW Yes.

BP What did you see when you got up there?

NW Many unmarked police vehicles. Uh they had their, they were running. Um they had a vehicle pinned in, into a parking stall. It was a, I don't remember the make and model. But the passenger side door was open.

BP Um-hm.

NW And there was a black male laying on the, on the concrete. Uh looked like they had tried to do uh medical aid to the person.

BP Was anybody actively giving aid to that, that person...

NW No.

BP ...when you got there? Were paramedics or fire on scene?

NW The paramedics, there was an ambulance on scene.

BP Okay.

NW I don't know if anybody was in it or anything like that. But that was right at the entrance to the crime scene.

BP Okay.

NW Where the crime scene tape was up.

BP So medics were there when you got there? Or had already arrived before you...

NW Correct, there was a, there was an ambulance there. I don't know...

BP (inaudible)

NW ...if anybody was inside or...

BP Okay.

NW ...anything like that.

BP All right. Um do you know Deputy [REDACTED]

NW I, yes I've worked with him.

BP Okay. Was he on scene when you arrived?

NW No.

BP Okay. Um were any of the, the uh as far as you know, any of the task force members there when you were on scene?

NW I don't know who was specifically involved in the task force at that time. Um who would have been on the scene. There were many uh many deputies and marshals I'm assuming.

BP Um-hm.

NW But they were in plain clothes.

BP Um-hm.

NW But marked with a, a vest on that stated if they were police or not.

BP Okay. All right. Um so did you have any contact with Deputy [REDACTED] that night?

NW No.

BP Okay. Is he, I mean would he be your responsibility to supervise necessarily? When, (inaudible)...

NW No.

BP ...the task force. Okay. Have you supervised him in the past?

NW Not directly. We've worked some scenes together.

BP Okay.

NW Long-long-long time ago.

BP Okay. All right. Um so uh at the scene then um with the, the male on the, on the pavement um any other observations you made that you think might be important, to note?

NW Uh there was just many supervisors around. Not ins-inside where the vehicles or the uh victim was. Um we were on the peripheral on the edge of the parking ramp on top. And we were making phone calls contacting...

BP Okay.

NW ...people. Letting them know what's going on.

BP Like up the chain of command kind of thing?

NW Correct.

BP Okay. All right. Um did you, did you have a specific duty other than making phone calls. Any other, anything specific you, you were asked to do or did there at the scene?

NW Um not that I can recall. We just organized squad cars once the...

BP Yeah.

NW ...scene, the scene stabilized. We moved those around. We gathered water for the people that were there. Um and that was pretty much it. And then I left to uh go to our public safety facility where (inaudible) uh activating our mobile field forces.

BP Okay. All right. So then did you have to return back to the scene with mobile field force?

NW I did not. I was more the uh officer in charge.

BP Okay.

NW Facilitating what they're gonna be doing.

BP Okay. Understood. Um did you ever go to the 5th precinct for any reason?

NW No.

BP Okay. Um what about the federal building downtown. Did you go down there for any reason? The marshal's office?

NW No.

BP Okay. Um did you speak to any potential citizens that witnessed any of the incident?

NW No.

BP Take any photographs or any video other than your body camera that was likely running?

NW No.

BP Great. All right. Um since this incident I mean ob-obviously uh Deputy [REDACTED] works for Hennepin County. Um have you had any interaction with him um even just checking on him or anything like that?

NW No.

BP Okay. All right. Is there, is there anything that you can think of that maybe I haven't asked you about or we haven't talked about that might be important for me to know?

NW Not that I can think of. No.

BP All right. I appreciate it. Um I'm gonna, I'm gonna turn off my recorder okay. It's um...

NW Sure.

BP ...1449.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/63

Report Date: 06/30/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Minneapolis Police Sergeant Andrew Schroeder
Occurrence From: 06/29/2021 15:00
Occurrence To: 06/29/2021 15:06
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/01/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/29/2021, SSA Petersen and SSA Remme interviewed Minneapolis Police Sergeant Andrew Schroeder regarding this investigation. Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/63.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Schroeder, Andrew

Primary Information

Exempt From Disclosure: YES
Subject Name: Schroeder, Andrew
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Sgt/Gun Unit
Juvenile: NO
LEO ID: 6385

Property #1 - Recorded Interview Saved to Disc - Sgt Andrew Schroeder

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Sgt Andrew Schroeder
Property Status: BCA / HQ
Status Date: 06/29/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/63

Report Date: 06/30/2021

Property #1 - Recorded Interview Saved to Disc - Sgt Andrew Schroeder - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/63.1)**

Collected By: **Petersen, Brent**

Collected Date/Time: **06/29/2021 15:06**

Narrative begins on the following page.

On 06/29/2021 at approximately 1500 hours, Senior Special Agents (SSA) Brent Petersen and Nichole Remme interviewed Minneapolis Police Sergeant (Sgt) Andrew Schroeder regarding this investigation. SSA Petersen recorded the voluntary interview with Sgt. Schroeder. Refer to the interview transcript for complete details.

The following is a synopsis of Sgt. Schroeder's statement:

Sgt. Schroeder stated that on 06/03/2021 he was on-duty as an investigator in the Gun Investigations Unit of the police department and received notification from his commander, Commander Jason Case, that there was an officer-involved shooting in Uptown. Commander Case requested that Sgt. Schroeder go to the scene and assist.

Sgt. Schroeder stated he arrived on scene and made contact with other members of his team. Sgt. Schroeder did not, however, go into the parking ramp or up to the fifth floor. Sgt. Schroeder went to a neighboring apartment building and went to an upper floor where he provided surveillance of the growing crowd. Sgt. Schroeder remained there for a while until he was told to leave by his commander. Sgt. Schroeder did not have any contact with any of the officers or deputies involved in the shooting and did not speak with any witnesses to the incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/63.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/63

Case Agent: Petersen, Brent

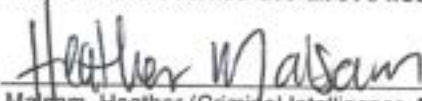
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Sgt Andrew Schroeder

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/30/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

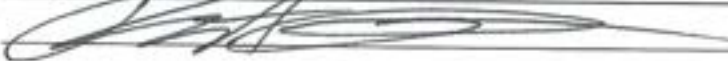
City/State

Telephone

Released By

Petersen, Brent (1389 / Police Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 29, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/63.1
INTERVIEW OF:	Sgt. Andrew Schroeder (AS)	INTERVIEWED BY:	SSA Brent Petersen (BP) SSA Nichole Remme (NR)
REVIEWED BY:	SSA Petersen 6/30/2021		

BP All right so today is June 29th, 2021. And it's 1500. And the BCA case number is 2021-399. And uh this is Senior Special Agent Brent Petersen with Senior Special Agent uh Nichole Remme. And we're at BCA Headquarters. And we're speaking uh on the phone with Minneapolis Police Sergeant Andrew Schroeder. Alright, can you hear me okay?

AS Uh yes sir.

BP Alright, so can I just start out with just getting a badge number from you?

AS 6-3-8-5.

BP Um alright, and um you're a licensed peace officer I presume?

AS Yes sir.

BP Alright, what's your POST number?

AS 2-1-1-4-5.

BP Thank you. And how long have you been a police officer?

AS Licensed since t-twenty-el-2011.

BP 2011, okay. And uh has your entire career been with Minneapolis?

AS No. I was um sworn at the Metro Transit Police Department where I worked from 2011 'til 2014. And then I came to Minneapolis in 2014.

BP Okay. And uh how long have you been a sergeant? When did you get promoted?

AS Um February of this year.

BP February of '21, okay. And uh what do you currently do for the police department?

AS I'm um in our gun investigation unit.

BP Um can you just give us-us like a high level overview of what the gun investigation unit does?

AS Yep certainly. Uh so two things, we take [inaudible] um like a from cops. And then the other uh facet of it is we proactively investigate gun related crimes in and around the city. We're also um uh I'm a TFO with the ATF who also works in our unit.

BP Okay. And TFO being "task force officer?"

AS Yes sir.

BP Okay. Alright, um were you on duty on June 3rd?

AS Uh yes.

BP What hours were you working that day if you recall?

AS Um our normal shift is like eight to four, but it always goes late.

BP Um-hm. Um i-is that a uniformed position that you're in? Or is it plain clothes?

AS Plain clothes.

BP Okay. Were you in plain clothes then that day?

AS Yes sir.

BP Did you respond to the either the parking ramp or the area right around?

AS Sorry the phone cut.

BP Oh.

AS The phone cut out a little bit. Can you repeat it?

BP Yeah, can you hear me now?

AS Yep.

BP Okay. Did you uh respond to the parking ramp or the area around the parking ra-ramp on the 3rd?

AS I did.

BP Can you just tell us kind of how you got involved in this incident and what you did when you got there?

AS Sure. So I learned uh from my commander um who called me on the phone and said, are you aware there's an officer involved shooting? I said, no I'm not. He said uh, he told me it was down uh in the Uptown area. And said, can you respond down there? Um I remember I had just left uh the gym and so I drove down there.

BP Okay. Was anybody with...

AS One.

BP ...you?

AS Nope. I was...

BP Okay.

AS ...by myself.

BP Alright.

AS So once I got down there um I tried to call my commander. He didn't answer. I uh walked up to one of the cops that was at the uh like the crime scene tape.

BP Um-hm.

AS Um he obviously recognized me. I went under the crime scene tape. I walked up to uh kinda the base of the parking ramp where there was um uh ATF uh guys that I work with.

BP Okay.

AS I asked them if they had seen my commander. None of them had. And um I stood there for maybe two or three minutes waiting for my commander. And then I got a hold of him and he had already left the area. So at that point um I went back out, and you know across the street from there there's like a um uh apartment building with a pool at it.

BP Yeah.

AS And it has like a empty hot tub?

BP Yep.

AS I went up there and just kinda stood there and kinda did a little visa-visual surveillance um just 'cuz the crowd was growing and um my commander was just kinda wondering what type of scene it was gonna be. Like for civil unrest stuff.

BP Oh sure, okay. Is that the mosaic east is that what you're referring to [inaudible]?

AS I don't remember the name...

BP [Inaudible].

AS ...of it, I apologize.

BP That's okay.

AS It's the one with the pool and the.

BP Yeah I think that's what it is.

AS Yeah.

BP Okay. Who's your commander?

AS Jason Case.

BP Jason Case, okay. Um so did you ever go up to the fifth floor of that ramp?

AS I did not.

BP Okay. Um did you, did you have any contact with either of the deputies or agents that shot?

AS I did not. I don't even know who they are...

BP Don't even know.

AS ...to be honest.

BP Alright, is MPD on that um fugitive task force?

AS No we are not.

BP Okay. Um did you have any contact with any citizens or anybody that maybe witnessed some of this?

AS I did not.

BP Alright, did you take any photographs or video or anything like that?

AS I did not. And because I was in plain, plain clothes I didn't even have my body camera on.

BP That was my next question, if you had a body worn camera? Okay. You didn't...

AS Nope I did not.

BP ...have one with ya. Alright, um so how long then did you kinda stay in Uptown?

AS Um I stayed up there for a little bit. Probably, probably at least an hour. I remember there was nothing going on and I wanted to leave and my commander wanted me to stay for a little bit longer so.

BP Okay. Alright, uh Nicki anything I'm missing?

NR No. I have no other questions.

BP Um Sergeant Schroeder is there anything else that you can think of that might be important for us to know that maybe we haven't asked you about or talked about?

AS No sir. My role in this one was a pretty limited and I didn't do much.

BP Great. Did you end up writing a uh supplement?

AS A very short one, yes sir.

BP Okay, great. Appreciate it. Um anything else?

AS That's it for me sir.

BP Alright, appreciate it. The time is uh 1506.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/64

Report Date: 06/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Minneapolis Police Officer Jonathan Stalboerger
Occurrence From: 06/29/2021 15:30
Occurrence To: 06/29/2021 15:35
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/01/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/29/2021, SSA Petersen and SSA Remme interviewed Minneapolis Police Officer Jonathan Stalboerger regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/64.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - STALBOERGER, Jonathan

Primary Information

Exempt From Disclosure: YES
Subject Name: STALBOERGER, Jonathan
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Officer
Juvenile: NO
LEO ID: 6758

Property #1 - Recorded Interview Saved to Disc - Ofc Jon Stalboerger

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Ofc Jon Stalboerger
Property Status: BCA / HQ
Status Date: 06/29/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/64

Report Date: 06/29/2021

Property #1 - Recorded Interview Saved to Disc - Ofc Jon Stalboerger - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/64.1)**

Collected By: **Petersen, Brent**

Collected Date/Time: **06/29/2021 15:35**

Narrative begins on the following page.

On 06/29/2021 at approximately 1530 hours, Senior Special Agents (SSA) Brent Petersen and Nichole Remme interviewed Minneapolis Police Officer Jonathan Stalboerger regarding this investigation. SSA Petersen recorded the interview with Officer Stalboerger. Refer to the interview transcript for complete details.

The following is a synopsis of Officer Stalboerger's statement:

Officer Stalboerger stated that on 06/03/2021 he responded to the Uptown area as a member of a "Strike Team," of which he is a member in addition to his duties as a Minneapolis patrol officer. Officer Stalboerger stated that his strike team was summoned to the area to provide scene security for the investigators as the crowd was growing. Officer Stalboerger did not go into the parking ramp and remained at street level providing scene security.

Officer Stalboerger has not had any interaction with any of the officers, deputies or agents from the taskforce that were involved in this incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/64.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/64

Case Agent: Petersen, Brent

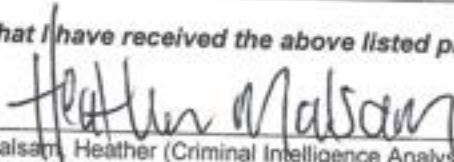
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Ofc Jon Stalboerger

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/30/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 29, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/63.1
INTERVIEW OF:	Officer Johnathan Stalboeger (JS)	INTERVIEWED BY:	SSA Brent Petersen (BP) SSA Nichole Remme (NR)
REVIEWED BY:	SSA Petersen 6/30/2021		

BP All right so today's date is June 29th, 2021. And it's 1530. And the BCA case number is 2021-399. And this is uh Senior Special Agent Brent Petersen with Senior Special Agent Nichole Remme. And uh we're speaking with Minneapolis Police Officer Johnathan Stalboeger. Can I just get a badge number from you to start?

JS Uh 6-7-5-8.

BP And uh are you licensed peace officer?

JS Correct.

BP What's your POST number if you know it?

JS 2-4-3-2-1.

BP Thank you. And how long have you been a police officer?

JS Uh four and half years.

BP Four and a half years? All with Minneapolis?

JS Yep.

BP Alright, um what, what do you do for Minneapolis Police Department?

JS Uh.

BP Like what's your assignment?

JS Uh patrol.

BP Okay.

JS Uh let's go with patrol.

BP Patrol officer. Alright, what precinct are you out of?

JS Second precinct.

BP Second. Uh is there a sh-, a particular shift that you're working?

JS Day shift.

BP Days. What are those hours?

JS Uh seven in the morning to five p.m.

BP Okay. And uh you wear a full Minneapolis Police uniform?

JS Correct.

BP Are you issued a body worn camera?

[Silence]

BP Sorry, I didn't, I didn't hear that. Are you?

JS Yes.

BP Yes, okay. Thanks. Alright, um on um June 3rd at around 1400 hours were you working day shift?

JS Uh I don't remember if I was working day shift or if.

BP Well were you on duty that day at?

JS Uh a uh yeah.

BP Okay.

JS [Inaudible] on duty.

BP Alright, so did you respond down to Uptown for the shooting?

JS Yes.

BP Can you just tell us kinda what your involvement in this was? What you did?

JS Uh as a member of strike team one and in response to civil unrest.

BP Okay.

JS We just went to the area and help, help preserve the crime scene.

BP Okay. Um can you, can you tell us a little bit just real high level what, what it means to be on the strike team? What is that?

JS Uh a strike team is a mobile first response uh civil unrest.

BP Um-hm.

JS Um prim-primarily it, responsibilities are to um often times rescue victims from large crowds. Uh protect property.

BP Um-hm.

JS Um.

BP So is that, is being on the strike team just above and beyond your regular patrol duties?

JS Yes.

BP Okay. Alright, um so you went down to Uptown with the strike team, and did what?

JS Secured. Well my, [sighs] my individual involvement consisted of uh just maintaining uh secure perimeter.

BP Okay.

JS So investigators could process the scene.

BP Um-hm. Did you ever um go up onto the fifth level of that parking ramp for any reason?

JS Nope. I never, I never went into the parking ramp.

BP Alright.

JS I didn't collect any statements. Collect any evidence.

BP Awesome. Take any pictures?

JS Nope.

BP Alright, did you have your body camera on though?

JS Yes I had my body camera on for a while.

BP Okay.

JS Um not the entire time.

BP But when, when you needed to have it on you had it on?

JS Yes.

BP Okay, perfect. Um any interaction with any of the deputies that were directly involved in the shooting?

JS No.

BP Do you even know who those people are?

JS Nope.

BP Great. Did you ever write a report or anything like that?

JS I think I wrote a report basically saying I didn't talk to any witnesses, collect any evidence, or enter the actual crime scene.

BP Excellent. Okay. Alright, um is there anything else you can think of that might be kind of important for us to know or relevant to what uh happened that day?

JS Uh not as far as my involvement went um.

BP Okay.

JS Um yeah, no.

BP Alright, um Nicki anything?

NR No, no other questions.

BP Alright, anything else uh Officer Stalboeger?

JS Nope.

BP Alright, I'm gonna turn off my recorder than. It's 1535.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/65

Report Date: 07/02/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Lieutenant Brady Sweitzer
Occurrence From: 06/30/2021 11:10
Occurrence To: 06/30/2021 11:16
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/02/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/30/2021, SSA Petersen and SSA Lang interviewed Hennepin County Sheriff's Lieutenant Brady Sweitzer regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/65.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Sweitzer, Brady

Primary Information

Exempt From Disclosure: YES
Subject Name: Sweitzer, Brady
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Lieutenant
Juvenile: NO
LEO ID: 414

Property #1 - Recorded Interview Saved to Disc - Lt Brady Sweitzer

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Lt Brady Sweitzer
Property Status: BCA / HQ
Status Date: 06/30/2021
Quantity: 1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/65

Report Date: 07/02/2021

Property #1 - Recorded Interview Saved to Disc - Lt Brady Sweitzer - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/65.1)**

Collected By: **Petersen, Brent**

Collected Date/Time: **06/30/2021 11:16**

Narrative begins on the following page.

On 06/30/2021 at approximately 1110 hours, Senior Special Agents (SSA) Brent Petersen and Nancy Lang interviewed Hennepin County Sheriff's Lieutenant (Lt) Brady Sweitzer regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Sweitzer. Refer to the interview transcript for details.

The following is a synopsis of Lt. Sweitzer's statement:

Lt. Sweitzer stated that on 06/03/2021 he was on-duty for the sheriff's office as a supervisor for the patrol division. Lt. Sweitzer heard the call over the radio of shots fired in Uptown and responded from the patrol division station in Brooklyn Park. Lt. Sweitzer stated that while he was enroute to Uptown, he received direction from a Captain to re-route back to the patrol station and coordinate the mobile field force in the event there was civil unrest. As a result, Lt. Sweitzer never went to the scene in Minneapolis and has not had any contact with Deputy [REDACTED] [REDACTED] or any other member of the Marshal's Taskforce.

Recorded interview saved to a disc and acquired as exhibit 2021-399/65.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/65

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Brady Sweitzer

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature Heather Malsam Date Received 6/30/2021
Name Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Forensic Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By [Signature]

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 30, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/65.1
INTERVIEW OF:	Lt. Brady Sweitzer (BS)	INTERVIEWED BY:	SSA Brent Petersen (BP) SSA Nancy Lang (NL)
REVIEWED BY:	SSA Petersen 7/2/2021		

- BP Okay so today's date is June 30th, 2021. And it is 11:10 a.m. And the BCA case number is 2021-399. Uh this is Senior Special Agent Brent Petersen with Senior Special Agent Nancy Lang. And we're speaking with Hennepin County Sheriff's Lieutenant Brady Sweitzer. Um Lieutenant just to start could I get a badge number from you?
- BS 414.
- BP 414. And uh are you a licensed peace officer?
- BS Yes.
- BP What's your POST number if you know it?
- BS 14513.
- BP 14513?
- BS Yes.
- BP All right. And how long have you been a licensed peace officer?
- BS Uhh(sigh) licensed in 98 I think (inaudible)
- BP Okay.
- BS Think that's right, 98.
- BP Okay. Has your entire uh career been with Hennepin County?
- BS Yes.
- BP Okay. Um how long have you been a Lieutenant?
- BS Um, 20sss, 2017, 20 (inaudible) 2017 or 2018.
- BP Sure.
- BS I, I don't remember specifically.
- BP All right. What, what currently do you do uh for the Sheriff's Office?
- BS I work in our public safety services division. And I'm in charge of our warrant and civil processes.
- BP Warrants and civil process, okay. Um is that typically a, a uniformed position for you or are you in...
- BS Yes.
- BP Okay. Are you as a Lieutenant issued a body worn camera?

BS Yes.

BP Okay. Um thanks for that. So here to talk about uh the incident that occurred on June 3rd uh in the City of Minneapolis in the Uptown neighborhood. Were you working that day at around 1400?

BS Yes.

BP Did you respond to the area of the parking ramp or the actual parking ramp in Uptown?

BS Yes.

BP Can you just tell us how you got involved and kind of what your level of involvement was?

BS I, heard the call. Um responded from our patrol division in Brooklyn Park.

BP Um-hm.

BS Got, and I don't remember what the specific street is. About a block or two north of Lake Street on Hennepin. And got a call from one of uh my partners saying that the Captain had reassigned me to go back to our patrol division to begin to set up a mobile field force if they happened to be needed in the future. So I got down to the area.

BP Um-hm.

BS And turned around and left.

BP All right. All right and which Captain was that, that directed you?

BS Uh well it was Captain Magnuson.

BP Yeah. Okay.

BS But the phone call came from Lieutenant Lu, uh Barb Lu-Lusi-Lusignan. I think is how you say it.

BP Oh sure. Yeah. Okay. Um...

BS She was with him I guess.

BP Gotcha. So you went back to the patrol uh station there in Brooklyn Park and then took care of?

BS Just basically getting personnel together...

BP Yeah.

BS ...in the event that, if there was social unrest that...

BP Sure.

BS ...we had bodies available to be able to handle that as needed.

BP Okay did you ever end up going back to the area?

BS No.

BP Okay.

BS Nope we staged in St Louis Park. That's as close as we got.

BP Do, do you know Deputy [REDACTED]

BS Yes.

BP Did you have any contact with him that day? After this...

BS No.

BP ...incident? For any reason? Okay.

BS I haven't had contact with, I haven't even seen him or talked to him in I couldn't even tell you.

BP Yeah.

BS Months maybe a year, two.

BP Oh okay.

BS Maybe.

BP Did you ever supervise...

BS It's been a long time.

BP Did you ever supervise him or work with him? In your career.

BS I did. Yeah. (clears throat) yeah.

BP As a, as a supervisor?

BS As a, as a partner or on an FTO, as a partner and as a supervisor. At varying times.

BP Okay. Um how, how would you describe his performance in your opinion in uh over the years? That you worked with him.

BS Fine.

BP (inaudible)

BS Um, you know just a reliable deputy. Did, did his job. (inaudible) you know was, was fine I mean nothing, nothing extraordinary and nothing bad.

BP Gotcha.

BS (inaudible) I mean just a general run of the mill deputy.

BP Okay. Um is there anything uh about this, about the incident that happened on the 3rd that you know maybe you have information about or know about that you want to share with us that maybe we haven't asked you about or talked about?

BS Nope other than what has been put out by the media.

BP Yeah.

BS I have no um information regarding that incident whatsoever. Other than being that I, I wasn't on the marshal's task force but...

BP Um-hm.

BS ...working in VOTF and...

BP Um-hm.

BS ...some of the other task forces going out making arrests.

BP Um-hm.

BS The very little bit that I know of it, sounds like a fairly basic deal. Obviously went very wrong. But,

BP Um-hm.

BS you know basic arrest. So no beyond that no I have, I have no, I have no indir or no direct knowledge of that situation.

BP Great. Uh Nancy do you have any questions for the Lieutenant?

NL I do not.

BP Okay. Um Lieutenant I appreciate your time. I'm gonna um turn off my recorder unless there's anything else you wanted to add.

BS I have nothing.

BP All right I appreciate it. The time is 11:16.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/66

Report Date: 06/30/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Hennepin County Sheriff's Captain Shane Magnuson
Occurrence From:	06/30/2021 11:35
Occurrence To:	06/30/2021 11:42
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO:	Byron, Daniel (Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/01/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 06/30/2021, SSA Petersen and SSA Byron interviewed Hennepin County Sheriff's Captain Shane Magnuson regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/66.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Magnuson, Shane	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Magnuson, Shane
Record Type:	Law Enforcement Official
Bio:	Male
Rank/Position:	Captain
Juvenile:	NO
LEO ID:	459

Property #1 - Recorded Interview Saved to Disc - Capt Shane Magnuson	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Capt Shane Magnuson
Property Status:	BCA / HQ
Status Date:	06/30/2021
Quantity:	1

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/66

Report Date: 06/30/2021

Property #1 - Recorded Interview Saved to Disc - Capt Shane Magnuson - Continued

Primary Information - Continued

Submitted To: **Property & Evidence (2021-399/66.1)**
Collected By: **Petersen, Brent**
Collected Date/Time: **06/30/2021 11:42**

Narrative begins on the following page.

On 06/30/2021 at approximately 1135 hours, Senior Special Agents (SSA) Brent Petersen and Dan Byron interviewed Hennepin County Sheriff's Captain Shane Magnuson regarding this investigation. SSA Petersen recorded the voluntary interview with Captain Magnuson. Refer to the interview transcript for complete details.

The following is a synopsis of Captain Magnuson's statement:

Captain Magnuson stated that on 06/03/2021 he had just gone off-duty for the sheriff's office where he is the commander of the Enforcement Services Division. Captain Magnuson heard over the police scanner that shots were fired in Minneapolis and responded from Anoka to Minneapolis. Captain Magnuson stated that he arrived at the parking ramp and went up to the fifth level.

Captain Magnuson stated that when he arrived at the ramp, all members of the Marshals Taskforce were gone, to include Hennepin County Deputy [REDACTED]. Captain Magnuson observed several vehicles on scene to include one vehicle that appeared to have damage to it from apparent gunfire. A male was lying on the pavement and appeared to be deceased. Captain Magnuson stated he remained on scene for the duration of the BCA investigation.

Captain Magnuson has not had any contact with Deputy [REDACTED] since this incident. Captain Magnuson stated he briefly supervised Deputy [REDACTED] in the past and was unaware of any disciplinary issues or concern with use-of-force by Deputy [REDACTED].

Recorded interview saved to a disc and acquired as exhibit 2021-399/66.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/66

Case Agent: Petersen, Brent

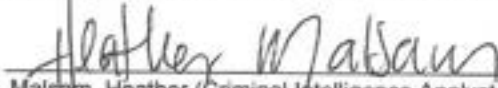
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Capt Shane Magnuson

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

6/30/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

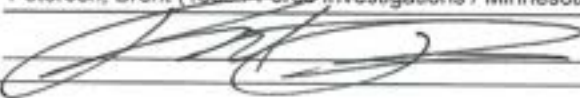
City/State

Telephone

Released By

Petersen, Brent (1389 / Forensic Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	June 30, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/66.1
INTERVIEW OF:	Capt. Shane Magnuson (SM)	INTERVIEWED BY:	SSA Brent Petersen (BP) SSA Dan Byron (DB)
REVIEWED BY:	SSA Petersen 6/30/2021		

BP Okay so today's date is June 30, 2021 and the time is 11:35 and the case number is 2021-399 and this is Senior Special Agent Brent Petersen with Senior Special Agent Dan Byron and we're speaking with Hennepin County Sheriff's Captain Shane Magnuson.

SM Yes sir.

BP Uh Captain could I just start out by getting a badge number from you?

SM 459.

BP And uh are you a licensed peace officer?

SM I am.

BP What's your POST number?

SM 15452.

BP Great, and how long have you been a licensed peace officer?

SM Uh over 21 years.

BP Alright and how long have you been a captain?

SM Three months, four months, three months (laughs) yeah.

BP Well congratulations on the promotion.

SM Thank you.

BP Um, what do you, what do y- current, what's your current role as a captain with the sheriff's office?

SM Our enforcement services division which includes uh patrol.

BP Okay, alright, uh just high level what, what, what are your responsibilities as the enforcement services division captain?

SM I oversee multiple units throughout our enforcement services to include transport, a hospital unit, water patrol, patrol, civil, warrants, extraditions.

BP All sorts of things.

SM And our K9 SWAT.

BP Okay.

SM Yeah.

BP Alright uh do you typi- is that a uniformed position for you or are you kind of in plain...

SM It is...

BP Okay.

SM ...uniform.

BP Are you issued a body worn camera as a captain?

SM I am.

BP Okay um so uh I'll just direct your attention then back to uh the afternoon of June 3rd at around 1400 hours were you on duty that day?

SM I was.

BP Do you remember what, what hours were you working that day?

SM I was working uh 0600 to 1400.

BP Okay um did you respond to Uptown?

SM I did.

BP Can you just tell us how you got involved in that and what, what you did and observations you made, things like that?

SM So actually I can tell ya, I was on my way home, I was crossing the ferry bridge into the city of Anoka from Champlain.

BP Yep.

SM When I heard the radio call of shots fired um I didn't hear a whole lot else uh and then somebody else came back over that it was at Lake Street. I turned my vehicle around in the city of Anoka and went to that location.

BP Okay and uh what happened when you got there?

SM Um I met a Minneapolis police officer who uh said that he was the OIC in charge of that scene and controlling that scene and I said okay and then he asked if we wanted to go up, I said yes. I went up and uh met with, there were other uh people from Hennepin County doing c- mostly our VOTF unit uh and talked to them briefly and waited for BCA to respond.

BP Okay was um was your Deputy [REDACTED] on scene when you got there?

SM He was not.

BP Okay do you know if...

SM No I had a pretty long run from Anoka to there so (laughs).

BP So he was, he was gone by the time you got there?

SM Yes, yep.

BP What uh what did you, so you were up on the fifth floor then of the parking ramp?

SM Yes sir.

BP Or level I should say.

SM Yep.

BP What, what did you observe of the scene?

SM Um I saw a lot of cars. I saw a car with uh what appeared to be um gunshot, broken windows and uh gun, gunshot or holes in the windows from what appeared to be gunshots. I saw a victim on the ground. I call (inaudible) I called for Minneapolis or Hennepin county to bring a tent so we could kinda secure him. There were obviously there's helicopter in the air

and there's also upper level parking levels around that so we didn't want the um pictures or anything ya know, paying a little respect for the family not seeing him but we didn't want to cover him either so...

BP Um-hm.

SM ...not to contaminate anything either so we got a portable tent and Minneapolis arrived with a portable tent and they assembled the tent over top of where the victim was.

BP Okay, alright um was, was EMS there when you got there, like workin'...

SM They were not.

BP Okay.

SM No. I-I shouldn't say that. I didn't see them. They weren't up, they were not up there so...

BP Nobody was actively working...

SM No, he, no, everybody was gone, the scene was, he had been declared by that point and everybody was just, just waiting.

BP Okay um so were you there then when the BCA arrived?

SM I was.

BP Did you, how long did you kinda stay on the scene?

SM All night, till you guys cleared.

BP Okay, alright um have you had any contact with Deputy [REDACTED] since this incident for any reason at all?

SM I ha- no, no, I have not seen him or I shouldn't say that, I have seen him, he, I saw him Monday at work briefly uh no, didn't talk to him or anything.

BP Okay, alright uh what about any of the other uh members of that Marshal taskforce, have you had any contact with any of them?

SM Um yes.

BP Can you...

SM I guess it depends on, I don't know which ones were necessarily all involved on this so oh as far as the Marshals taskforce, other deputies?

BP Yeah.

SM No, none.

BP Deputies...

SM Other VOTF, VOTF members yes but they...

BP Okay.

SM ...were not part of the Marshal's taskforce.

BP Oh okay, gotcha.

SM I don't know anybody else on that Marshal's taskforce so.

BP Okay, understood. Um do you, so you have a body worn camera? Was your camera on for the most part?

SM It was, yes and once, once we got up and on scene, we turn- it was, it was code four...

BP Yeah.

SM ...everything was done at that point in time, I turned it off.

BP Gotcha okay um what, wh- have you, do you have any experience either working with or supervising Deputy [REDACTED]?

SM Um I was a sergeant on ESU when he first got on ESU, yes.

BP I mean what can you tell us about him and your observations of him as a deputy over the years?

SM He's a, he's a very good deputy.

BP Um-hm.

SM He, yeah I mean yeah he comes in, he does his job...

BP Um-hm.

SM Um it's been, when I was, I was sergeant on the team that was th- I'm trying to think, I think I got off in 13'...

BP Um-hm.

SM ...so that woulda' been the last time I supervised him. He was fairly new to the uni- or to the cri- or emergency services at that time.

BP Hm.

SM But yeah, he was a go getter. He uh very, very active, when something needed to be done at that point in time I mean he went and got it done so...

BP Are you aware of any sort of like uh disciplinary issues or concerns about his performance regarding use of force and things like that?

SM I am not aware of any disciplinary issues on any use of force that he has ever had.

BP Okay, alright, appreciate that. Um Dan any questions for the captain?

DB I don't have any.

BP Alright um Captain is there anything else that you can think of regarding your time at the scene or or since this incident uh that ya know might be important for us to know?

SM No, no I really was, I was there well after the fact, I really don't have a whole lot to (laughs) to contribute whatsoever.

BP I, well I, I do appreciate your time. I'm gonna turn off my recorder then, the time is 11:42.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/67

Report Date: 06/30/2021

Primary Information

Description: Acquisition of Squad Car Camera Video - Minneapolis Police Department
Occurrence From: 06/30/2021 12:30
Occurrence To: 06/30/2021 12:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/01/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/30/2021, SSA Petersen acquired two discs from the Minneapolis Police Department containing squad car camera videos relevant to this investigation. Discs acquired as exhibit 2021-399/67.1. ACISS receipt attached.

Address #1 - Occurred #1 - 505 4TH AVE S

Primary Information

Address: 505 4TH AVE S Minneapolis Public Service Building, MINNEAPOLIS, Minnesota 55415 United States

Property #1 - 2 Discs - MPD Squad Videos

Primary Information

Property Class: Evidence
Property Type: VIDEO RECORDING
Description: 2 Discs - MPD Squad Videos
Property Status: BCA / HQ
Status Date: 06/30/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/67.1)
Collected By: Petersen, Brent
Collected Date/Time: 06/30/2021 12:30

Narrative begins on the following page.

On 06/30/2021, at approximately 1230 hours, Senior Special Agent acquired two discs from the Minneapolis Police Department containing squad car camera videos from responding police officers to the scene of a law enforcement shooting on 06/03/2021.

Both discs acquired as exhibit 2021-399/67.1.

Review of the videos will be documented under separate investigative supplement.

ACISS evidence receipt is attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/67

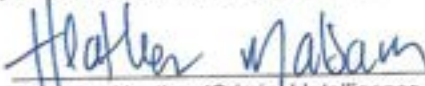
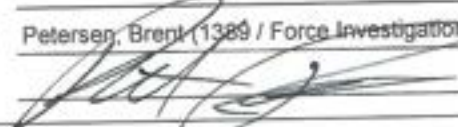
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	2 Discs - MPD Squad Videos

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 6/30/2021
Name Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Force Investigations - Minnesota Bureau of Criminal Apprehension)
Verified By 

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/68

Report Date: 07/06/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Minneapolis Police Officer Dean Milner
Occurrence From:	06/30/2021 17:04
Occurrence To:	06/30/2021 17:19
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/19/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 06/30/2021, SSA Petersen interviewed Minneapolis Police Officer Dean Milner regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/68.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Milner, Dean	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Milner, Dean
Record Type:	Law Enforcement Official
Bio:	White, Male
Rank/Position:	Officer
Juvenile:	NO
LEO ID:	04807

Property #1 - Recorded Interview Saved to Disc - Ofc Dean Milner	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Ofc Dean Milner
Property Status:	BCA / HQ
Status Date:	06/30/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/68.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/68

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Ofc Dean Milner - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **06/30/2021 17:19**

Narrative begins on the following page.

On 06/30/2021 at approximately 1704 hours, Senior Special Agent (SSA) Brent Petersen interviewed Minneapolis Police Officer Dean Milner regarding this investigation. SSA Petersen recorded the voluntary statement from Officer Milner. Refer to the interview transcript for complete details.

The following is a synopsis of Officer Milner's statement:

Officer Milner stated that on 06/03/2021 he was on-duty as a patrol officer in the fifth precinct and responded with his partner, Officer Dan Diedrich, to an "officer needs help" call in the parking ramp at Lake and Hennepin in Uptown. Officer Milner stated that he and Officer Diedrich arrived at the ramp and took the stairs up to the fifth level. Once on the fifth level, Officer Milner observed numerous undercover officers and vehicles surrounding another vehicle and some other law enforcement performing CPR on a male.

Officer Milner received direction from his sergeant, Sergeant Chris Pickhardt, to put up crime scene tape in the ramp and then to also take custody of a female who was secured in one of the taskforce vehicles. Officer Milner and Officer Diedrich took the female, Norhan Askar, down to their squad car and paramedics checked her over. Officer Milner rode with Norhan to the hospital and stayed with her at the hospital until relieved by the BCA.

While on the ambulance, Officer Milner heard Norhan state that she told Winston to just put his hands up and listen to the police. She further said in Officer Milner's presence that Winston had asked her if she had a gun, which she denied, and then he made a statement about not going back to jail. Officer Milner did not ask Norhan any questions about a weapon and she did not disclose that she saw one.

Recorded interview saved to a disc and acquired as exhibit 2021-399/68.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/68

Case Agent: Petersen, Brent

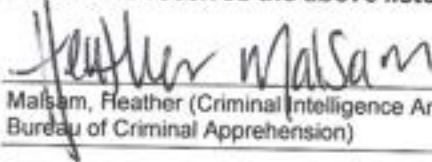
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Ofc Dean Milner

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

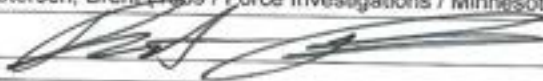
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	June 30, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/68.1
INTERVIEW OF:	Ofc. Dean Milner (DM)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 7/6/2021		

- BP Alright so today's date is June 30th, 2021 and it's 17:04 hours and uh the BCA case number is 2021-399 and this is Senior Special Agent Brent Petersen and I'm speaking with Minneapolis Police Officer Dean Milner. Um Officer Milner can I just get a badge number to start?
- DM Yes uh my badge number is 04807.
- BP Great and um you are a licensed peace officer?
- DM Correct.
- BP Do you know your post number?
- DM I do. My post number is 13221.
- BP Thank you. Um how long have been a, a police officer?
- DM Uh be 26 years.
- BP Alright. Has your entire career been with Minneapolis?
- DM It has.
- BP Okay. And then what do you currently for Minneapolis PD?
- DM I'm currently assigned to uh the Patrol Bureau and the Fifth Precinct on uh day watch.
- BP Alright. What hours do you work?
- DM Uh 0700 to 1700.
- BP Okay. And uh that's a uniformed position I assume?
- DM Correct. Yeah uniformed patrol, 911 response.
- BP Okay. Uh body worn camera, are you issued one?
- DM Correct, yes.
- BP Alright. Um back on June 3rd were you working day shift in the Fifth Precinct?
- DM Uh June, so June 3rd was the date of the uh Winston Smith uh critical incident yes, I was yes.
- BP Okay. Um did you end up responding to the area, the, the parking ramp or the area around parking ramp in Uptown was c' uh called a shooting?
- DM I did.
- BP Can you just tell me um how you know how you got involved and kinda what you, what your roll was at the scene?

DM Of course. Um so that afternoon um our dispatch which is MECC, uh Minneapolis Emergency Communication Center uh toned what we call a help call.

BP Um-hm.

DM Uh stating that officers need help and gave the address of the uh, of the Calhoun Ramp.

BP Um-hm.

DM Um I was working with my partner; Officer Dan Diedrich. Uh I was the driver and uh we immediately responded to that location. Um I arrived uh I, I came down Hennepin from 31st Street and then uh at Lake Street I took a right hand turn and went eastbound a half a block and parked right there at the corner of the ramp...

BP Um-hm.

DM ...and uh then I got out, ran on foot up the, up the stairs of the ramp up to the top level...

BP Um-hm.

DM ...and uh that's where I observed the scene unfolding.

BP Okay. Can you, uh what did you see when you got up on, on the fifth level?

DM Uh well I do, (inaudible) one thing I recall is uh, uh there were several plain clothes guys right behind me uh coming up the stairs. I, I was one of the first to arrive up there and um I noticed that there were several vehicles that appeared to be converged upon one...

BP Um-hm.

DM ...and um I also saw my supervisor, which is Sgt. Chris Pickardt...

BP Yep.

DM ...was up on the top level as well. I observed a male down on the ground on one s', on one side of the vehicles and they were, officers appeared to be performing CPR, um but I quickly turn my attention to Sgt. Pickardt who asked me to um to coordinate off or to uh secure the ramp, so I grabbed some crime scene tape from uh another vehicle...

BP Um-hm.

DM ...and I went one level lower in the ramp and I used yellow crime scene tape to uh close that off and secure it so nobody else could come up.

BP Okay.

DM Um and then I ran back to the top deck and uh, I believe it was Sgt. Pickardt that asked me to grab uh the female and take custody of her that was in the vehicle with Winston Smith.

BP Okay.

DM So I did, I went back to uh I, I don't know if was a, a sheriff's deputy's car or a marshal's vehicle...

BP Um-hm.

DM ...uh but I, I, she was in the back seat. Um and I took her out of there. Uh one thing I guess I can't speak of I, I, I believe that she may have been handcuffed but I can't say with certainty...

BP Um-hm.

DM ...but I know that at uh when she came out I know that she was not handcuffed as I walked her down.

BP Okay.

DM So either I took the handcuffs off or somebody else did, I have not had a chance to review that and with everything unfolding so quickly at, it's just something that's not clear in my mind right now.

BP Okay.

DM (Inaudible) um but it probably was me, so I, I took custody of her and I noticed that she had some uh injuries of shrapnel on the uh I believe woulda been the left side of her body, so I tried to calm her down; she was hysterical.

BP Yeah.

DM And I tried to reassure her uh that she'd be okay and, and, and her biggest concern she thought she had possibly been shot. And um uh uh at that time I wasn't certain whether she had or not either so um I just kinda quickly checked to see if there was anything that, that stood at me that needed immediate attention and uh also being aware that she was, you know, up walking and talking and...

BP Um-hm.

DM ... and she was a female I wasn't going to be too invasive.

BP Um-hm.

DM But I, I also requested a second ambulance. At that time um I walked her down the stairs or well, I can't rem' I walked, I think I walked her down the stairs and I know that I met an ambulance crew uh down by where my squad's parked.

BP Okay.

DM And I took particular care to move her away from the crowd that was uh gathering and forming down there.

BP Okay.

DM Um as things were, were getting a little tense uh between police and bystanders and onlookers, so I, I moved her off to the uh eastern side of, of that scene and took her out to an ambulance and then uh sat inside the ambulance while they attended to her. And when I say they I'm referring to Hennepin County paramedics.

BP Okay. Um can I just ask wa' was your body camera rolling during this, all of this...

DM My...

BP ...incident here?

DM ...my body camera was running from uh prior to my arrival...

BP Yep.

DM ...because it activates when I, when I activate code 3 on my, on my car turn lights, there, there activates, so my body camera was activated the moment I started my response all the way through uh, to the hospital. And I don't believe I even, I don't believe I turned off until I was removed at the hospital. Now I, I, I, there was a, a, a gal and gentleman that relieved me. I don't think you were one of them. Were you?

BP No I was not.

DM Okay. Okay so uh don't recall her name other than I believe her first name was Michelle, but they relieved me at the hospital and uh that's when I, I told her that all my stuff was on body cam and uh she gave me a card um in case I had any other questions...

BP Okay.

DM ...I need to follow-up with her.

BP Um if, if we could just go back quick to the uh, the ambulance, um you, you were on the ambulance with this female while she was being checked over by the medics?

DM Correct.

BP What, did, what was she saying? Did she say anything of note about what had happened or what she observed?

DM Yeah so (cleared throat) the significant thing to me a' and that caught my attention is that she appeared very upset and very angry uh with Mr. Smith and she was, she told me that this was like their second date...

BP Um-hm.

DM ...and that she'd only know him for three weeks...

BP Um-hm.

DM ...uh but they had had lunch at Stella's Fish Café and then walked back over to the, to the ramp. Is she, mentioned that while the vehicle um officers converged on them...

BP Um-hm.

DM ...with guns and were ordering them to put their hands up. Uh what I took from her is that she was upset that he wasn't complying and she was hysterical but she, she was swearing and saying, why wouldn't he just comply? Why didn't he just put his hands up?

BP Hm.

DM And she said that uh whomever was on, I believe was on her side was telling her to move back because they were trying to protect her. Um (cleared throat) Winston Smith made the statement to her asking uh the question...

BP Um-hm.

DM ...do you have a gun on you and she looked at him and said no. And she, she, the response she gave me like uh was are you crazy? Do I, don't have a gun on me, of course not but he made the statement that he was not going back to jail.

BP And that's what she told you he said?

DM That's what she said and that's all on body cam.

BP Okay.

DM And then she kept rehashing uh the fact that she put her in danger and why would anybody put her in this position?

BP Um-hm.

DM And that uh sh' he had mentioned that he had had some run-ins' with the law...

BP Um-hm.

DM ...in the past.

BP Um-hm.

DM 'Eh 'eh and again these are just little um briefings. These aren't verbatim. I'm just...

BP I understand.

DM ...this is what from memory she's saying he had had run-ins with the law and that it was nothing serious and um but what thing that also kinda my peeked my curiosity is I, I did ask her what his last name was because I, I was asking his first and last name in the ambulance.

BP Um-hm.

DM And she said uh his first name is Winston and I asked the last name, she said she didn't know...

BP Okay.

DM ...but she paused before she said it and then later she told me that she had tried to google him because he had said he'd had some problems with the law. So it kinda threw me off because if she's googling him she obviously has last name.

BP Yeah correct, okay.

DM Um but she and here's the thing, she kept asking the questions like, is he okay, and I didn't answer that and she also said that um using expletives uh, that so and so better not call me from jail. He better and not try and call me from jail.

BP Huh.

DM And uh I, I didn't say anything to her about his condition or anything, although when I, when I looked and saw them doing CPR, in my mind I, I just, you know in my gut I knew it wasn't going well. I (inaudible)...

BP Um-hm. Yeah.

DM ...wasn't gonna make but uh, I didn't say that to her and the reason I didn't is because I didn't want her emotion to turn sympathy and I wanted to get as much as I could from her um in the state a mind she was in.

BP Right.

DM So I, I stuck with that and I, I just let her keep talking.

BP Okay.

DM And um...

BP Did you ask many questions or was she just kind of talking?

DM I, I didn't ask many questions, um I'd asked his name.

BP Um-hm.

DM Uh that's about it. Uh you know she mentioned some things about family and havin' problems with her, her dad and being...

BP Hm.

DM ...um disowned and stuff. I just kinda tried to reassure her uh but didn't ask many things about the incident itself. Um at least that I recall.

BP Did she say she saw a gun or did you ask her about a gun?

DM I did not ask her if she saw a gun. I didn't ask her that and she did not say that she saw one.

BP Okay.

DM Um but she made the statement about him asking her do you have a gun and I'm not going back to jail.

BP Okay. Alright.

DM So.

BP So did you ride in the ambulance then with her?

DM I did yes.

BP Okay. Um and then at the hospital um kinda what happened there? Until you...

DM (Inaudible)

BP ...were relieved?

DM At the ER um we came in, they didn't have a, a room for her so we ended up in a room that was called a, was called a (inaudible) room I believe and I just basically stayed with her...

BP Um-hm.

DM ...uh to calm her down because there, there were numerous times where she had these uh 'eh uh you know what I'd call little hysterical fits...

BP Um-hm.

DM ...um about (inaudible) and I would just trying to calm her down a little bit. Uh even sometimes I need to take her hand and, and say okay, (inaudible) say calm down, let's take some deep breaths.

BP Um-hm.

DM Because she would get so excited about it.

BP Alright.

DM Um but she, then she was upset because she, she said her friend had introduced her to him and (laugh)...

BP Um-hm.

DM ...and then I suggested that maybe she'd, she pawned him off and then she got even more upset.

BP (Laughed)

DM Uh I don't know if that was good or not. I was trying to, I was actually trying to keep a good rapport with her...

BP Right.

DM ...and so I even, I even made a few uh you know jokes with her and you just kinda laugh with her a little bit just to keep you know her mind...

BP Yeah.

DM ...from getting so worked up.

BP Yeah, okay. Uh and then at some point um the BCA agent showed up and...

DM Correct. Yeah at some point they showed up and uh they took custody of her and I was released from the (inaudible).

BP Did you go back to the parking ramp?

DM Um (pause) boy I'm trying to 'member if I did or no. I, I don't believe I did. Yeah I don't believe I did.

BP Did somebody pick you up, the hospital?

DM Yes. My partner Officer Dan Diedrich...

BP Oh yeah.

DM ...picked me up from down at the ER.

BP Alright. Um sorry I'm, I'm jumping back I just, I just thought of something I wanted ask you. Um when you...

DM Yep.

BP ...first got to the ramp and then you, you run up to the 5th level um and you see uh people working on Mr. Smith...

DM Um-hm.

BP ...um did you have any interaction with any of the task force members or who you m' believed to be um, did they make any comments in your presence of note?

DM You know honestly I, I don't recall any. Um...

BP Yeah.

DM ...there could have been and it would be on my body camera...

BP Right.

DM ...but I, I don't recall that any things just what happened so rapidly um you know my attention turned immediately to my supervisor (inaudible). Sorry I did that.

BP Um-hm.

DM Um...

BP Do you know, did you know any of those or do you know any of those task force members?

DM I don't. I, I, there's one I recognized from Hennepin County, but I don't know his name and I've never worked with him and never had uh any other interaction with him.

BP Okay.

DM So.

BP Okay. Alright. Um did you end up writing a supplement at some point?

DM I did.

BP Okay. Great. Um I appreciate that. Is there anything else um that you can think of that I should know?

DM (Sigh) You know at this time I don't believe there is. Um I did make note in my report at the end though to uh to make sure that you guys had an opportunity to watch my body camera because I did feel that there were some, some uh significant statements in there that were made...

BP Yeah I...

DM ...by the female.

BP ...I have an, I just pulled it up here. I haven't w' w' and nobody has watched videos yet. We're working...

DM Okay.

BP ...on that, so I'm, I'm actually gonna watch...

DM Yeah.

BP ...it when we get off the phone here. Um did you...

DM Sure.

BP ...take any photographs or anything?

DM No.

BP Alright. And other than your body worn camera video, any additional videos like on a cell phone or anything like that?

DM No. No.

BP Okay. And what, and lastly what was you and Officer Diedrich's um squad call sign that night (inaudible)?

DM Uh we were squad 520.

BP 520, okay. Alright. Thank you. Anything else?

DM Uh nope there's not and uh just feel free to, you know if you have any more questions or need to get a hold of me feel free to use this number. You can call me anytime.

BP Alright I, thank you so much. Um I'm gonna turn off my recorder now. It's uh 17:19 hours.

End of recording.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/69

Report Date: 07/02/2021

Primary Information

Description: Interview with Paul Hammarstedt
Occurrence From: 06/29/2021 13:27
Occurrence To: 06/29/2021 13:32
Reporting LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Byron, Daniel (Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/02/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/27/2021, at 1327 hours, SSA Lang conducted a phone interview with Paul Allen Hammarstedt, who was on the sidewalk outside the parking ramp on 06/03/2021 at approximately 1400 hours and heard shots fired. Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/69.1. Interview transcript and evidence transfer receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - Hammarstedt, Paul Allen

Primary Information

Subject Name: Hammarstedt, Paul Allen
Record Type: Person
Bio: 56 yr. old, Unknown, Male
Birth Date: 03/30/1965
Juvenile: NO

Personal Information

Height: 509
Weight: 175
Eye Color: Blue

Addresses

Relationship	Address
BUSINESS LOCATION	17 E 27TH ST APARTMENT #4, Minneapolis, Minnesota 55408-1679 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(612) 386-5168 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/69

Report Date: 07/02/2021

Vehicle #1 - Related #1 - AFL461

Primary Information

Vehicle Type: **Sedan**
Vehicle Description: **2006 TOYOTA Camry**
Exterior Top Color: **TAN**
Vehicle Style: **4 DOOR**
Vehicle VIN Number: **4T1BE32K26U683973**
Tag Number: **AFL461**
Tag State: **MN**

Property #1 - 69.1 DVD interview of Paul Hammarstedt

Primary Information

Property Class: **Evidence**
Property Type: **Audio Recording**
Description: **69.1 DVD interview of Paul Hammarstedt**
Property Status: **BCA / HQ**
Status Date: **07/01/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/69.1)**
Remote Bin: **BCA-HQ**
Disposition: **SUBMITTED TO PROPERTY AND EVIDENCE**
Collected By: **Lang, Nancy**
Collected Date/Time: **07/01/2021 00:00**

Narrative begins on the following page.

On Monday, 06/26/2021 at approximately 1030 hours, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Nancy Lang left a voicemail for Paul Hammarstedt. Hammarstedt's vehicle, MN AFL461, a 2006 Toyota Camry, was parked in the ramp on 06/03/2021, during the time of the incident. SSA Lang requested a return call to determine if Hammarstadt was near or in the ramp during the time frame of the shooting.

On Tuesday, 06/27/2021, at approximately 1325 hours, Hammarstedt contacted SSA Lang. SSA Lang spoke briefly to Hammarstedt inquiring if he had seen or heard anything on 06/03/2021 at approximately 1400 hours. Hammarstedt told SSA Lang he was about 30 feet away from the incident but only heard the shots. SSA Lang activated a digital recorded and requested SSA Dan Byron be present for the phone interview.

Hammarstedt told SSA Lang the following information: He was parked on the 1st floor of the ramp and heading to his vehicle from Great Clips. He was on the sidewalk outside of the ramp when he heard 8-9 shots. It sounded as if one person was shooting. He then saw an unmarked pickup truck with blue lights and an unmarked car and a person wearing a vest marked with "police." The person in the vest ran to the staircase of the ramp and checked every floor and disappeared on the top floor and looked over the top of the ramp. He saw another person marked with "police," he possibly thought was a US Marshal. A few minutes later, the Minneapolis Police arrived.

Hammarstedt said he could not articulate the direction of the shots but believed they were coming from the ramp. He was familiar with the sound of gun shots.

On 07/01/2021, the recorded interview was sent for transcription. On 07/02/2021, the completed transcription was verified by SSA Lang and attached to this supplement.

Recorded interview saved to a disc, resulting in the acquisition of exhibit 2021-399/16.1.

Interview transcript and evidence transfer receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/69

Case Agent: Petersen, Brent

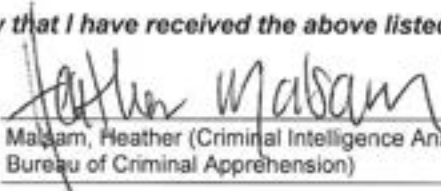
Item	Quantity	Description
1	1.00	69.1 DVD interview of Paul Hammarstedt

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

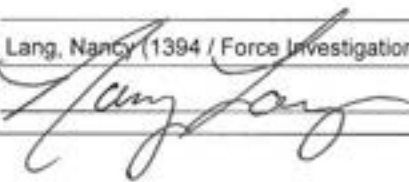
City/State

Telephone

Released By

Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	June 29, 2021	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	
INTERVIEW OF:	Paul Hammarstedt (PH)	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA Dan Byron (DB)
REVIEWED BY:	SSA Nancy Lang		

PH I mean I didn't see anything, but I heard stuff.

NL Okay. So you didn't see anything, what did you hear?

PH I heard, I then count eight to nine shots. Um to me uh it, it sounded like one person shooting. I heard um da bang, bang, bang, bang, bang, bang, bang. Um and then I saw um uh, uh unmarked pickup truck with like blue lights. And then another unmarked car, I don't know if it was a pickup truck. And then I saw fellow, unmarked fellow with a like a vest that said police on it. And he ran to the staircase. And then he ran up the staircase, and like checked on every floor. And then got on the top floor. And then he, he disappeared on the top floor and then he looked over the top floor. And then I was kinda waiting for somebody to come out. I, there was a scissor lift there.

NL Um-hm.

PH So I kinda hid behind the scissor lift, 'cuz like um I'm in construction and I said well maybe that's a pile driver and it's like nope. And maybe that's a, a uh, uh a nail, a nail gun. Um I used to do remodeling, so like a nail gun, a nail gun's in a compressor like uh nope. Thought maybe firecrackers, like nope. So like that's all going through my mind pretty quick. It's like no those are gunshots.

NL Okay.

PH And I was kinda, kinda surprised, people were just walking around, eating their lunch and completely oblivious so. I saw that one gun run up the stairs. There was another guy there too. I think he might have ran he, he had like police, so like they weren't in like uniforms or anything. He maybe ran onto the first floor. So there's like two guys there. I, maybe those were the, thee uh the Marshals or something.

NL Okay.

PH And then about three minutes later, between two and three minutes later. Probably closer to three minutes later. Then the Minneapolis Police showed up so. I, I, I um I didn't know what was going on. I thought those guys were Minneapolis Police officers, they weren't, 'cuz Minneapolis Police showed up about three minutes later.

NL Okay. So Paul just to verify then, you said that you were about thirty feet away, is that correct?

PH Yeah I was going, I had a haircut at the Great Clips there. And then [inaudible] I was walking to the ramp and then there was that scissor lift there. So I was about where the scissor lift was. And I was parked on the first floor so. Go to get my car and then I heard the, heard the shots.

NL So when you heard the shots, which level of the ramp were you on?

PH I was on the sidewalk outside of the ramp.

NL Okay.

PH About three feet away from the ramp. So I couldn't tell where the shots were coming from. They seemed like they were from the ramp, but it, there was. I mean there's the ramp and then there's the shopping mall. So kinda echo-y.

NL Um-hm.

PH But the, the, the guy with the police on his vest ran towards the ramp. So it's, I figured oh they're probably in the ramp. And I didn't [sighs] I guess [sighs] my um it seemed like it was one shooter. My um, I was with my brother once when he, God, he was trying to shoot a gross with his Glock. Uh he missed of course.

NL Okay.

PH But he, the way he, the way he emptied his Glock, bang, bang, bang, bang, bang, bang, bang.

NL Um-hm.

PH It, it sound like one shooter. So I figured one. It wasn't a. I used to live uh south of North Memorial Hospital like right on Deerwood Parkway. So I heard a lot of gunshots in North Minneapolis and like gun fights, like bang, bang, bang, bang, bang, bang, bang. It wasn't like that it was just a continuous roll of shots.

NL Okay.

PH So when I, I've heard my brother shoot, try to shoot a gross and empty his clip so it, it seemed like one person shooting. And there wasn't any return fire or like I guess like a gun battle or a shootout at the OK Corral or anything like that. It was just a continuous one shot after the other with no pause between.

NL Okay.

PH I guess. Semi-automatic fire basically.

NL Okay. Well great Paul. Thank you so much for um, um giving me that information. Um can I just verify your current address as 17 East 27th Street, Number 4?

PH That is correct.

NL Okay. And the last name spelling is, it's Hammarstedt H-A-M-M-A-R-S-T-E-D-T, correct?

PH That is correct.

NL And then it's Paul Allen A-L-L-E-N. Date of birth 03-30 of '65?

PH You sure know a lot about me, yes. But did you get if from the like the, the license plate? Look it up on the?

NL You know I was given a spreadsheet and wasn't sure if that information was just taken by officers at the scene when people left the ramp. So just verifying everything.

PH No, I, I, I. Oh I had uh I had a backpack with medical stuff in it.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/70

Report Date: 07/06/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Lieutenant Bill Gottwaldt
Occurrence From: 07/01/2021 09:03
Occurrence To: 07/01/2021 09:11
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/07/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/01/2021, SSA Petersen interviewed Hennepin County Sheriff's Lieutenant Bill Gottwaldt regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/70.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Gottwaldt, Bill

Primary Information

Exempt From Disclosure: YES
Subject Name: Gottwaldt, Bill
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Lieutenant/Water Patrol
Juvenile: NO
LEO ID: 384

Property #1 - Recorded Interview Saved to Disc - Lt Bill Gottwaldt

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Lt Bill Gottwaldt
Property Status: BCA / HQ
Status Date: 07/01/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/70.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/70

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Lt Bill Gottwaldt - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/01/2021 09:11**

Narrative begins on the following page.

On 07/01/2021 at approximately 0903 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Lieutenant (Lt.) Bill Gottwaldt regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Gottwaldt. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Gottwaldt's statement:

Lt. Gottwaldt stated that on 06/03/2021 he was on-duty for the sheriff's office and responded to the parking ramp in Uptown to assist at the scene of the shooting. Lt. Gottwaldt stated that when he arrived he remained on the sidewalk level and assisted with keeping the growing crowd out of the crime scene. Lt. Gottwaldt did not go up to the top level of the ramp and made no observations of the scene.

Lt. Gottwaldt has not had any contact with Deputy [REDACTED] or other members of the Marshal's Taskforce since this incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/70.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/70

Case Agent: Petersen, Brent

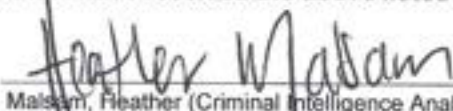
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Bill Gottwaldt

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

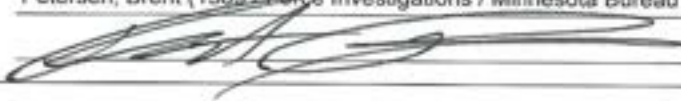
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 1, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/70.1
INTERVIEW OF:	Lt. Bill Gottwaldt (BG)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

BP Okay so um today is July 1st, 2021. And it's 9:03 a.m. And the BCA case number is 2021-399. And this is Senior Special Agent Brent Petersen. And I'm speaking with Hennepin County Sheriff's Lieutenant Bob Gottwaldt?

BG Uh act, yeah actually it's, it's Bill Gottwaldt. Um and...

BP Did I say...

BG Uh might have said Bob but that's okay.

BP I'm...

BG Bob, but yeah and my...

BP Sorry about that.

BG ...my legal name is actually Nabill, N-A-B-I-L-L.

BP Oh.

BG But I, I go by Bill. Yeah.

BP (inaudible)

BG Uh but yeah.

BP I'm sorry about that. Yeah.

BG No that's okay. But yeah uh...

BP From looking at your email...

BG ...if I'm (inaudible)

BP ...here and it does say Bill. Sorry about that.

BG No that's okay.

BP All right.

BG But yeah um yeah the, Lieutenant Bill Gottwaldt uh Hennepin County Sheriff's Office.

BP Thank you so much. Um Lieutenant what's a badge number for you just to start?

BG Uh my badge number is 384.

BP All right. And uh are you a licensed peace officer?

BG I am. Yep I've um been with the Hennepin County Sheriff's Office since '95.

BP Okay.

BG Uh as a licensed deputy since '96.

BP Okay. What, what's your POST number?

BG Uh sh I believe it's 13402.

BP 13402. Great. Um...

BG I, I can, I can double check that if you want but I'm pretty sure that's right.

BP That's okay. It's, it's...

BG Okay.

BP ...yeah. Um and then how long have you held that rank of Lieutenant?

BG Uh not too long. I uh I think I was promoted to Lieutenant um in about uh I think it was around November of uh last year.

BP Okay. Um and just generally what kind of do you do for the Sheriff's Office as a Lieutenant?

BG Um sss-so as a Lieutenant I've been assigned to the patrol division and now uh most recently uh since um January the water patrol division.

BP Okay. All right.

BG Or uh, uh unit I guess.

BP Okay.

BG Yeah.

BP Um kinda like as a supervisor?

BG As a supervisor, yeah.

BP Okay.

BG I've, I've got a two Sergeants, eight Deputies and then a during the summer we have three other um summer Deputies that come out as well.

BP Okay.

BG Yeah.

BP Uh um back on June 3rd of 2021 um were you working and on duty that, that afternoon?

BG Uh I was. Yeah I was about on um or at our office here um in Spring Park near uh Lake Minnetonka.

BP Did you end up responding or to Minneapolis on this, deputy shooting?

BG I did. Um yep I became aware of the uh the incident that occurred there. And I did respond. Um I think um I got there maybe just, just before 3:00 p.m.

BP Okay. Could you just tell me what, you know things that you observed at the scene? Kind of what your role was there.

BG Uh sure, so um when I arrived there uh there were um numerous squad cars around. I parked on uh West Lake there uh pretty close to in front of the Stella's um café.

BP Um-hm.

BG And um just before Girard and then um went in and um made contact with some other supervisors from the Hennepin County Sheriff's Office and um I was advised I didn't, they didn't need any assistance. Up, up um at the scene.

BP Um-hm.

BG But uh to help control um uh the perimeter uh cuz a crowd was starting to gather. Um around uh so I spent most of my time or the majority of my time kinda um, I don't know if it's

formerly Girard but um you have that kinda driveway that kinda goes in by the parking ramp. Um by that uh shopping/retail center.

BP Um-hm. Um-hm.

BG Um and that's where I spent the, the majority of my time is uh just standing by so to speak.

BP Okay.

BG Um, um if need be for the crowd control. So,

BP So just so it's clear did you ever go up to the 5th level for any reason?

BG I, I did not go up to the 5th level.

BP Okay.

BG I did enter the, like the ground level. Uh when uh some BCA agents were responding. I'd, I'd show 'em where uh where the elevator or how to, to get into the...

BP Um-hm.

BG ...the place. And then I think at one point and time um when I was looking to check on the folks that were um on the other side. Um I think it's 31st Street side of the building.

BP Yeah.

BG I ran into some people that um that uh they were told they could uh go to their cars because they were on the lower level.

BP Okay.

BG Um and um I just made sure they connected with the Minneapolis cop that was uh taking everyone's name and, and stuff. And, and making sure they, they exited out towards the 31st side of the ramp and not, not the other direction.

BP Okay. All right. Um did you have any contact with, well let me ask you this. Do you know, do you know Deputy [REDACTED] from your agency?

BG I do. Yes.

BP Did, did you have any contact with him at the scene?

BG No I did not. I, I actually didn't see him.

BP Okay. All right. Um are you issued a body worn camera?

BG I am.

BP All right. Was it activated you know when it was needed to be activated like around this uh scene?

BG Um yeah I, I, I think um I didn't really have any direct contact...

BP Sure.

BG ...with um the, the public per say.

BP Um-hm.

BG (inaudible) you know what I'm saying. So uh I think it was off the um most of my time that I was there. I think that it might have been on a couple times where it got triggered with um, um like I, I moved some squads.

BP Oh okay.

BG Think it triggered on...

BP Sure.

BG ...on that once. And then I think when I was first responding I turned my lights on quick to make the turn onto um, uh Lake um so I could uh make that turn cuz it...

BP Um-hm.

BG ...was um, uh-uh quite a traffic jam there when I was arriving.

BP Uh, there was a, and there was a female um witness to this incident. Did, did you happen to have any contact with her uh at the scene? I know she was brought down to that ambulance down on the street level.

BG Uh, no and, and...

BP Okay.

BG ...um I, I don't remember exactly what time the incident occurred. But I think by the time my drive time from when I left uh from Spring Park...

BP Um-hm.

BG ...there I, I suspect most people would have already been...

BP Gone?

BG ...um gone.

BP Okay.

BG Yeah.

BP Okay.

BG But I, I don't know but no I didn't, I didn't have any contact with any witnesses.

BP Okay.

BG Or, or escorted any witnesses.

BP Um was there any, did you at any time take any photographs or anything like that?

BG Uh, no.

BP Okay. And then other than maybe your body camera video did you take any additional videos or anything like that?

BG Uh, no sir.

BP Okay. All right. Uh you didn't have any, sounds like you didn't take any statements from any uh potential witnesses or anything like that.

BG Correct.

BP Um, have you since this incident had any conversations with Deputy [REDACTED] for whatever reason?

BG Uh, no sir.

BP Okay. All right. Uh what about any other members of the Marshal task force. Uh are you familiar with any of those folks and have you spoken to any of them?

BG Um, well some of 'em, I'm not exactly sure who is all on the Marshal task force.

BP Um-hm.

BG Um but um I haven't talked to any of 'em uh regarding this incident.

BP Okay.

BG I think um I saw one night when I was watch commander recently. Um Sergeant Jeff Kirchoff.

BP Um-hm.

BG Um so didn't talk about the incident but um I did see him uh cuz he was working that night um (inaudible)

BP Is he with the Sheriff's Office?

BG He is with the Sheriff's Office.

BP Yeah. Okay.

BG Yeah. But um and he, he might still be affiliated with the Marshal's. I, I'm not sure. He's a supervisor.

BP Okay.

BG Um in investigations.

BP Oh great.

BG So,

BP Okay. Okay.

BG Uh but I um yeah so but I did see him I, I talked to him but not, not about uh that incident.

BP Okay. All right thank you. Um is there anything else uh about your, your involvement at the scene or, or regarding this incident that you think I should know that might be important for me to know that maybe we haven't talked about?

BG Uh, no not that I can think of. Um uh my, yeah when I, when I arrived there my understanding is they, they didn't need any assistance up top. And they just advised me to help stay down in assist with Minneapolis with the um with the perimeter.

BP Okay.

BG So I stayed there 'til, 'til the BCA was done processing the scene.

BP Oh okay.

BG And then, then we cleared.

BP Excellent. All right well thank you so much. Um for uh clarifying that for me. Appreciate it. Um I'm gonna turn off my recorder Lieutenant. Um the time is 9:11.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/71

Report Date: 07/01/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Minneapolis Police Lieutenant Brian Sand
Occurrence From:	07/01/2021 09:16
Occurrence To:	07/01/2021 09:23
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/02/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/01/2021, SSA Petersen interviewed Minneapolis Police Lieutenant Brian Sand regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/71.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
<i>Primary Information</i>	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - SAND, Brian	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	SAND, Brian
Record Type:	Law Enforcement Official
Bio:	White, Male
Rank/Position:	Lieutenant/Precinct 5
Juvenile:	NO
LEO ID:	6272
Addresses	
<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	350 S 5TH ST Minneapolis Police Department, Minneapolis, Minnesota 55415 United States
Telephones / E-Addresses	
<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(651) 673-5703 (BUSINESS)

Property #1 - Recorded Interview Saved to Disc - Lt Brian Sand	
<i>Primary Information</i>	
Property Class:	Evidence

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/71

Report Date: 07/01/2021

Property #1 - Recorded Interview Saved to Disc - Lt Brian Sand - Continued

Primary Information - Continued

Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Lt Brian Sand
Property Status:	BCA / HQ
Status Date:	07/01/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/71.1)
Collected By:	Petersen, Brent
Collected Date/Time:	07/01/2021 09:23

Narrative begins on the following page.

On 07/01/2021 at approximately 0916 hours, Senior Special Agent (SSA) Brent Petersen interviewed Minneapolis Police Lieutenant (Lt.) Brian Sand regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Sand. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Sand's statement:

Lt. Sand stated that on 06/03/2021 he was on-duty as the patrol division lieutenant for the Fifth Precinct day-watch shift. Lt. Sand stated that he heard over the police radio that shots were fired in the Uptown neighborhood and that law enforcement was involved in the shooting. Lt. Sand stated that prior to the shooting he learned that agents with the US Marshals Service Taskforce were in that neighborhood on a detail and Lt. Sand thought that the shooting was likely related to that. Lt. Sand responded to the parking ramp where the shooting occurred.

Lt. Sand stated that when he arrived, he observed two of his officers, Officer Milner and Officer Diedrich, escorting an obviously upset and 'traumatized' woman from the parking ramp to an ambulance. Lt. Sand assisted the officers with the woman and overheard the woman stating that she had been on a date with a guy she met three weeks prior.

Lt. Sand then met with his commander, Inspector Katie Blackwell, and assisted on the street level with maintaining security around the ramp as the crowd of on-lookers grew. Lt. Sand did not go to the top level where the shooting occurred and did not have any contact with any of the taskforce members.

Recorded interview saved to a disc and acquired as exhibit 2021-399/71.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Offense Number: 2021-399/71

Case Agent: Petersen, Brent

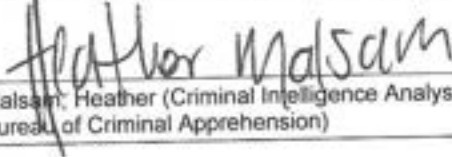
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Brian Sand

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

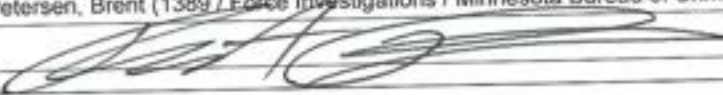
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 1 st , 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/71.1
INTERVIEW OF:	Lt. Brian Sand (BS)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 7/2/2021		

- BP Alright, recorder's on. It's July 1st, 2021. It's 9:16 am. The BCA case number is 2021-399. And this is uh Brent Petersen with the BCA. I'm speaking with uh Minneapolis Police Lieutenant Brian Sand. Uh Lieutenant can I just get a badge number from you quick?
- BS Yep it is uh 6-2-7-2.
- BP Alright, and do you know um your POST number?
- BS Uh 1-4-6-5-3.
- BP Alright, great. And then how long have you been a licensed peace officer?
- BS Uh twenty-two and a half years now. Almost twenty-three.
- BP Alright, all with MPD?
- BS Correct.
- BP And uh you're a lieutenant, how long have you held that rank?
- BS Um about three years now I believe.
- BP And what's your current assignment.
- BS Uh I am the uh lieutenant of the fifth precinct day watch, um day watch.
- BP Okay. Uh what hours are you typically working?
- BS I work 0600 to uh 1600 Monday, Monday through Thursday.
- BP Alright, um [clears throat] where you, where you on duty uh working back on June 3rd?
- BS Yes I was.
- BP Those day shift hours?
- BS Yes.
- BP Um did you respond to the uh, the shooting in Uptown at the parking ramp?
- BS I did.
- BP Can you just tell me a-about that? How you got notified of that? Or involved in that and kinda what your, your role was at the scene?
- BS Sure. Yeah I was uh working. I was at the fifth precinct. I heard a shots fired I believe come out. Um and then officers needed help. Um I knew earlier uh that they put out a switch saying that uh you know uh plain clothes Marshals.
- BP Um-hm.
- BS Uh I believe were going to be doing surveillance in that area.

BP Um-hm.

BS Um so then that kinda triggered my mind, like oh okay something happened with uh with the Marshals' Task Force. Um I left the fifth precinct. Went down to the, uh went down 31st Street um just before Hennepin there. I parked in the uh parking lot there. Um went up to the scene. Uh just when I was walking up um I remember there was a medical supervisor that was looking to get up there.

BP Um-hm.

BS Up to the, up to the top of the ramp, but I stayed uh ground level uh trying to secure the scene. I was um noticing people tape, taping off uh the area. Um I didn't uh believe I observed some of my officers, day watch officers, come down with a female that was...

BP Um-hm.

BS ...pretty uh upset. Um very you know, she was shaking.

BP Um-hm.

BS Um I went over there as they were uh assisting her and just kinda helping her. Um and then uh the two officers um took her to the ambulance. Then I kinda maintained a scene. Make sure I was working with Sergeant uh Rolf Markstrom.

BP Um-hm.

BS Making sure he was the uh kinda controlling the lower level area of that uh of that scene. Uh one of my sergeants, Pickhardt, was up on the ramp.

BP Um-hm.

BS Handling that scene. So I was kinda maintaining and making sure those guys needed uh whatever they needed...

BP Um-hm.

BS ...just kinda assisting, assisting them.

BP Um did you go, e-end up going up to the fifth level for a-, for any reason?

BS I did not.

BP Okay. And you said Sergeant Pick-Pickhardt was up there is that?

BS Yes. Yeah Chris Pickhardt, yep.

BP [Clears throat] um the women that your officers um were kinda escorting down um from the ramp, anything of significant you remember her saying in your presence?

BS Yeah I just remembered uh being there and she was, I think she said it was uh she was on a date with the guy. Um I think she said she met him three weeks ago. She did have blood uh coming from her. She was very um hysterical. Uh she, she seemed traumatized obviously.

BP Um-hm.

BS Um yeah she had blood coming from her leg. Um uh and they were, you know, the medics were checking that to see where it was coming from. I think they determined it was from shattered glass. Um I just remember trying to capture everything on my body camera...

BP Okay.

BS ...at the scene.

BP Alright...

BS So.

BP ...your body camera was activated during your...?

BS Yep. And I, yep, and I was very conscious of pointing at her and just kinda letting her talk and just uh explain everything in the moment.

BP Alright, do you, do you um did an officer kinda stay with her?

BS Yes I remember one of the officers went down with her I believe, or they both went down with her. I can't remember. Officer Milner I think...

BP Um-hm.

BS ...maybe. And Diedrich. But uh.

BP Now is it Dean Milner?

BS Dean Milner, yep.

BP Alright, um and then how long were you kinda at the scene on that ground level?

BS Um let's see I was there 'til about 5:30 or so.

BP Okay.

BS Um then I went back to the precinct. I actually had to uh get home. I had a uh emergency.

BP Okay.

BS Daycare thing to go on but.

BP Wha-where some of the um task force members brought to your precinct after the incident?

BS Yes I believe they were yep.

BP Where you with?

BS And then I uh, go ahead.

BP Did you have any contact with any of them at your precinct when you were there?

BS Nope.

BP No.

BS No I did not.

BP Okay.

BS I know our inspector I think was kinda coordinating everything with that.

BP Okay. And what's the inspector's name?

BS Uh Katie Blackwell.

BP Um when you first got on scene did you have any contact knowing, knowing con, knowingly have contact with any of the Marshals' Task Force members?

BS No. Nope I did not. No.

BP Do you know Deputy [REDACTED] from Hennepin County?

BS Um I don't know the name, but if I saw his face I might.

BP Okay.

BS Um I think maybe you know dealing with him [REDACTED].

BP Sure.

BS In the past or something like that.

BP Have you had any conversations with him since this incident?

BS No.

BP No, okay. Any, anybody form the Marshal Service?

BS No.

BP Okay. Um was, would there been any reason for you to take any photographs or any uh recorded statements from any witnesses or anything like that at the scene?

BS Nope just whatever my body cam...

BP Okay.

BS ...captured at the scene.

BP Excellent, okay.

BS Yep.

BP Um anything else that you can think of that might be important for me to know that we haven't talked about?

BS Um nope not really just coordinating the scene and you know people coming and going and maintaining uh you know there was a protest scene that was going on...

BP Um-hm.

BS ...so just kinda mon-you know I was monitoring that. The crowd was kinda growing and...

BP Yep.

BS ...stuff so that was kinda more of my main concerns so.

BP Okay. Alright, very good. Alright well I appreciate it lieutenant. Um I'm gonna turn off my recorder now. It is 9:23 a.m.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/72

Report Date: 07/06/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Deputy Gregory Granson
Occurrence From: 07/01/2021 13:53
Occurrence To: 07/01/2021 13:57
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/07/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/01/2021, SSA Petersen interviewed Hennepin County Sheriff's Deputy Gregory Granson regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/72.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Granson, Greg

Primary Information

Exempt From Disclosure: YES
Subject Name: Granson, Greg
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Deputy/K9 Handler
Juvenile: NO
LEO ID: 339

Property #1 - Recorded Interview Saved to Disc - Deputy Greg Granson

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Deputy Greg Granson
Property Status: BCA / HQ
Status Date: 07/01/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/72.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/72

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Deputy Greg Granson - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/01/2021 13:57**

Narrative begins on the following page.

On 07/01/2021 at approximately 1353 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Deputy Gregory Granson regarding this investigation. SSA Petersen recorded the voluntary interview with Deputy Granson. Refer to the interview transcript for complete details.

The following is a synopsis of Deputy Granson's statement:

Deputy Granson stated that on 06/03/2021, he was on-duty as a patrol deputy and responded to the scene in Minneapolis several hours after the shooting to provide scene security. Deputy Granson stated he was positioned at the northeast corner of the ramp where he remained until the BCA investigation was complete. At the end of the scene investigation, Deputy Granson went to the fifth level to assist with removing crime scene tape.

Deputy Granson has not had any contact with Deputy [REDACTED] or other members of the Marshal's Taskforce since this incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/72.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/72

Case Agent: Petersen, Brent

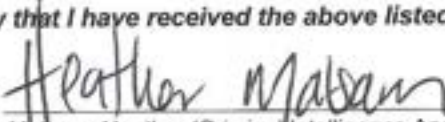
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Deputy Greg Granson

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

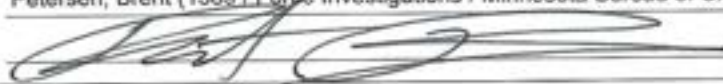
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	July 1, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/72.1
INTERVIEW OF:	Deputy Gregory Granson (GG)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

- BP Alright, the recorder's on Deputy Granson um today's date is July 1, 2021 and the time is 1353 and the BCA case number is 2021-399 and this is uh Senior Special Agent Brent Petersen and I'm speaking with Hennepin County Deputy Gregory Granson. Um is deputy your rank?
- GG Correct.
- BP Okay um could I just get a badge number just to start?
- GG 399.
- BP 399, thanks and um you are licensed peace officer in the state of Minnesota, I presume?
- GG Yes.
- BP Do you know your POST number?
- GG 13808.
- BP Alright and so how long have you been a licensed peace officer?
- GG Uh 24 years.
- BP Alright has your entire career been with the sheriff?
- GG It has.
- BP Okay and uh what is it that you do for the sheriff's office currently?
- GG Um I work out of our patrol division. I work the road and I'm currently a K9 handler.
- BP K9 okay, alright um is there a particular um shift or hours that you generally work?
- GG Uh day shift I work uh 12 hour shifts uh 7 a.m. to 7 p.m.
- BP Alright and uh that's a full sheriff's office uniform?
- GG Correct.
- BP Alright do you, do you have a body worn camera?
- GG I do.
- BP Okay, alright um I guess I'll, we'll just kinda get into it here I'll just direct your attention then back to the afternoon of June 3rd, were you on duty?
- GG I was.;
- BP And around 2 p.m. did you respond uh to the area of Lake and Hennepin um to assist with a scene of a shooting?
- GG Um not at that time, we were brought down later.

BP Okay could you tell me kinda how it is that you got involved in this and what you did?

GG Um later in the evening I don't probably (inaudible) later in the afternoon um they had all of us that were working the road meet at our office and then we, brought us all down to do perimeter security around the parking structure.

BP Um-hm.

GG Um and basically was posted at so it'd be like the northeast corner of the parking structure.

BP Okay and so did you stay there for awhile or...

GG Yep was there until they broke the scene down and then my partner and I went up to the whatever floor and assisted in tearing down some of the police tape.

BP Okay so you ended up going up to the fifth level, the top level?

GG Yep.

BP Okay, alright so you got there well after the fact?

GG Yes.

BP Okay um do you know Deputy [REDACTED] with your office?

GG I know who, yep, I know who he is.

BP Alright, ha-have you had any discussion about this incident with him since it happened?

GG No.

BP Okay, alright. Um when you were at the scene doing security um did you take any photographs or anything like that?

GG No.

BP Um was your body camera ever activated for whatever reason?

GG I don't believe so, we did interact with some people that came up to the tape and stuff but I don't believe I ever turned it on for any of that.

BP Okay, alright um did you identify any potential witnesses or?

GG No, it was more or less people trying to get their cars out of...

BP Yeah.

GG ...the lower level.

BP Sure, okay, alright um anything else that you think might be relevant or important to know?

GG Nope.

BP That sounds pretty easy to me.

GG (Laughs).

BP (Laughs) alright well I uh I appreciate you just taking a couple minutes to talk to me about that um I'm gonna just end the recording unless there's anything you'd like to add?

GG Nope.

BP Alright and the time is 13:57.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/73

Report Date: 07/06/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Deputy Michael Franz
Occurrence From: 07/01/2021 15:02
Occurrence To: 07/01/2021 15:07
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/07/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/01/2021, SSA Petersen interviewed Hennepin County Sheriff's Deputy Michael Franz regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/73.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Franz, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: Franz, Michael
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Deputy
Juvenile: NO
LEO ID: 559

Property #1 - Recorded Interview Saved to Disc - Dep Mike Franz

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Dep Mike Franz
Property Status: BCA / HQ
Status Date: 07/01/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/73.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/73

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Dep Mike Franz - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/01/2021 15:07**

Narrative begins on the following page.

On 07/01/2021 at approximately 1502 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Deputy Michael Franz regarding this investigation. SSA Petersen recorded the voluntary interview with Deputy Franz. Refer to the interview transcript for complete details.

The following is a synopsis of Deputy Franz's statement:

Deputy Franz stated that on 06/03/2021, he was on-duty as a patrol deputy and responded to the shooting in the Uptown neighborhood of Minneapolis. Deputy Franz stated that he remained on the street level and never went into the ramp or up to the top level where the scene was located. Deputy Franz ultimately positioned himself at or near the northeast corner of the ramp and provided security for the crime scene. After approximately one hour at this location, Deputy Franz received direction from a supervisor to go back to the patrol station and retrieve his riot gear. Deputy Franz then responded with the mobile field force to the Saint Louis Park Police Department where they staged and ultimately were not needed in Minneapolis.

Deputy Franz has not had any contact with either Deputy [REDACTED] or other members of the Marshal's Taskforce.

Recorded interview saved to a disc and acquired as exhibit 2021-399/73.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/73

Case Agent: Petersen, Brent

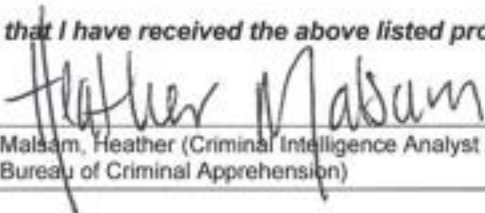
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Dep Mike Franz

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

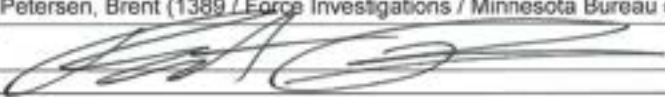
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 1, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/73.1
INTERVIEW OF:	Deputy Mike Franz (MF)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

- BP All right. Um so today's date is January 1st, I'm sorry July 1st, 2021. And it's uh 1502. And the BCA case number is 2021-399. Uh this is Brent Petersen with the BCA. And I'm speaking with uh Deputy Michael Franz with the Hennepin County Sheriff's Office. Um sir could I just get a badge number from you to start?
- MF 559.
- BP 559. And uh are you a licensed peace officer?
- MF Correct.
- BP What's your POST number if you know it?
- MF Uh 17457.
- BP Great. And how long have you been uh a licensed peace officer?
- MF Uh probably 2006 so a little over 15 years. 15 and a half years maybe.
- BP All right. Has your whole career been with uh Hennepin County?
- MF No. Uh I worked as a CSO and a park agent uh for the airport and the uh Minneapolis Park Police.
- BP Okay. All right. Um has your, your licensed experience been with Hennepin County?
- MF Uh yes I did have maybe a year with Minneapolis Park Police.
- BP With Minneapolis Park, okay. Great. All right. Um and then what is it that you do right now for the Sheriff's Office?
- MF I work with uh the enforcement services division which is the patrol division.
- BP Okay. Patrol (inaudible). What uh shift do you work?
- MF I work the day shift. 6:00 a.m. to 6:00 p.m.
- BP 6:00 a.m. to 6:00 p.m. Okay. Uh that's a uniformed position I presume?
- MF Correct.
- BP All right. And...
- MF Marked squad.
- BP Marked squad. Okay. Are you issued a body worn camera?
- MF Excuse me?
- BP Are you issued a body worn camera?
- MF Correct.

BP Okay. Great.

MF Yes.

BP Um were you on duty back on June 3rd, 2021?

MF Yes.

BP All right.

MF Yes I was.

BP Um did you somehow get involved in, in this, this shooting incident at the, after the fact?

MF Yes

BP Can you just tell me kinda how you got involved and what your role was (inaudible)

MF Um I think it was, I was up kind of by New Hope, Brooklyn Park I heard the call it came out. I, I raced down to uh Lake Street. By the time I got there um I parked just west of Hennepin on Lake Street. Where there was a ton of squads parked. Uh it was some of the entrance to the area was taped off. Um and I just met some other deputies there. And stood there for a while.

BP Yeah.

MF Um and then one of the Minneapolis guys were at a post in the (inaudible) northeast corner of the parking ramp had to leave so I just walked or I, actually brought my vehicle over there and parked and taped it off and just stood at post.

BP Okay. Is that kinda where you remained then for a while?

MF Yeah I was only there for about a, maybe an hour. Um and then I actually my Lieutenant um said go back to patrol and get your riot gear and (inaudible) team so.

BP Oh okay.

MF I probably only stayed about an hour. And I was there with a Minneapolis guy and I think he stayed after I left. So the post was covered.

BP All right. Did you end up having to go back then with your riot, gear and mobile force (inaudible)

MF Uh we, we staged at uh St Louis Park PD which is down the road maybe a mile or two.

BP Sure. Okay. All right.

MF And so I never, I never went back to the actual scene.

BP Okay.

MF (inaudible)

BP Um that, when you were at the scene initially did you ever go up to the top level for any reason?

MF No.

BP Okay.

MF No.

BP You just kind of stayed on the street level.

MF Yeah.

BP And then...

MF Right in the front there was an ambulance right in front.

BP Gotcha.

MF Kind of uh by Girard and Lake there.

BP Okay Girard and Lake.

MF Uh,

BP Um yeah would it be Girard and Lake? Yeah that would be that. (inaudible)

MF Yeah.

BP Okay. Um did you have any contact with any of the task force members that day that were involved in the shooting?

MF No. No.

BP Do you know Deputy [REDACTED] from Hennepin County?

MF I, I know of him. I uh, I don't I haven't worked with him a lot but...

BP Sure.

MF ...I do know him (inaudible)

BP Okay. Did you happen to see him that, that day when you were on scene?

MF No. No.

BP Okay. Since that incident have you had any discussions with him about details about what happened?

MF No.

BP No. Okay great. Um when you were at the scene uh I, I was your body camera ever activated for any reason?

MF Yeah I don't recall I know uh when I, I think I went down code 3 so I think it was activated.

BP Sure.

MF I'm not a hundred percent sure when I shut it off. I mighta shut if off when I got there. I'm not a hundred percent sure when.

BP Okay. All right.

MF I'd have to check on, yeah I, I forget exactly when it went off.

BP Okay. Did you take any photographs for any reason at the scene?

MF No.

BP Take any statements from any witnesses or...

MF No.

BP ...citizens. Okay. Great um anything else that you think might be important for me to know?

MF Um, no pretty much what I said. Was kind of...

BP Okay.

MF ...my involvement.

BP Okay. Great. Well that's, I mean that's all I really uh wanted to talk to you about. So I appreciate you taking a couple minutes to do that.

MF Okay.

BP Um...

MF Yep no problem.

BP ...I'm gonna turn off my recorder then. It's uh 1507.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/74

Report Date: 07/06/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Lieutenant Dan Koski
Occurrence From: 07/01/2021 15:30
Occurrence To: 07/01/2021 15:35
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/07/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/01/2021, SSA Petersen interviewed Hennepin County Sheriff's Lieutenant Dan Koski regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/74.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Koski, Daniel

Primary Information

Exempt From Disclosure: YES
Subject Name: Koski, Daniel
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Deputy
Juvenile: NO
LEO ID: 483

Property #1 - Recorded Interview Saved to Disc - Lt Dan Koski

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Lt Dan Koski
Property Status: BCA / HQ
Status Date: 07/01/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/74.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/74

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Lt Dan Koski - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/01/2021 15:35**

Narrative begins on the following page.

On 07/01/2021 at approximately 1530 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Lieutenant (Lt.) Dan Koski regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Koski. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Koski's statement:

Lt. Koski stated that on 06/03/2021, he was driving to work to begin his shift at 1400 hours as the Watch Commander and heard over the police radio that a shooting had occurred. Lt. Koski learned that a deputy from Hennepin County was involved in the shooting. Lt. Koski responded to the Uptown neighborhood of Minneapolis and went to the parking ramp where the incident occurred.

Lt. Koski stated that he received direction from his Captain to remain on the street level and assist with crowd control, which he did. Lt. Koski never entered the ramp or went to the scene on the top level of the ramp. Lt. Koski did not have any interaction with Deputy [REDACTED] or other taskforce members at the scene or after-the-fact. Lt. Koski remained at the ramp for the duration of the BCA scene investigation.

Recorded interview saved to a disc and acquired as exhibit 2021-399/74.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/74

Case Agent: Petersen, Brent

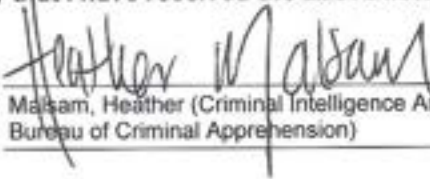
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Dan Koski

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/2/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

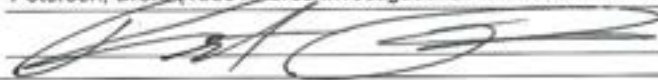
City/State

Telephone

Released By

Petersen, Brent (4389) Force Investigations / Minnesota Bureau of Criminal Apprehension

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 1, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/74.1
INTERVIEW OF:	Lt. Dan Koski (DK)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

BP All right so uh my recorder is going Lieutenant. Um today is July 1st, 2021. And it's 1530 hours. And BCA case number is 2021-399. And this is Brent Petersen with the BCA. And I am speaking with Hennepin County Sheriff's Lieutenant Dan Koski.

DK Yes.

BP Uh Lieutenant can I get a badge number please?

DK 483.

BP All right. And uh do you know your POST number?

DK I do. 16159.

BP Thank you. And um just how long have you been uh a licensed peace officer?

DK 20 years.

BP All with Hennepin County?

DK Yes.

BP All right. And uh how long have you been a Lieutenant?

DK 6 months.

BP Oh, okay. Uh what are you doing currently for the Sheriff's Office?

DK I am one of our watch commanders.

BP Okay.

DK Or in a, or in a patrol division.

BP All right. Is there a, are there a particular set of hours that you work?

DK Yes I work from 1400 hours 'til um 2400 hours or midnight.

BP Midnight, okay. All right and uh are you in a full Sheriff's Office uniform and...

DK Yes.

BP Yeah okay are you, do you uh are you issued a body worn camera?

DK I am.

BP Okay. All right um so back on June 3rd uh were you working that 1400 to midnight shift?

DK Yes.

BP Did you end up responding out to uh Minneapolis in the Uptown neighborhood on this shooting?

DK I did.

BP Can you just tell me about that? How you uh were notified of it. Kinda what you did when you got there?

DK As I was driving into work I had my uh radio on. I could hear um I could hear that the incident had happened.

BP Um-hm.

DK And um I res, I, I just um came in to my, our patrol division to my office. I grabbed a few things that I needed. And then um when I figured out that it, we may have one of our deputies involved...

BP Um-hm.

DK ...with that uh, with that incident I, I responded to the scene.

BP Okay. Um when you got to the scene um where did you go and, and what did you observe and, and do?

DK So I drove uh I got onto Lake Street and uh Girard.

BP Um-hm.

DK Um and then um there was a fairly large crowd starting. The street was blocked off. Um within a couple blocks uh either, either side to the west and east on Lake Street. Um I saw a few Minneapolis officers and a few deputies um trying to keep people back behind uh crime scene tape.

BP Um-hm.

DK And um I called my Captain, who was on scene, I asked him if he wanted me to come up into the ramp or what he needed from me. He asked me to, to not come up.

BP Okay.

DK So I stayed, I stayed on basically into that little alleyway on Girard it would be. Um and uh Lake Street and just helped with uh crowd control is what I did.

BP Okay. Um how long did you end up being out at that scene? Were you there until...

DK Um...

BP ...the BCA was done or did you leave before that?

DK I stayed 'til everything was done and I was basically one of the last people out of there.

BP Um-hm.

DK When um we made sure all the BCA agents were out and that everything was, that uh the vehicles were, that the vehicle was towed. That the truck was gone. Um, basically is one of the last people there that left with a handful of Minneapolis officers. So,

BP Okay. All right. Um so you never went up to the top level it sounds like? Um,

DK No.

BP Did you have any contact with the deputy, Deputy ██████ that night?

DK I did not. No.

BP Okay. And do you know Deputy ██████

DK I do.

BP Okay. Um since this incident have you spoken to him for any reason?

DK I have not.

BP Okay. Um at the scene there when you were out on the street um street level I guess did, did you take any photographs? Identify or speak to any potential witnesses to the incident?

DK No.

BP Okay. And then other than your body worn camera that may have been activated did you take any other additional videos like on a cell phone or anything like that?

DK I did not.

BP Okay. Great. Um I know that there was a, that some of the, some deputies and, and task force members went to the Minneapolis 5th precinct for a little bit. Did you ever go down to the 5th precinct?

DK No.

BP Okay. Just stayed there at that, at that scene for the duration?

DK I did.

BP Okay.

DK Yes.

BP Great. Um anything else that you can think of that is maybe relevant or maybe we haven't talked about that might be important for me to know?

DK No. That, not that has not that comes to my mind.

BP Okay. Great I, I appreciate your time Lieutenant. Um I'll turn off my recorder. It's uh 1535.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/75

Report Date: 07/06/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Hennepin County Sheriff's Lieutenant Matthew Hollihan
Occurrence From:	07/02/2021 11:15
Occurrence To:	07/02/2021 11:22
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/07/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis	
On 07/02/2021, SSA Petersen interviewed Hennepin County Sheriff's Lieutenant Matthew Hollihan regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/75.1. Interview transcript and ACISS receipt, respectively, attached.	

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Hollihan, Matthew	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Hollihan, Matthew
Record Type:	Law Enforcement Official
Bio:	Male
Rank/Position:	Lieutenant
Juvenile:	NO
LEO ID:	474

Property #1 - Recorded Interview Saved to Disc - Lt Matt Hollihan	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Lt Matt Hollihan
Property Status:	BCA / HQ
Status Date:	07/02/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/75.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/75

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Lt Matt Hollihan - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/02/2021 11:22**

Narrative begins on the following page.

On 07/02/2021 at approximately 1115 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Lieutenant (Lt.) Matthew Hollihan regarding this investigation. SSA Petersen recorded the voluntary statement from Lt. Hollihan. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Hollihan's statement:

Lt. Hollihan stated that on 06/03/2021, he was on-duty with the sheriff's office and received notification that a shooting occurred in the Uptown neighborhood of Minneapolis involving a member of the Hennepin County Sheriff's Office. Lt. Hollihan spoke with his supervisor, Captain Shane Magnuson, who confirmed that a Deputy had been involved. Lt. Hollihan responded to the scene in Uptown and met with Captain Magnuson.

Lt. Hollihan stated that he, Captain Magnuson and Lt. Nathan Wasgatt all went up to the top level of the parking ramp. Lt. Hollihan stated he observed several unmarked law enforcement vehicles surrounding and boxing in another vehicle. Lt. Hollihan also observed a deceased male on the pavement. Lt. Hollihan stated that Deputy [REDACTED] was not on the scene. Lt. Hollihan remained on the scene for a couple of hours before coordinating a replacement weapon for Deputy [REDACTED]. Lt. Hollihan had one of his sergeants, Sergeant Eric Fleck, facilitate bringing a replacement handgun to Deputy [REDACTED].

Lt. Hollihan did not have any contact with Deputy [REDACTED] or other taskforce members the date of this incident. Lt. Hollihan has since seen Deputy [REDACTED] and spoken with him about his well-being. Lt. Hollihan denies speaking with Deputy [REDACTED] about the incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/75.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/75

Case Agent: Petersen, Brent

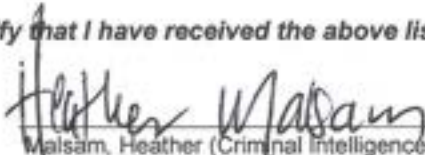
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Matt Hollihan

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/6/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

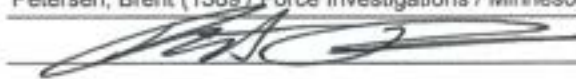
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	July 2, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/75.1
INTERVIEW OF:	Lt. Matthew Hollihan (MH)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

BP Alright uh the recorder's going Lieutenant uh the, the date is July 2, 2021 and it's 11:15 a.m. BCA case number is 2021-399 and this is Senior Special Agent Brent Petersen and I'm speaking with Lieutenant uh Matthew Hollihan with um Hennepin County Sheriff's Office. Um Lieutenant could I just get a badge number from you to start?

MH 474.

BP Alright and you are a licensed peace officer I presume?

MH Yes.

BP Um what is your POST number?

MH Oh fabulous question uh...

BP If you don't know it's okay.

MH I do, 16094.

BP Great, thank you alright and how long have you been uh in law enforcement total?

MH Uh 20 years.

BP 20 years uh have all those, those 20 years been with Hennepin County?

MH Yes.

BP Okay and uh how long have you been a lieutenant?

MH Uh approximately two and a half years.

BP Um-hm and then uh as a lieutenant what, what do you do uh for the sheriff's office?

MH Uh I have two roles for the sheriff's office. I head our uh training unit.

BP Um-hm.

MH And then as a collateral duty I'm also uh co-commander of our tactical team.

BP Gotcha, alright um and then is your, is your position there typically one th- where you wear a uniform or are you kinda in plain clothes or?

MH Uh uniform.

BP Uniform, okay. Um are you issued a body worn camera?

MH I am.

BP Okay so back on June 3rd um 2021 were you on duty that day?

MH I was.

BP Do you remember what hours approximately you were working?

MH Uh I would, can't say for sure if we had anything going in the morning but my typical hours are 7 to 3 so it woulda' been for sure along those lines.

BP Okay 7a to 3 p?

MH Yeah.

BP Um did you somehow get involved in the uh, the critical incident there in Uptown?

MH I did yes.

BP Can you just tell me kinda how you got notified of it and what you're role was uh in this incident?

MH Yes and actually I do recall that I was um as part of that uh I was in earlier in the morning that day but again my hours are typically 7 to 3.

BP Okay.

MH Uh we had a uh warrant early in the morning uh and I believe Minneapolis Police were um also doing a something on 38th and Chicago so I had been in contact with MPD coordinating just that we were starting early and if they needed us that they could call us um so one of the lieutenants um from Minneapolis knew that I was working that day and um called me as the incident was happening to ask me if I had my radio going and to tell me that he thought that um sheriff's office employees were involved in a shooting.

BP Okay, alright so what, what did you do uh from there?

MH So I sent a text to our captain um out at patrol, Shane Magnuson asking if indeed that was true and if he needed me to go anywhere.

BP Um-hm.

MH A few minutes later he called me and said he was still receiving information but that he believed that we were involved in a shooting and that it was at um or around Uptown area um the, uh Stella's Fish Café...

BP Um-hm.

MH ...uh and I told him alright, I'll start heading that way.

BP Okay.

MH So I drove over there.

BP Alright and what, what happened when you got um to the scene?

MH Once I was there it was already um static, it had already been taped off um investigators from Minneapolis were there um I actually ended up meeting I believe uh Nate Wasgatt, Lieutenant Wasgatt from our office um outside um the tape and he and I and then Captain Magnuson um uh walked up uh to the incident location together.

BP On the top level of the ramp?

MH Yes.

BP Okay can you just tell me what you saw when you got up there?

MH Uh as we came up to the top I remember just uh a-a ya know vehicles um obviously kind of in a, in a box formation around uh an SUV. Um there's an individual uh laying on the ground, obviously deceased...

BP Um-hm.

MH ...uh and then uh multiple investigators kinda standing off to the side um so we, we went over to that group.

BP Do you know [REDACTED] from your office?

MH I do, yes.

BP Was he on scene when you got there?

MH He was not.

BP Okay, alright um so you're up on the fifth level um what kinda happens from there?

MH Um after some small discussions, actually prior to entering the scene I had turned my body camera on...

BP Okay.

MH ...um and then when we got up to the top and realized everything was static, there wasn't really gonna be any more evidentiary value and we were gonna start discussing ya know our just internal procedures...

BP Right.

MH ...um turned off the camera um and then uh talked with uh various supervisors about just kind of um scene security stuff and then um administrative stuff uh part of my role in training um is to if we have an incident is to re-equip the individuals um that were involved with it so uh I did some tasks like that uh getting, getting replacement weapons.

BP Okay, alright and so um at some point then did you get a replacement weapon to Deputy [REDACTED]?

MH I had one of our sergeants do that and...

BP Oh okay.

MH ...they, yeah, they met um, they met him and gave him what he needed.

BP Uh who was that?

MH Uh Eric Fleck.

BP F-L...

MH E-C-K.

BP Eric Fleck, okay.

MH Yeah and to be extremely clear, I don't know that he ever gave it directly to...

BP Okay.

MH ...uh [REDACTED] or if he met um somebody who then gave it to him.

BP Sure, okay, okay um did you um ever go to the fifth precinct for any reason that, that...

MH I didn't, I did not.

BP Okay and again, just so it's clear, did you ever go down to the federal building?

MH No I did not.

BP Alright um when you were on scene um was there a-a reason for you to have taken any photographs or anything like that?

MH Other than body camera I did not take any photographs or any audio.

BP Did you have any contact with any citizens that maybe saw or claimed to witness this?

MH No.

BP Do you, do you know if you had contact with any taskforce members there that kinda told you what happened?

MH Um nobody that was on scene. Anything that I was told would've been from, it would've been third hand, nobody directly involved.

BP That's a, yep, okay, alright. Um since this incident, have you, have you had discussions with Deputy [REDACTED] about what happened that day?

MH No.

BP Okay great um...

MH To clarify, I have seen him and I've...

BP Sure.

MH ...talked to him about how he is doing but no factual...

BP Yeah.

MH ...information.

BP Okay, so just checking on his wellbeing it sounds like you're saying?

MH Yep.

BP Okay, alright um is there anything else you can think of that might be uh important for me to know?

MH Uh no other than just my body camera footage was downloaded and is part of the case file for us which you should have.

BP I sh- yeah, I have a, I did get a, receive a-a bunch of videos so um if I, I'll double check but if I don't have it I'll, I'll be sure to reach out. Um...

MH Yeah but no, nothing, nothing that I think would be uh of any evidentiary value to anybody.

BP How long do you think you were on scene?

MH Oh uh a couple hours at least.

BP Oh okay.

MH Yeah, we had eventually had gone down to the, the floor below so um yeah I was there for awhile but really, unfortunately just standing and being uh there in case anything was needed of me but nothing really was.

BP Great, okay, alright, well I appreciate um your time this morning Lieutenant, thank you very much. I will um...

MH Sure.

BP ...turn off my recorder. The time is 11:22.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/76

Report Date: 07/06/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Minneapolis Police Inspector Katie Blackwell
Occurrence From:	07/02/2021 13:11
Occurrence To:	07/02/2021 13:21
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/07/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/02/2021, SSA Petersen interviewed Minneapolis Police Inspector Katie Blackwell regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/76.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Blackwell, Katie	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Blackwell, Katie
Record Type:	Law Enforcement Official
Bio:	White, Female
Rank/Position:	Commander
Juvenile:	NO
LEO ID:	664

Property #1 - Recorded Interview Saved to Disc - Insp Katie Blackwell	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Insp Katie Blackwell
Property Status:	BCA / HQ
Status Date:	07/06/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/76.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/76

Report Date: 07/06/2021

Property #1 - Recorded Interview Saved to Disc - Insp Katie Blackwell - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/02/2021 13:21**

Narrative begins on the following page.

On 07/02/2021 at approximately 1311 hours, Senior Special Agent (SSA) Brent Petersen interviewed Minneapolis Police Inspector Katie Blackwell regarding this investigation. SSA Petersen recorded the voluntary interview with Inspector Blackwell. Refer to the interview transcript for complete details.

The following is a synopsis of Inspector Blackwell's statement:

Inspector Blackwell stated that on 06/03/2021 she was on-duty as the commander for the Fifth Precinct. Inspector Blackwell stated she learned of a shooting involving law enforcement at a parking ramp in Uptown. Inspector Blackwell learned that no one from Minneapolis Police was involved in the incident, but that a deputy with Hennepin County might have been. Inspector Blackwell responded to the ramp and went up to the top level.

Inspector Blackwell stated that while on the top level she observed several plain clothes officers on the ramp, some of whom were performing CPR on a male. Inspector Blackwell approached an officer wearing a vest that identified him as a US Marshal and asked if everyone was ok. This marshal replied that all the officers were fine but that "the guy who shot at us isn't." Inspector Blackwell was unclear who from the taskforce fired their weapons but recommended that they be removed from the scene and kept separate. Inspector Blackwell also recommended that if anyone has body cameras they should keep them running and recording. Inspector Blackwell was told that no one had a body camera.

Inspector Blackwell stated she made her precinct available and the taskforce members initially went there. Inspector Blackwell was also back at the precinct and observed that two of the taskforce members were in separate rooms at the precinct. Eventually all of the taskforce members left the precinct. Inspector Blackwell did not have any interaction with the shooting agents/deputies and merely provided food, water and a place for them to rest. Inspector Blackwell returned to the scene at some point and was only there to provide resources to law enforcement as the scene and incident was investigated.

Recorded interview saved to a disc and acquired as exhibit 2021-399/76.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Offense Number: 2021-399/76


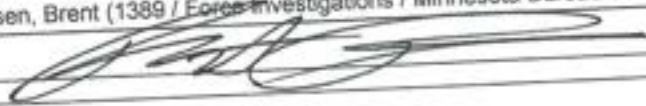
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Insp Katie Blackwell

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 7/6/2021
Name Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Petersen, Brent (1389 / Forensic Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 2, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/76.1
INTERVIEW OF:	Inspector Katie Blackwell (KB)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/06/2021		

BP All right um so the recorder is on Inspector. Uh the date today is uh July 2nd, 2021. And it's 1311 hours. Uh the BCA case number is 2021-399. And this is uh Senior Special Agent Brent Petersen. And uh I'm speaking with Minneapolis Police Inspector Katie Blackwell. Um Inspector just to begin could I just get your badge number?

KB 0664.

BP And are you a licensed peace officer?

KB I am.

BP Do you know your POST number?

KB 17011.

BP All right and how long have you been in law enforcement?

KB (inaudible) I worked for Minneapolis since the year 2000 so...

BP 21 or so.

KB ...(inaudible). Yeah about 20 years.

BP Okay. All right. Um anywhere prior to Minneapolis?

KB No.

BP Okay. And you're an Inspector. And uh I know before we went on the recording you told me you were promoted in January. Is that right? 2021?

KB January 2021. Correct.

BP All right. And just high level as an Inspector first of all what, what precinct are you um out of?

KB I oversee the 5th precinct in southwest Minneapolis.

BP And what's the role? Just high level of the Inspector in the precinct.

KB So the Inspector is basically the commander of the precinct. And I oversee twenty neighborhoods within that precinct. And uh the officers that are in the precinct. So (inaudible) community liaison and a making sure that, hitting up community meetings and making sure we, our officers have the resources they need to (inaudible) of their, duties.

BP I've heard it, I've heard it described to me before that the Inspector is kinda like the chief of the precinct. Is that accurate?

KB Correct.

BP Okay. Um typically are you in a uniform?

KB I am.

BP Okay. And are you issued a body worn camera?

KB I am.

BP Okay. Um so I want to talk to you about June 3rd. So almost a month ago now. Um the shooting that happened in Uptown. Were you on duty that afternoon?

KB I was.

BP Did you respond um to the parking ramp there by what used to be known as Calhoun Square?

KB I did.

BP Can you just tell me about that? How you got involved and kind of what your role was? Things you observed while you were there.

KB Sure so I guess my role as um as 5th Precinct Inspector when I heard that come out as an officer involved shooting um I responded to the scene basically to see if it was, if Minneapolis PD was involved.

BP Um-hm.

KB Um it was a joint force task force I learned on the scene. Uh with the U.S. Marshal's, Ramsey County and Hennepin County Sheriff's Deputies.

BP Um-hm.

KB I guess the first thing I noticed when I got to the 5th floor of the ramp uh was a Hennepin County Deputy was doing CPR. Performing CPR um, on which later was determined to be Winston Smith.

BP Um-hm.

KB And so my role is I really just getting a public safety statement. From the officers to make sure that the surrounding neighborhoods were not um you know that no one else could be injured.

BP Yeah.

KB No suspects were at large. Those kind of things. And then what we could do to assist their agency. Um when I first got up there I, I asked the U.S. Marshal uh (inaudible) had a marked vest said U.S. Marshal. And I asked him if he was okay. And he said, you know I'm, I'm fine but the guy that shot a shot at us is not. Pointed over to the guy that was, that the officers were performing CPR on.

BP Okay. Um do you happen to, did you happen to get that Marshal's name?

KB I did not.

BP But it would be, was your body camera activated during this interaction?

KB Yes it (inaudible)

BP All right. Um...

KB And then I, I just asked the deputies who was involved and that they should probably be removed from the scene with an escort officer.

BP Um-hm.

KB Uh and I offered up the 5th precinct where they ultimately went.

BP Okay. Um when you were immediately there was it clear to you who, who in the the task force had actually fired?

KB It wasn't. I try not to ask questions...

BP Sure.

KB ...about the incident (inaudible). Just uh um if the officers were okay. If anybody else was injured kind of thing. And...

BP Okay.

KB ...um I did you know someone said a Hennepin County Sheriff's off um Sheriff's Officer or Deputy I should say uh was involved in the shooting. And that there was, I only knew that there was two law enforcement officers involved in the shooting.

BP Um-hm.

KB But it was kind of confusing to, who it was.

BP Okay. So you recommended to them that the shooters be removed and offered up your precinct as a place they could go. Do I have that correct?

KB Correct.

BP Okay. Do you know did that happen? (inaudible)

KB It did.

BP Okay.

KB And then I, I just said keep 'em separated and if they had body worn cameras on to keep 'em rolling.

BP Okay.

KB They let me know that they didn't have body worn cameras.

BP Okay. Okay. Um so what, what happens from there I guess.

KB So when I was up top I told them I would meet them back at the precinct. Uh the EMS did show up, paramedics. Um they pronounced him deceased right up there. Um and then I went back to the precinct and let my supervisor (inaudible).

BP Okay.

KB And then or I just asked for escort officers they, they separated the two involved in the shooting. So um into two different rooms at my, my precinct. One in a conference room. One in a old office that was vacated.

BP Um-hm.

KB And then um you know then I was just kinda running supplies back and forth. With whatever they'd need, we ordered pizza.

BP Um-hm. Then do, did you happen to know the Hennepin County Deputy from previous encounters or anything like that?

KB I only knew the Deputy that was performing CPR. But I forgot his name. I've worked with him in the past.

BP Was that a, uniformed Deputy or a (inaudible) Deputy on the task force?

KB Um it was a Deputy on the task force I believe.

BP Okay. Um do you know Deputy [REDACTED]?

KB I do not.

BP Okay. Um anything significant occur at the precinct involving those two deputies?

KB No but I think the U.S. Marshal's sent people to come escort their people somewhere else.

BP Okay. So ultimately did everybody leave? All the task force members leave your precinct?

KB Yeah at some point.

BP Okay. All right. Um did you go back to the scene?

KB I went back a couple times. But mostly to bring water and then we were dealing with a large crowd that was growing.

BP Okay.

KB Down, down below at Lake and Girard.

BP Okay. So initially when you first went there you went up to the top level of the ramp. Do I have that right?

KB Correct.

BP Was that the, the one and only time you went up there?

KB No I went back up (inaudible), trying to remember here.

BP That's okay.

KB It's been kind of a long month of riots and protests.

BP Sure. I can imagine.

KB I think I went back up to talk to my supervisor if we learned anything new. Um,

BP Okay.

KB (inaudible) we were ultimately trying to figure out who was going to investigate.

BP Right.

KB It's a officer involved shooting so I was trying to help them work through that. And then just working through a per, the perimeter issue that we were having with shutting down traffic around the area. And the crowds.

BP Okay. Okay. Um was there any time where you maybe had interaction with a member of the public that identified they maybe saw or heard something?

KB I did not.

BP Okay.

KB Um I, by then the, they were escorting the, there was a female...

BP Um-hm.

KB ...that was a witness in the vehicle.

BP Um-hm.

KB They were, they were already were es-escorting her away.

BP Okay. Did you have any contact with that woman at any point?

KB (inaudible) I did not.

BP Okay. All right um other than your body worn camera did you take any photographs or anything like that at the scene?

KB I did not.

BP Okay great. Um and so at the end of you know the BCA was there for several hours. Were you kind of just back and forth throughout that process?

KB Correct. It was mostly just what do you need from us from the MPD standpoint.

BP Okay.

KB And I did contact uh Scott Mueller at one point and just let him know, get kind of give him a heads up that Hennepin County or one of the persons on the task force might be calling him.

BP Okay. Um but as far as you know there was no involvement by MPD in this (inaudible)

KB No.

BP Okay.

KB Just after the fact.

BP After the fact. Okay. Um anything else that you can think of that might be significant that maybe I haven't asked you about or we haven't talked about?

KB No none that I can think of.

BP Um in the kind of the aftermath of this incident now have you had any contact with anybody from the Marshal's task force um regarding this shooting?

KB No.

BP Okay. All right. Um anything else you can think of Inspector?

KB No. That's it.

BP All right. I appreciate um your time. I'm gonna turn off my recorder then. The time is uh it just flipped over, 1321.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/77

Report Date: 07/06/2021

Primary Information

Description: US Marshal Memorandums of Understanding - Hennepin County and Ramsey County Sheriff's Offices
Occurrence From: 06/24/2021 09:00
Occurrence To: 07/01/2021 09:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/07/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

7/1/2021 receipt of copies of memorandums of understanding between the US Marshal's Service and the Hennepin County and Ramsey County Sheriff's Offices, respectively, attached to this supplement. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - MENTION IN REPORT #1 - Hennepin County Sheriff

Primary Information

Subject Name: Hennepin County Sheriff
Record Type: Agency
Juvenile: NO

Subject #2 - MENTION IN REPORT #2 - RAMSEY COUNTY SHERIFF'S OFFICE

Primary Information

Subject Name: RAMSEY COUNTY SHERIFF'S OFFICE
Record Type: Agency
Juvenile: NO

Officers

LEO
Robbins, Roy (Commander / RAMSEY COUNTY SHERIFF'S OFFICE)
Johnson, Jennifer (Lieutenant/Professional Standards / Hennepin County Sheriff)

Narrative begins on the following page.

On 06/24/2021, Senior Special Agent (SSA) Brent Petersen requested and received a copy of the memorandum of understanding between the US Marshal's Service and the Hennepin County Sheriff's Office. SSA Petersen received the document from Lieutenant Jennifer Johnson with the sheriff's office.

On 07/01/2021, SSA Petersen requested and received a copy of the memorandum of understanding between the US Marshal's Service and the Ramsey County Sheriff's Office. SSA Petersen received the document from Commander Roy Robbins with the sheriff's office.

Both documents are separately attached to this supplement.

No exhibit(s) by virtue of this activity or report.

United States Marshals Service
Violent Offender Task Force – Memorandum of Understanding

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the
Hennepin County Sheriff

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (See also) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (See also) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (See also) 42 U.S.C. § 16941(a)(the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

MISSION:

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

Each participating agency agrees to refer cases for investigation by the VOTF (Violent Offender Task Force). Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF.

Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

SUPERVISION:

The VOTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Agency personnel must be approved by the District Chief Deputy prior to assignment to the VOTF. Agency personnel may be removed at any time at the discretion of the District Chief Deputy.

Direction and coordination of the VOTF shall be the responsibility of the USMS District Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS district personnel, may be established at the discretion of the District Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the VOTF.

PERSONNEL:

In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations in order to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State or local task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

REIMBURSEMENT:

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide full time support to USMS VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided.

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost.

The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

VEHICLES AND EQUIPMENT:

Notwithstanding the above, pending the availability of asset forfeiture funding and approval by the USMS in advance of any purchase, the USMS may reimburse the undersigned state or local agency for vehicles and equipment purchased in support of full time state and local investigators assigned to the VOTF involved in joint law enforcement operations. Such vehicle and equipment purchases are to be contracted for and titled in the name of the state or local law enforcement agency and must comply with requirements prescribed by the USMS pursuant to this MOU and applicable policies of the United States Department of Justice. Vehicles and equipment purchased by state and local law enforcement agencies with asset forfeiture monies provided by the USMS must remain available for exclusive use of the task force officers assigned to the VOTF by the undersigned participant agency for the duration of the task force. Upon termination of the agreement, usage and disposition of such vehicles are at the discretion of the undersigned state or local law enforcement agency.

Pending the availability of funds and equipment, the USMS will issue USMS radios, telephones, and other communication devices to each task force officer to be used for official VOTF business. All equipment used by or assigned to task force officers by the USMS or an agency will remain the property of the agency issuing the equipment and will be returned to that agency upon termination of the task force, or upon agency request.

RECORDS AND REPORTS:

Original reports of investigation, evidence, and other investigative materials generated, seized, or collected by the VOTF shall be retained by the agency in the VOTF responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, rules, and regulations. Task force statistics will be maintained in the USMS Justice Detainee Information System (JDIS) - Warrant Information Network (WIN). Statistics will be made available to any participating agency upon request.

INFORMANTS:

Pending the availability of funds, the USMS may provide funding for the payment of informants. However, all payments of informants utilizing USMS funding shall comply with USMS policy.

USE OF FORCE:

All members of the VOTF shall comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-lethal devices. Copies of all applicable firearms, deadly force, and less-lethal policies shall be provided to the District Chief Deputy and each concerned task force officer. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).

NEWS MEDIA

Media inquires will be referred to the District Chief Deputy. A press release may be issued and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force.

RELEASE OF LIABILITY:

Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law.

EFFECTIVE DATE AND TERMINATION:

This MOU is in effect once signed by a law enforcement participant agency. Participating agencies may withdraw their participation after providing 30 days advanced written notice to the District Chief Deputy U.S. Marshal.

District: Minnesota

United States Marshal: (Academy)

DAVID EBENS
Print Name

David Elben
Signature

1/27/16
Date

Participant Agency:

Name: Hennepin County Sheriff's Office

Location (City & State): Minneapolis, Minnesota

Phone: 612-348-3744

Participant Agency Representative:

Mike Carlson - Chief
Print Name & Title

[Redacted Signature]
Signature

1-26-16
Date

Assistant Director, Investigative Operations Division:

Print Name

Signature

Date

United States Marshals Service
Violent Offender Task Force – Memorandum of Understanding

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the
Ramsey County Sheriff

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (See also) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (See also) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (See also) 42 U.S.C. § 16941(a)(the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

MISSION:

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

Each participating agency agrees to refer cases for investigation by the VOTF (Violent Offender Task Force). Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF.

Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

SUPERVISION:

The VOTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Agency personnel must be approved by the District Chief Deputy prior to assignment to the VOTF. Agency personnel may be removed at any time at the discretion of the District Chief Deputy.

Direction and coordination of the VOTF shall be the responsibility of the USMS District Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS district personnel, may be established at the discretion of the District Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the VOTF.

PERSONNEL:

In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations in order to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State or local task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

REIMBURSEMENT:

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide full time support to USMS VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided.

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District: Minnesota

United States Marshal:

Sharon Lubinski

Print Name

Signature

Date

Participant Agency:

Name: **Ramsey County Sheriff**

Location (City & State): **St. Paul, MN**

Phone: **651-248-6457**

Participant Agency Representative:

Print Name & Title

Signature

Date

Assistant Director, Investigative Operations Division:

William Snelson

Print Name

Signature

Date

United States Marshals Service
Violent Offender Task Force – Memorandum of Understanding

PARTIES AND AUTHORITY:

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Ramsey County Sheriff

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (*See also*) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (*See also*) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (*See also*) 42 U.S.C. § 16941(a)(the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

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District: Minnesota

United States Marshal:

Sharon Lubinski

Print Name

Signature

Date

Participant Agency:

Name: Ramsey County Sheriff

Location (City & State): St. Paul, MN

Phone: 651-248-6457

Participant Agency Representative:

John Kirkwood
Print Name & Title *Chief Deputy*

Signature

Date

1-21-14

Assistant Director, Investigative Operations Division:

William Snelson

Print Name

Signature

Date

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/78

Report Date: 07/14/2021

Primary Information

Description: **Filing of Run Report Search Warrant**
Occurrence From: **07/13/2021 00:00**
Occurrence To: **07/14/2021 00:00**
Reporting LEO: **Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/14/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 14th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James ■ Reyerson electronically filed a search warrant into a criminal court case file identified through filing number: 27-CR-CV-21-3. No evidence items number were acquired through virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Narrative begins on the following page.

On July 14th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James [REDACTED] Reyerson electronically filed a search warrant into a criminal court case file identified through filing number: 27-CR-CV-21-3.

The search warrant was originally authorized by Honorable Hennepin County District Court Judge Terri Yellowhammer and executed on July 13th 2021 by SSA Reyerson.

SSA Reyerson attached the filed search warrant to this report.

No evidence items number were acquired by virtue of this report.

Application Page 1 - 4

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, James [REDACTED] Reyersson, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises, and person(s) described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

- o **Hennepin County EMS Run Report – Directly involved to the above mentioned critical incident that occurred on June 3, 2021, in the vicinity of 1405 West Lake Street in Minneapolis, Minnesota.**
- o **Any documentation (Run report) specifically pertaining to: Winston Smith Jr., DOB: 04/08/1989, relating to the incident on June 3, 2021.**

is or are at the premises, and on the person(s) described as:

Hennepin County EMS Run Report – Directly involved to the above mentioned critical incident that occurred on June 3, 2021, in the vicinity of 1405 West Lake Street in Minneapolis, Minnesota.

Any documentation (Run report) specifically pertaining to:

o Winston Smith Jr., DOB: 04/08/1989, relating to the incident on June 3, 2021

located in city or township of Minneapolis, County of Hennepin, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Your Affiant has been a sworn Peace Officer for approximately twelve years. Your Affiant was a Police Officer with the New York City Police Department (NYPD), a Special Agent with the Drug Enforcement Administration (DEA), a Special Agent with the Minnesota

Application Page 2 - 4

Department of Commerce Fraud Bureau (CFB), and is currently a Senior Special Agent with the Bureau of Criminal Apprehension (BCA) in the Force Investigations Unit. Your Affiant has been trained on investigative tactics and techniques by the NYPD, DEA, CFB, and BCA. In this capacity, Your Affiant has training and experience in the investigation of crimes of violence against persons including, but not limited to, homicide, sexual assault, narcotics, officer involved shootings, robberies, and assaults.

Your Affiant has spoken with agents who have conducted a preliminary investigation into this matter and believes the information he has received to be true and accurate. Because this Affidavit is being submitted for the limited purpose of securing a search warrant, Your Affiant has not included each and every fact known to him concerning this investigation. Your Affiant has set forth only those facts that are necessary to establish probable cause to believe that evidence related to, or pertinent to, the investigation may be contained within the requested search. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part. Your Affiant believes the below fact pattern to be true and factual.

The facts establishing the grounds for issuance of a search warrant are as follows:

On June 3, 2021, Members of the United States Marshal's Task Force came into contact with Winston Smith Jr. DOB: 04/08/1989, on the top level of a parking garage located at 1405 West Lake Street Minneapolis, Minnesota.

At some point during the interaction, shots were fired. Smith sustained injuries from the encounter.

Shortly thereafter medical intervention occurred, Smith was pronounced deceased on scene.

It was determined through investigation, review of surveillance videos and statements, that Hennepin EMS arrived on scene shortly after the incident.

The BCA is investigating the incident. Your Affiant is respectfully requesting court authorization to allow the BCA Senior Special Agent James D. Reyerson to acquire the Hennepin County EMS run report that related to this incident.

- Hennepin County EMS Run Report – Directly involved to the above mentioned critical incident that occurred on June 3, 2021, in the vicinity of 1405 West Lake Street in Minneapolis, Minnesota.
- Any documentation (Run report) specifically pertaining to:
 - **Winston Smith Jr., DOB: 04/08/1989, relating to the incident on June 3, 2021.**

Application Page 3 - 4

Collection and processing of the above mentioned run report will assist agents/investigators with corroborating statements made by Law Enforcement Officers and/or subjects of the investigation. Additionally, identification, collection, and seizure of the evidence will assist agents with establishing a timeline of the incident.

(End of Page)

Application Page 4 - 4

I request a search warrant be issued, commanding James [REDACTED] Reyerson, SSA Reyerson, SSA Petersen, SSA Lang, SSA Olson, ASAIC Phill, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises, and person(s) for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law, including authorization to have the seized property and thing(s) to be analyzed by a forensic laboratory.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: James [REDACTED] Reyerson
Minnesota Bureau of Criminal
Apprehension
Electronically Signed
07/13/2021 9:17 AM
Hennepin County, Minnesota

Search Warrant Page 1 - 2

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

SEARCH WARRANT

TO: JAMES ■ REYERSON, SSA REYERSON, SSA PETERSEN, SSA LANG, SSA OLSON, ASAIC PHILL
PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, James ■ Reyerson has this day on oath made an application to this Court for a
warrant to search the following described premises, and person(s) :

**Hennepin County EMS Run Report – Directly involved to the above mentioned critical
incident that occurred on June 3, 2021, in the vicinity of 1405 West Lake Street in
Minneapolis, Minnesota.**

Any documentation (Run report) specifically pertaining to:

o Winston Smith Jr., DOB: 04/08/1989, relating to the incident on June 3, 2021

located in city or township of Minneapolis, State of Minnesota for the following described
property and thing(s):

- o **Hennepin County EMS Run Report – Directly involved to the above mentioned
critical incident that occurred on June 3, 2021, in the vicinity of 1405 West Lake
Street in Minneapolis, Minnesota.**
- o **Any documentation (Run report) specifically pertaining to: Winston Smith Jr., DOB:
04/08/1989, relating to the incident on June 3, 2021.**

WHEREAS, the application of James ■ Reyerson was duly presented and read by the Court, and
being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search
warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime
has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property
and thing(s) is or are at the above-described premises, and on the person of Winston Smith Jr,
Date of Birth 04/08/1989.

Search Warrant Page 2 - 2

NOW, THEREFORE, you James [REDACTED] Reyerson, SSA Reyerson, SSA Petersen, SSA Lang, SSA Olson, ASAIC Phill, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described premises, and person(s), for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law, including authorization to have the seized property and thing(s) analyzed by a forensic laboratory.

BY THE COURT

ISSUED ON: 13 July, 2021

Judicial Officer: Terri Yellowhammer
Judge of District Court
Electronically Signed
07/13/2021 9:38 AM

STATE OF MINNESOTA, COUNTY OF Hennepin

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, James [redacted] Reyerson, received the attached search warrant issued by the Honorable Terri Yellowhammer, on 07/13/2021, and have executed it as follows:

Pursuant to the warrant, on 07/13/2021, at 02:00 o'clock pm I searched the following described in the search warrant.

Premises Motor Vehicle Person Device

I have left a true and correct copy of the search warrant (with) (in) (at) with HCMC

I took into custody the property and things listed below: (attach and identify additional sheets if necessary)
Run Report

[Lined area for listing property and things taken into custody]

Check the appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant was found.
- I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.

James [redacted] Reyerson Date: 07/14/2021
(Signature)
County: Ramsey State: Minnesota

COPIES TO: • COURT • PROS. ATTORNEY • PEACE OFFICER • PREMISES/MOTOR VEHICLE/PERSON

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/79

Report Date: 07/16/2021

Primary Information

Description: Acquisition of Hennepin County EMS Run Report
Occurrence From: 07/14/2021 00:00
Occurrence To: 07/14/2021 00:00
Reporting LEO: Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/16/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On July 14th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James [REDACTED] Reyerson received the ambulance run report from the critical incident that occurred on June 3rd 2021, in Minneapolis, Minnesota. The report was authored by paramedic Aron Nelson. Evidence item number: 2021-399/79.1, was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Property #1 - USB Containing Run Report

Primary Information

Property Class: Evidence
Property Type: Computer Hard Drive
Description: USB Containing Run Report
Property Status: BCA / HQ
Status Date: 07/14/2021

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/79

Report Date: 07/16/2021

Property #1 - USB Containing Run Report - Continued

Primary Information - Continued

Quantity:	1
Submitted To:	Property & Evidence (2021-399/79.1)
Collected By:	Reyerson, James
Collected Date/Time:	07/06/2021 16:26

Narrative begins on the following page.

On July 14th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James [REDACTED] Reyerson received the Hennepin County EMS Ambulance run report from the critical incident that occurred on June 3rd 2021, in Minneapolis, Minnesota. The report was authored by paramedic Aron Nelson.

SSA Reyerson received the requested run report via email and placed it on a USB.

SSA Reyerson placed the USB into investigative evidence at the BCA headquarters in St. Paul, Minnesota.

SSA Reyerson attached the run report to this report.

Evidence item number: 2021-399/79.1 was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/80

Report Date: 07/15/2021

Primary Information

Description: Interview of Matthew Skinner
Occurrence From: 06/29/2021 00:00
Occurrence To: 06/29/2021 00:00
Reporting LEO: Olson, Matthew S (1343 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/15/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 06/29/21, Senior Special Agents (SSA) Matt Olson and Nikki Remme conducted an interview via telephone with Matthew Lawson Skinner at the BCA Headquarters.

Acquisition of evidence item 399/80.1 obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - WITNESS #1 - Skinner, Matthew Lawson

Primary Information

Subject Name: Skinner, Matthew Lawson
Record Type: Person
Bio: 53 yr. old, Unknown, Male
Birth Date: 01/08/1968
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	2335 BUFORD AVE, ST PAUL, Minnesota 55108 United States

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	(651) 583-4679 (CELLULAR)

Telephones / E-Addresses

Relationship	Number/E-Address
Subscriber	(651) 583-4679 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/80

Report Date: 07/15/2021

Property #1 - Audio of interview with Matthew Skinner

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	Audio of interview with Matthew Skinner
Status Date:	06/29/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/80.1)
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Olson, Matthew S
Collected Date/Time:	07/07/2021 09:44

Narrative begins on the following page.

On 06/29/21, Senior Special Agents (SSA) Matt Olson and Nikki Remme conducted an interview via telephone with Matthew Lawson Skinner at the BCA Headquarters.

On the day of this incident, Matthew Skinner was at Stella's Fish Café on the outdoor patio having lunch when he heard rapid "popping noises." He does not know much about guns and had no idea it was actually gunfire that he was hearing at the time. His memory was "incredibly fuzzy" and did not realize that what was going on may be important down the road sometime. He thought he heard 10 to 15 pops within the span of a few seconds.

After the gunfire, people on the rooftop began screaming, ducking down and some were looking over at the top level of the parking garage. At that point, he turned in his chair and saw approximately four vehicles on the top level of the parking garage. The vehicles were parked in scattered positions so he thought they may belong to the police. About a minute or so went by and he began hearing sirens in the distance. After that he felt there was no ongoing danger and went back to having his lunch.

He later went to get his vehicle from the parking ramp, and at that point the police obtained his information and got him back to his vehicle.

This is a summary of Matthew Skinner's interview. The interview was audio recorded, transcribed and later attached to this report. For exact words and verbiage, please refer to the recording and/or transcript.

Acquisition of evidence item 399/80.1 obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/80



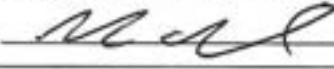
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Audio of interview with Matthew Skinner

State authority to release or manner of disposition:


Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 7/15/2021 
Name Alvarez, Brittni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By Olson, Matthew S (1392 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	06/29/21 @ 1219	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	80
INTERVIEW OF:	Matthew Lawson Skinner (MS)	INTERVIEWED BY:	SSA Matt Olson (MO) SSA Nikki Remme (NR)
REVIEWED BY:			

MO All right. Uh let's see. This is for case number 2021-399. This is Special Agent um Matt Olson. And with me is uh Senior Special Agent Nikki Remme. We are at the BCA Headquarters. And I have on the phone Matthew Skinner. Matt is that how you pronounce your last name?

MS Yeah.

MO And is it S-K-I-N-N-E-R?

MS That's right.

MO All right. Um and what's your middle name Matt?

MS Lawson. L-A-W-S-O-N.

MO Okay. And then um what's your date of birth?

MS Uh 1-8-68. January 8, 68.

MO Okay. Um and uh Matt we had just talked but I had told you I'd like to take a statement from you cuz it sounded like you had some information that would be relevant to this investigation. Um, it sounds like you were at Stella's um during this incident. During this shooting. Uh is that right?

MS That's correct. Yeah I was up on the roof uh having lunch.

MO All right. And that's an outdoor uh area right if I remember.

MS It is. Yeah.

MO Okay. Um so this was, do you remember what time that was that day?

MS Um I don't. No.

MO Okay.

MS Um, you know afternoon. Um that's probably not too helpful to you.

MO That's alright. Um,

MS Um yeah early afternoon I want to say 1:30, 2:00 o'clock-ish. Something like that. But I honestly don't remember for sure.

MO Okay. Um and you were at Stella's just having a lunch you said?

MS I was. Yeah.

MO All right. And what uh (clears throat) what caught your attention that, during that aft that afternoon when you were sitting outside eating lunch?

MS Uh well nothing until the, the noise. Which I now assume was gunfire. Um, (inaudible)

MO So... Right so, so you, you said earlier that you kinda heard like this rapid um...

MS Yeah it was...

MO ...popping noises.

MS ...you know (inaudible)

MO But you...

MS I don't know anything about guns or gunfire so I had no idea that it even was gunfire at the moment. So um yeah it was a string of you know I should, I should say two. I, this is all incredibly fuzzy, memory. Um like at the time I didn't realize you know what was going on and it might be important.

MO Um-hm.

MS But is sounded like, uh I'd say something from about 10 to 15 pops. Um kind of you know all like within the span of a few seconds right.

MO Um-hm.

MS Um, so then uh a couple people in at the, on the rooftop um you know ducked or screamed or said you know that's gunfire or something. Um so that's, that-that got, that got my attention. Um (laugh)

MO Um-hm.

MS But then you know I had my back to the street. Or I had my back to the parking garage.

MO Okay.

MS Um where the sound came from. Where this happened. So I didn't see anything. But then turned around um and was you know even though I was on the roof I was like scanning like the street level.

MO Um-hm.

MS I just remember seeing a guy crouched behind a van. Like an electricians (inaudible) van or something like that.

MO All right.

MS Kind of crouched down like taking cover. Um which is when I thought maybe that is gunfire. But then there was no more noise. Um I think it wasn't until like a server came by um just to make sure you know things were fine. And, and that's when I realized that people were looking on the roof of the parking garage. Like people in the restaurant were looking at the roof of the parking garage. That make sense, so I mean...

MO Yeah.

MS ...I heard the noise and just thought I should, see you know (laugh) am I in danger. Should I be taking cover. Um,

MO Right.

MS But um yeah again I just looked at ground level and didn't see anything that looked odd. But it wasn't until the server pointed out the pop and I think there were (sigh) I don't know maybe there, I want to say 4 vehicles on the top level of the um of the parking garage.

MO Okay. Um so once you saw everyone's attention was directed to that top floor of the parking garage did you begin to, view what was going on there or?

MS Um not too much. I just kind of um no uh I, think it was um, yeah I don't remember why but I was pretty sure that there was no ongoing danger. If that made any ss makes any sense at least to me (laugh)

MO Um-hm.

MS Uh-um you know on the roof of restaurant across the street.

MO Um-hm.

MS Um I don't recall like none of the cars were marked. And none of them had you know lights on top. Um but they weren't parked you know it wasn't like they were parked in parallel slips or something like that. So...

MO Yeah.

MS ...I assumed that there were um police there or on their way. Within a minute or so I could start hearing sirens you know in the distance. So,

MO Um-hm.

MS Um yeah I just I went back to (laugh) what I was just doing.

MO Okay.

MS Um at that point.

MO So you kind of turned around...

MS Like I, like I couldn't see anything on the roof in the sense of like people moving or bodies or people brandishing guns or anything like that. Again cuz I didn't even really, notice I should start looking at the roof until maybe a minute or two after the noises. After the you know the pops.

MO Okay. Um so when you did, from your vantage point on the roof of Stella's could you see like the roof of the parking ramp? Like kinda at the same level you were at? Or I don't, I don't know how that, what that looks like there.

MS It's close to the same level. If I remember correctly I think Stella's is a little bit higher. If I remember right.

MO Okay.

MS Um but I'm not sure. It wasn't like we had like an aerial view of, you know what was going on or it was, yeah.

MO Yeah. But you could definitely see down and see the unmarked cars. You know kinda scattered on that upper level of the ramp.

MS Yeah I want to say like four of 'em. I mean two of 'em I think were like you know Suburban type things you know.

MO Um-hm.

MS Long SUV type things. Um which I just assumed were law enforcement of some kind.

MO Um-hm.

MS I don't know why (laugh) I just did.

MO Did, did those vehicles have like red and blue lights on at all?

MS You know I don't remember.

MO Okay.

MS I really couldn't say.

MO Um, did you see anyone walking around those vehicles or anything that you remember like you know anyone walking around or if they had, or if did you hear any commands or anyone yelling or anything like that?

MS No couldn't hear any of that.

MO All right. Um so it sounds like you kind of stood up. You maybe walked over to the you know where people were looking...

MS No I did not, I didn't stand up. I just...

MO Oh

MS ...I turned in my chair.

MO Okay you just turned in your chair. So you turned in your chair and then when you said I went back to kinda what I was doing, I figured you were out of your table. But you kinda just were...

MS Oh

MO ...in your table. You turned around, looked. And then it was kind of a brief thing. And then you kinda went back to doing your own, enjoying your, enjoying your afternoon.

MS Pretty much. Yeah.

MO All right.

MS Yeah. So yeah it wasn't like I you know I didn't walk to the, the edge of the rooftop and balcony. I didn't get up. I didn't really spend a lot of time looking or trying to figure it out.

MO Okay. So then um I'm assuming your...

MS There were others. I mean people in the restaurant were doing that. And people at the pool at the condos next door were doing that.

MO Yeah.

MS They were on, on the rail looking.

MO All right. Um did uh, so was your vehicle parked over on the ramp then or in the ramp?

MS Yeah that's probably how you got my number.

MO Okay.

MS Correct, yeah got my name and number.

MO So that...

MS My vehicle was parked there and um I came back at night to pick it up and uh Minneapolis police officers took my name and phone number.

MO Okay. So you would have (inaudible)

MS Because the block was still closed.

MO Yeah. So you went home from...

MS (inaudible)

MO ...the restaurant after your, you know your afternoon lunch. And then you came back later that evening and picked it up.

MS That's right. Yeah I walked over to the garage and I mean I, I waited I knew it was gonna be a while (laugh) it had the look like it was gonna be a while so

MO Right.

MS Yeah after leaving the restaurant I went over and there were, uh two Minneapolis police who were kind of at the perimeter at the police line and I asked if there was a way I could get my car off the second floor. And they said probably not. And I should come back in a few hours.

MO Okay.

MS I did that.

MO All right. Um, Agent Remme do you have anything else?

NR I just have two quick questions for you Matt. Um...

MS Sure.

NR ...I know when you initially heard the sounds you didn't know it was gunfire. But now thinking back to it were the rounds like back to back to back to back or, or was there some delay in them?

MS Um I'd describe it as like a flurry. Like kind of, it was all compacted into a couple seconds. It didn't, like it didn't sound like what I imagine a, a prolonged back and forth gunfight might sound like. You know what I mean it was all, like pop-pop-pop-pop-pop-pop-pop-pop.

NR Okay so...

MS And that kind of a (inaudible)

NR Okay so pretty close together. And then my other question I don't know if you...

MS And I thought it was fireworks or something like that. Cuz it had a kind of almost, I don't know just kinda concentrated in time you know so over pretty quick.

NR Okay. And then my other question and I apologize if you and Agent Olson have already covered this. Uh who else was with you when you were at Stella's? Do you know if that's anybody that we have also talked to yet or not?

MS Um I don't think so. I was uh there was somebody I work with and who I'm also dating. Um so we were having lunch together.

NR Okay. Do you think that person would be willing to talk with agents if they needed to?

MS Uh it's possible. I'd be willing to ask her. Or, um yeah but we both (laugh) sorry both clearly had no idea what was going on. Cuz we didn't recognize it as gunfire (inaudible)

NR Right.

MS Yeah.

NR Yeah what is her name? Just her first name and last name if we could.

MS Sure. Uh her first name is Karoline with a K. K-A-R-O-L-I-N-E. And last name is Lewis, L-E-W-I-S.

NR Okay. Okay well we'll just uh document that and if somebody needs to talk to her they can, reach back out to you or her.

MS Sure.

NR Okay that's all the questions I have.

MO All right. Um I think that's it for me too Matt. I appreciate your uh willingness to um just give us a brief statement about this. Um, we just have to do a quick report on it and that's about it. And uh I wouldn't imagine you'll hear anything further from us.

MS Okay.

MO So um have a great day and uh again thank you.

MS Yeah. Thank you. You're welcome.

MO Take care.

MS Alright, bye.

MO Time now is 12:33. That concludes my interview with Matthew Skinner. Special Agent Matt Olson and Special Agent Nikki Remme at BCA Headquarters on June 29th, 2021.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/81

Report Date: 07/09/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Minneapolis Firefighter Neil Havron
Occurrence From: 07/09/2021 10:13
Occurrence To: 07/09/2021 10:19
Reporting LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/13/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/09/2021, at 1013 hours, SSA Lang conducted a phone interview with Minneapolis Firefighter, Neil Havron. Recorded interview saved to DVD, resulting in the acquisition of evidence item 2021-399/81.1. Interview transcript and evidence transfer receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - Firefighter #1 - Havron, Neil

Primary Information

Exempt From Disclosure: YES
Subject Name: Havron, Neil
Record Type: Firefighter
Bio: Unknown, Male

Addresses

Relationship	Address
BUSINESS LOCATION	3025 MARKET PLZ, Minneapolis, Minnesota 55416 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(612) 922-7109 (BUSINESS)

Subject #2 - MENTION IN REPORT #1 - Bjorn, Benjamin

Primary Information

Exempt From Disclosure: YES
Subject Name: Bjorn, Benjamin
Record Type: Firefighter

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/81

Report Date: 07/09/2021

Subject #2 - MENTION IN REPORT #1 - Bjorn, Benjamin - Continued

Primary Information - Continued

Bio: **Unknown, Male**

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 922-7109 (BUSINESS)

Property #1 - Item 81.1 DVD interview of Minneapolis Firefighter Neil Havron

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Item 81.1 DVD interview of Minneapolis Firefighter Neil Havron
Property Status:	BCA / HQ
Status Date:	07/09/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/81.1)
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Lang, Nancy
Collected Date/Time:	07/09/2021 10:13

Narrative begins on the following page.

On Friday, July 9th 2021, at 1013 hours, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Nancy Lang conducted a recorded phone interview with Minneapolis Firefighter, Neil Havron. SSA Remme was also present for the interview. The interview was in reference to Havron's role in the response to the officer-involved shooting on June 3rd 2021, in Minneapolis, MN.

The following is a synopsis of the statement with Havron:

He is currently employed by the Minneapolis Fire Department as a Firefighter and Emergency Medical Technician (EMT) and has been for over 24 years. His training and certifications are current. His current assignment is Engine 22 day shift.

He was working on June 3rd, 2021, and at approximately 1400 hours, he and his crew responded to a shooting in the parking ramp in Minneapolis. They arrived on scene and walked up the stairs to the top level of the parking ramp. Paramedics were performing CPR on a subject and within 20 seconds of his crew's arrival, the time of death was called. He and his crew returned to their rig. His Captain, Benjamin Bjorn, wrote the report for the incident.

He did not know any of the officers or subjects involved in the incident. He had casual conversation while on scene and heard an arrest for a warrant was being made when the incident occurred. He did not have any other interactions. He did not take any photos or video at the scene.

Recorded interview saved to a DVD, resulting in the acquisition of exhibit 2021-399/81.1.

Interview transcript and evidence transfer receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/81

Case Agent: Petersen, Brent

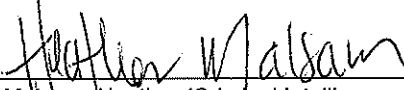
Item	Quantity	Description
1	1.00	Item 81.1 DVD interview of Minneapolis Firefighter Neil Havron

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/9/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

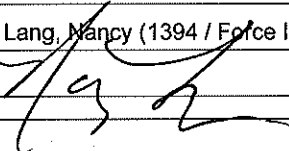
City/State

Telephone

Released By

Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	07/09/2021 @ 1013 hours	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	81.1
INTERVIEW OF:	Firefighter Neil Havron (NH)	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA Nicki Remme (NR)
REVIEWED BY:	Nancy Lang		

NL Case number 2021-399. Um today's date is July 9th, 2021. And the time is 1013 hours. This is Senior Special Agent Nancy Lang from the BCA. And also present is Senior Special Agent Nicki Remme. Um I am currently at 1430 Maryland Avenue. And I am calling Station 22 and speaking with Neil Havron. Neil can you go ahead and spell your first and last name for me?

NH Uh N-E-I-L. Last name H-A-V-R-O-N.

NL Okay and the department you work for?

NH The Minneapolis Fire Department.

NL And what is your current rank?

NH Uh Firefighter.

NL Okay and your badge number?

NH I...

NL Or do you have a badge number?

NH I don but I don't have, know it, have it right on me right now I don't have it memorized.

NL Okay how about years of service?

NH I'm 24 years.

NL And are...

NH on my 25th now.

NL Okay. And are all those years at Minneapolis?

NH Yes.

NL Okay. And then what's your current assignment?

NH Uh Engine 22. Day shift.

NL Okay. And do you have any specialized assignments or training?

NH Mmm, not specialized just an EMT, firefighter.

NL Okay. So your level of medical training is, you just said EMT?

NH Emergency medical technician.

NL Okay. And are you current in your training?

NH Yes.

NL And certification and licensure?

NH Yes.

NL Okay. And were you working on June 3rd of 2021?

NH Yes I was.

NL Um do you recall which work hours you were working that day?

NH Uh we worked a whole shift. 24 hours. Uh that where I'm trying to remember when the, particular run came in but I'm not sure, in the afternoon I think it was later than about 2 o'clock I think it was.

NL Okay. And did you respond to a critical incident?

NH Yeah we responded to a shooting.

NL Okay.

NH That was in on the, in a parking ramp.

NL Okay and can you provide a narrative of your role in this incident. What you observed and basically what your actions were?

NH Ours was very limited. We arrived and we parked we walked, we walked up the stairs to the top of the, the parking ramp. We got out there right where, we arrived right as the paramedics were still working, were working on him. They were doing CPR. And um it was like less than like twenty seconds after that then they called it. And pretty much we didn't even be hands on with the, with the patient. And it was, they cleared us and pretty much we, then went out back to our rigs after that.

NL Okay. And when you said that um we, who are you referring to when you say we, arrived?

NH Uh crew the crew of Engine 22. E-engine 22.

NL Okay. And um when you said the medics were doing CPR.

NH Yeah.

NL Who um do you recall who was there, who was present at that time?

NH No there was, there was whole bunch of people and I didn't get the names of the paramedics at the time.

NL Okay. Um did you treat any other patients that day? Or in...

NH No.

NL ...during that incident?

NH No there was a report of one other woman that was in custody or so like that but we never saw her.

NL Okay.

NH I never saw her.

NL Okay did you write a report?

NH No my captain did.

NL What's your captain's name?

NH Uh, Bjorn. Benjamin...

NL Oh...

NH ...Bjorn.

NL ...okay. And did you know this subject?

NH The person?

NL Yes.

NH That got shot? No I didn't.

NL Did you know any of the officers involved?

NH No. None.

NL Did you have any contact with any of the officers while you were there?

NH No just casual, uh just casual went back and forth um trying to figure out what was, what was what the whole situation was but nothing you know nothing substantial.

NL Okay.

NH They had they said they were there making an arrest.

NL Can you tell me a little bit more about what was said?

NH Uh they said that they maybe that, I think they said they had a warrant for him or something. I heard that, in the background. And that was pretty much it. But we were, at that point we were pretty much grabbing our gear. We were headed back to our rig.

NL Okay. Did you hear anything else?

NH No. Not really.

NL Okay. Did you speak to any other parties um while you were there?

NH Uh, no not really. We went to, with our crew to the elevator and, and went back to our rig at that point.

NL Okay. Have you spoken to any of the involved officers since the incident?

NH No.

NL While you were there did you take any photos, recordings or videos?

NH No.

NL All right. Do you have video on your, rig? If that is...

NH A camera? No.

NL Yeah. Okay...

NH (inaudible)

NL ...no you don't?

NH There's no cameras on our fire rigs.

NL Okay. Do you have any other relevant information that maybe I didn't ask you that you think would, could be helpful in this investigation?

NH No that's pretty much it.

NL Okay. Um Agent Remme do you have any additional questions?

NR I do not.

NL All right I will end this recording. The current time is 1019 hours.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/82

Report Date: 07/12/2021

Primary Information

Description: **Report on Phone Calls To Parking Ramp Contacts**
Occurrence From: **06/28/2021 15:00**
Occurrence To: **07/12/2021 12:00**
Reporting LEO: **Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/13/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

**On June 28th 2021, SSA Remme was tasked with contacting several individuals that had vehicles parked in the parking garage during the incident on June 3, 2021. No relevant information was obtained.
By virtue of this report, no evidence obtained.**

Address #1 - RELATED #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Narrative begins on the following page.

On June 28th 2021, Senior Special Agent (SSA) Nicki Remme was tasked with contacting several individuals who had their vehicles parked in the parking ramp when the incident occurred on June 3rd 2021. SSA Remme spoke with the following individuals who indicated they did not see or hear anything relevant to this investigation. Those contacted were:

Randy Lebedoff
Brandon Lem
Zachary Levonian
Jordan Linders
Yida Liu
Mary Maiers
Laura McGraw
Kassidy Miller
Margo Moen
Hoaxuan Nguyen
Ryan Norrbohm
Dylan Olson
Krista Opland
Jesse Oyervides
Jillian Pahssen

SSA Remme was unable to locate a current phone number for Mark McLaughlin.

No evidence obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/83

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Deputy Michael Franz**
Occurrence From: **07/25/2021 13:26**
Occurrence To: **07/25/2021 13:40**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage of Hennepin County Sheriff's Deputy Michael Franz. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Franz, Michael

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Franz, Michael**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Deputy**
Juvenile: **NO**
LEO ID: **559**

Narrative begins on the following page.

On 07/25/2021 at 1326 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage of Hennepin County Sheriff's Deputy Michael Franz.

The first BWC footage reviewed is 2:22 long, labeled, "Franz Lake St." It shows Deputy Franz walking near Lake and Hennepin Avenues in Minneapolis. He is driving his squad and parks inside the perimeter/crime scene tape. The video ends at this point.

The second BWC, labeled "Franz Lake St-2," is 3:18 long. The BWC captures him driving Code towards the scene. There is radio communication about officers needing assistance. The BWC ends as Deputy Franz is driving towards the scene.

The third BWC, labeled, "Franz Lake St-3," is 4:27 long. This BWC shows Deputy Franz talking with unknown persons about the perimeter.

The BWCs do not capture the incident. There is nothing graphic and no children are present.

SA Michener finished reviewing all three BWCs at 1340 hours. SA Michener did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/84

Report Date: 07/23/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview Of Hennepin County Paramedic Ian Nash
Occurrence From: 07/12/2021 11:55
Occurrence To: 07/12/2021 12:05
Reporting LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On Monday, 07/12/2021, at 1155 hours, Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Nancy Lang and SSA James Reyerson, met with Hennepin County Paramedic Ian Nash at the Hennepin County EMS Training Facility at 701 Park Avenue South, Minneapolis. Agents obtained a recorded statement regarding Nash's response to the critical incident on 06/03/2021 in Minneapolis.

Acquisition of evidence item 2021-399/84.1 with this report.
Interview transcript and evidence transfer receipt, respectively, attached to this supplemental report.

Address #1 - Occurred #1 - 701 PARK AVE S

Primary Information

Address: 701 PARK AVE S HCMC, Minneapolis, Minnesota 55401 United States
Description: HCMC HOSPITAL

Subject #1 - EMERGENCY MEDICAL SERVICE #1 - Nash, Ian

Primary Information

Exempt From Disclosure: YES
Subject Name: Nash, Ian
Record Type: EMS
Rank/Position: Paramedic

Addresses

Relationship	Address
BUSINESS LOCATION	701 PARK AVE, Minneapolis, Minnesota 55415 United States

Subject #2 - MENTION IN REPORT #1 - Grant, Dillon

Primary Information

Exempt From Disclosure: YES
Subject Name: Grant, Dillon
Record Type: EMS

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/84

Report Date: 07/23/2021

Subject #2 - MENTION IN REPORT #1 - Grant, Dillon - Continued

Primary Information - Continued

Juvenile: NO

Subject #3 - MENTION IN REPORT #2 - Money, Peter

Primary Information

Exempt From Disclosure: YES
Subject Name: Money, Peter
Record Type: EMS
Juvenile: NO

Subject #4 - MENTION IN REPORT #3 - Nelson, Aaron

Primary Information

Exempt From Disclosure: YES
Subject Name: Nelson, Aaron
Record Type: EMS
Juvenile: NO

Subject #5 - MENTION IN REPORT #4 - Kelly, Joseph A

Primary Information

Subject Name: Kelly, Joseph A
Record Type: Person
Bio: White, Male
Juvenile: NO

Employment Information

Employed: YES
Occupation: Attorney-At-Law

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	2350 WYCLIFF ST, Saint Paul, Minnesota 55114 United States

Property #1 - Item 84.1 DVD of Interview with Paramedica Ian Nash

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Item 84.1 DVD of Interview with Paramedica Ian Nash
Property Status: BCA / HQ
Status Date: 07/13/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/84.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/84

Report Date: 07/23/2021

Property #1 - Item 84.1 DVD of Interview with Paramedica Ian Nash - Continued

Primary Information - Continued

Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Lang, Nancy
Collected Date/Time:	07/12/2021 11:55

Narrative begins on the following page.

On Monday, 07/12/2021, at 1155 hours, Bureau of Criminal Apprehension (BCA) Senior Special Agents (SSA) Nancy Lang and James Reyerson, met with Hennepin County EMS Paramedic, Ian Nash, at the Hennepin County EMS Training Facility at 701 Park Avenue South, Minneapolis. Attorney, Joseph Kelly, from Kelly & Lemmons, P.A. was also present for the interview. Agents obtained a recorded statement regarding Nash's response to the critical incident on 06/03/2021 in an Uptown Minneapolis parking ramp.

The following is a synopsis of Nash's statement:

He is a licensed paramedic with Hennepin County and has been for two and half years. All his training and certifications are current. His current assignment is Street Operations as a Paramedic. He was working on 06/03/2021 with Paramedic, Aaron Nelson. They were at Station 22 off Excelsior where Lake St. splits. They were sent to a call on the southeast side but, because they were the closest unit, they were rerouted to a critical incident. They arrived within a couple minutes and waited a couple more minutes for a Code 4 from dispatch, to indicate the scene was safe for them to enter. Once given the Code 4, they responded to the area of Lake Street and Girard Avenue. Officers from the Minneapolis Police Department were on scene and had established a perimeter. They were directed to the top floor of the parking ramp, and were aware at that time it was a shooting, but had no further information.

They took the elevator to the top level of the ramp with a person he believed to be an agent, who was dressed in Kevlar and had a badge, but unknown department for which the person worked. When they exited the elevator he observed another 10-12 people wearing Kevlar vests, which he described as "agents." He observed an agent was doing CPR on a patient. A person he assumed to be a Marshal, told him the patient had a few wounds and they had applied a tourniquet to the left bicep. He could see the pad placement of the Automatic External Defibrillator (AED) and could see the bullet wound through the heart. He could hear Nelson talking with others rendering aid and heard the AED had indicated no shock, which is asystole, indicating there is no electrical activity in the heart and resuscitative efforts would not change that. A person, who he believed to be a Marshal, told them they had been doing CPR for 15 minutes. He said that many cycles of CPR and asystole the whole time would indicate the person was deceased. He had stepped away to grab the airway bag and by the time he stepped back to assist Nelson, Nelson had called the time of death.

He left the scene and while going down the elevator, was advised of a second patient. He returned to the top level and Nelson advised there was no second patient on that level. He learned later that the second patient was across the street and a second rig with Paramedics, Dillon Grant and Peter Money, had provided treatment to that patient.

During his time as a Paramedic, he has responded to many incidents involving shootings and Dead On Arrival (DOA) calls. The incident was consistent with past calls he had been on regarding the medical status of a patient who had been worked on.

On 07/20/2021, SSA Lang reviewed the transcribed statement of Paramedic, Ian Nash and attached the transcript to this report.

Acquisition of evidence item 2021-399/84.1 (DVD of statement with Ian Nash) with this report.

Interview transcript and evidence transfer receipt, respectively, attached to this supplemental report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/84

Case Agent: Petersen, Brent

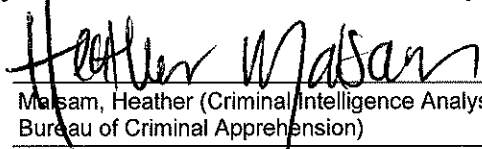
Item	Quantity	Description
1	1.00	Item 84.1 DVD of Interview with Paramedica Ian Nash

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

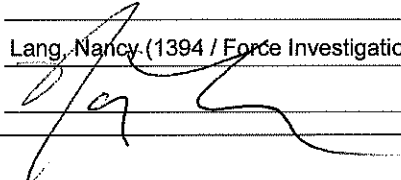
City/State

Telephone

Released By

Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	07/12/2021 @ 1155 hours	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	84.1
INTERVIEW OF:	Paramedic Ian Nash (IN) Attorney Joseph Kelly	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA James Reyerson (JR)
REVIEWED BY:	SSA Nancy Lang		

NL All right, case number 2021-399. Today's date is July 12th. And the time is 1155 hours. I am out at, where am I? I am at the EMS training facility. And the address here is...

JR 701 Park.

NL ...701 Park in Minneapolis. Um this is Agent, Senior Special Agent Nancy Lang and Senior Special Agent James Reyerson. And um also present is Joseph Kelly, Attorney. And Ian Nash. Ian can you go ahead and spell your first and last name for me?

IN Ian, I-A-N. And Nash, N-A-S-H.

NL Okay and then do you have a badge number or...

IN 4485.

NL Okay. And how many years of service do you have?

IN Uh two and a half. Uh almost three.

NL Okay and that is with?

IN Hennepin.

NL Hennepin. Okay. And did you work anywhere else prior?

IN Uh not as a paramedic no.

NL Okay. Can you tell me about your training and education?

IN Uh I did an EMT program out in North Dakota in Minot. And then I did my paramedic school through Dakota College at Bottineau out in North Dakota as well. Was a fifteen month long program I completed in July of 2018.

NL Okay and are you current in all your training and certification?

IN I am.

NL Okay. All right um what is your current assignment?

IN Uh just street operation as a paramedic.

NL Okay. And were you working on June 3rd, 2021?

IN I was.

NL Okay. And um did you respond to a critical incident that afternoon?

IN I did.

NL Okay do you remember what time you were called to that?

IN I do not.

NL Okay.

IN In the afternoon.

NL Afternoon.

IN Um-hm.

NL Okay. Who were you working with that day?

IN Aaron Nelson.

NL Okay. Can you just give me kind of a narrative about that um response?

IN Uh we were at station 22 um right off of Excelsior where Lake splits. Um we had gotten a call kind of on the southeast side. And rerouted when we were in route to that one to this, call. Um we were there, pretty quick. Couple minutes and then we waited just a couple more minutes for a code 4. And we responded into Lake and Girard.

NL Okay. Continue on.

IN Um sorry yeah staged for a code 4. We got the code 4. Um we arrived on scene. It, MPD is outside with a perimeter and we parked in a little I don't know if it was technically Girard or if it was like a little spillway kind of side street that you get into the parking garage in next to whatever establishment is on the west side. And we had started asked questions like hey do you know what's going on. Where was the person shot. And cuz we knew it was a shooting. Um and no one says nope just top floor of the parking garage. And we were escorted to the elevator. My partner and I rode up with an agent who had just arrived and he knew nothing as well. Saying he had just gotten there. We ascended to the top of the parking garage. We go out and find an agent doing CPR on a, this person. Um and they looked decently dead to me from where I was standing. And I just went and I grabbed the airway bag so cuz Aaron (inaudible) it was Aaron's call. And I have the tablet so I can get times and for events, procedures, exams. And then get the airway bag and then by the time I had stepped over to Aaron it was, he had already confirmed it was a DOA. And that no resuscitative, continued resuscitative efforts were needed.

NL Okay. Let's go to the beginning.

IN Um-hm.

NL I just made a couple notes here. You said you were rerouted. Um can you tell me about that? What was the rerouting for?

IN Sss-so we were, closest truck is dispatched to the closest call. Um we were the closest call to a call that had come out kind of on the southeast side. And we'd only gone a couple blocks before that call had dropped and I had said hey dispatch we're gonna drive right by that call do you want us to take it. And we were just switched. So it never had, I never I guess I never had to turn or go any different direction I was already headed.

NL Okay.

IN I just knew I was gonna come across it.

NL And so you were the closest.

IN Yes.

NL You guys at that time.

IN Yes.

NL Okay and then you said um you were waiting for a code 4.

IN Yeah.

NL Can you describe what a code 4 is.

IN Code 4 is, is scene is secured by police and we were safe to enter.

NL Okay and then who notifies you?

IN Um we get a note in our CAD or our dispatch will tell us over the radio that we are code 4.

NL Okay. And then you respond um you said that uh Minneapolis Police Department had a perimeter?

IN Um-hm.

NL Okay and they're the ones that allowed you access?

IN Um-hm.

NL And then you had parked and had to take an elevator up?

IN Yes.

NL And you said with an agent.

IN Yeah when we got into the elevator there was somebody in a, in Kevlar and street clothes with a badge.

NL Okay. And were they identified what...

IN No.

NL ...um department they were from?

IN No.

NL Okay.

IN No one knew nothing.

NL So it could have been a police officer, a deputy, a marshal?

IN Yeah a marshal Yeah.

NL Okay. Um and then also when you um responded then.

IN Um-hm.

NL To the injured party.

IN Um-hm.

NL I believe you said decently dead?

IN Sorry yes I used horrible terminology.

NL Okay. Can...

IN From what I could see the, the gentleman appeared, dead.

NL Okay tell me more about that.

IN Um we could see eh they had said, so we go onto scene, Marshal goes yeah he's got a few wounds. He's, we got a tourniquet on the left bicep. And when I look over his shoulder and he's doing CPR they have the pad placement on, right...

NL Okay.

IN ...the AED and I could see the bullet wound already through the heart.

NL Okay. Um anything else that would indicate to you that um no life to this person?

IN Not from where I was standing. But...

NL Okay.

IN ...Aaron did a lot of the conversing and I could overhear that you know they had the AED on him that had been in non-advisable shock the whole time. Which is asystole which after a traumatic event it just means there's no electrical activity in the heart and resuscitative efforts aren't gonna change that.

NL Okay.

IN And the guy had said you know we've been doing CPR for fifteen minutes. So,

NL Okay.

IN Um I knew after at least that many cycles of CPR and its been in asystole the whole time that, that person was deceased.

NL Okay. Thank you for clarifying that.

IN Yeah my apologies.

NL No

IN Paramedic terminology.

NL Understood. Okay so when you said there was an agent.

IN Um-hm.

NL Once again um an agent performing CPR. Just clarifying. Law enforcement?

IN Uh I don't know just wearing Kevlar and was standing around with another, other people.

NL Okay.

IN I guess I was assuming agents but no one was identifying themselves.

NL Okay. About how many people or agents would you say were present when you went up um to the le, that level?

IN If I were to, kind of guess it would be around ten.

NL Okay.

IN About ten to twelve maybe.

NL Okay. And you could identify them how?

IN Just by vests.

NL Okay vests. Did they have like nameplates or um, um sometimes they'll say police or deputy or...

IN To be honest I don't remember.

NL Okay.

IN I don't think there was any identifiers.

NL Okay and I only want to know what you remember.

IN It just kinda looks like undercover, I guess.

NL Okay. Sounds good. All right after um you said that Aaron had called it?

IN Um-hm.

NL Okay. Anything else after that?

IN No Aaron said his pupils are fixed and dilated, been in asystole there's, the party is deceased. And then I said okay I'm gonna go downstairs then.

NL Okay.

IN And I said you can get demographics.

NL Okay. And then?

IN I left the scene.

NL Okay.

IN And then went down in the elevator I got maybe two stories down and I heard there was a second patient on the radio. So I took the elevator back up and met with Aaron and he's like no there's no second patient up here. And then I returned to the ambulance.

NL Okay. Did you know the subject? The deceased.

IN I didn't, no. No.

NL Okay did you know any of the officers involved?

IN No. I just asked a couple that were standing next to me where I had the stretcher and the airway bag I said hey do you, and no one would talk to me or tell me anything.

NL Okay and have you had contact with any of those officers since?

IN No. No.

NL Okay. Um, while you were there did you take any photos, recordings, video anything like that?

IN No.

NL No. Okay. Um do you have any additional questions?

JR Um (clears throat) yeah just in relation to you know how he looked and you know from your experience have you responded to many uh incidents where individuals have...

IN Yes.

JR ...passed away?

IN Yes. Very, a, a lot of these. Obviously not with all parties involved but a lot of um DOA or dead on arrival calls.

JR Okay.

IN The shootings.

JR Was this incident consistent with those past incidents?

IN Yes. Um from where we could see the bullet holes from my angle and um with his pupils being fixed and dilated and the agent had made a comment of every time I had pushed on his chest blood comes out his mouth, it was...

JR Okay. Is that consistent with...

IN He, yeah the um...

JR Okay um...

IN ...injury is not sustainable with life.

JR Okay. Is (clears throat) is that also consistent with um a body that uh CPR has been performed on, does that make sense?

IN No can you help me out.

JR Okay so um the fact that blood is coming out of his mouth is that, from your perspective in your experience is that consistent with um a body that someone had been working on?

IN Yes. Yes.

JR Okay.

IN Yes.

JR All right so there was no question in your mind whether this individual had been worked on by the officers?

IN Yeah no I, I believe he had.

JR Okay.

IN Believe he had.

JR Um, hmm I think that's about it.

NL Okay do you have anything else that you feel would be important for us for our investigation? That maybe I didn't ask you.

IN I don't believe so. I just don't know how airtight their timeline truly was.

JR Okay that's fine I still have one question I'm sorry. Um the second, what did you ever find a second patient?

IN Um they, when I had heard from the radio and our command staff had showed up on scene and kind of taken over as um incident command. It sounded like that patient had already been removed and was across the street in a second rig that was already on the way for her.

JR Okay. And did...

IN So there was another crew that took over her.

JR Okay and did you, did you provide that person any...

IN No I never made contact.

JR Was is your same crew you know people that, same unit...

IN Yes. Yes.

JR Paramedic have...

IN Yes.

JR Okay do you know who, who that was?

IN Yes I do.

JR Who was that?

IN Dylan Grant and Peter Money.

JR Dylan Grand and Peter?

IN Money.

JR Money. Okay.

IN They were the injured (inaudible) the 5th precinct afterwards.

JR Okay. Thank you.

NL Okay. Well if there's nothing further that'll be the end of this statement. Current time is 1205 hours.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/85

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Review of Body Worn Camera - Hennepin County Sheriff's Deputy [REDACTED]
Occurrence From: 07/25/2021 13:42
Occurrence To: 07/25/2021 14:15
Reporting LEO: Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/26/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) of Hennepin County Sheriff's Deputy [REDACTED]. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Narrative begins on the following page.

On 07/25/2021 at 1342 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) for Hennepin County Sheriff's Deputy [REDACTED]

The BWC is 33:54 is long. The video starts with Deputy [REDACTED] with another Deputy in squad. They respond to the report of shots fired in a parking ramp across from Stella's (Minneapolis, Lake Street and Hennepin Avenue).

At 4:59, Deputy [REDACTED] arrives and runs toward the ramp and up a stairwell. On the fifth level, the video shows officers performing CPR on a person. There is radio communication they are doing CPR. The BWC captures discussion the officers coordinating with medics and the use of an AED.

The BWC shows medics arriving. There is discussion about scene safety with other officers and discussion about BWC still in use.

At approximately 25:00, there is discussion about securing the scene and checking stairwells.

The remainder of the video shows Deputy [REDACTED] walking around the ramp until the BWC ends.

The BWC does not capture the incident; however, the video is graphic. There are no children present. The BWC captures officers performing CPR.

SA Michener finished reviewing this BWC at 1415 hours and did not obtain any property.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/86

Report Date: 07/22/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin EMT Aron Nelson
Occurrence From: 07/12/2021 00:00
Occurrence To: 07/12/2021 00:00
Reporting LEO: Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/22/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On July 12th 2021, Minnesota Bureau of Criminal Apprehension Senior Special Agent James [REDACTED] Reyerson and Nancy Lang conducted an interview of Hennepin County Paramedic Aron Nelson. The interview took place at the Hennepin County Emergency Medical Technician facility located in the bottom level of 701 Park Ave South, in Minneapolis, Minnesota. The interview focused on the critical incident that occurred on June 3rd 2021, in Minneapolis. No evidence items were acquired by virtue of this report.

Address #1 - Occurred #1 - 701 PARK AVE S

Primary Information

Address: 701 PARK AVE S HCMC, Minneapolis, Minnesota 55401 United States
Description: HCMC HOSPITAL

Subject #1 - EMERGENCY MEDICAL SERVICE #1 - Nash, Ian

Primary Information

Exempt From Disclosure: YES
Subject Name: Nash, Ian
Record Type: EMS
Rank/Position: Paramedic
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	701 PARK AVE, Minneapolis, Minnesota 55415 United States

Subject #2 - EMERGENCY MEDICAL SERVICE #2 - Nelson, Aron

Primary Information

Exempt From Disclosure: YES
Subject Name: Nelson, Aron
Record Type: EMS
Bio: White, Male

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/86

Report Date: 07/22/2021

Subject #2 - EMERGENCY MEDICAL SERVICE #2 - Nelson, Aron - Continued

Primary Information - Continued

Juvenile: **NO**

Property #1 - Audio File - Interview of Nelson

Primary Information

Property Class: **Evidence**
Property Type: **CD, DVD, DISC, TAPE**
Description: **Audio File - Interview of Nelson**
Property Status: **BCA / HQ**
Status Date: **07/14/2021**
Quantity: **1**
Submitted To: **Property & Evidence (2021-399/86.1)**
Collected By: **Reyerson, James**
Collected Date/Time: **07/12/2021 15:02**

Narrative begins on the following page.

On July 12th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agents (SSA) James [REDACTED] Reyerson and Nancy Lang conducted an interview of Hennepin County Paramedic Aron Nelson. The interview took place at the Hennepin County Emergency Medical Technician facility located in the bottom level of 701 Park Ave South, in Minneapolis, Minnesota. The interview focused on the critical incident that occurred on June 3, 2021, in Minneapolis.

Also present for the interview, operating in a representative capacity, was attorney Joseph Kelly.

During the interview, Nelson confirmed his employment as a paramedic with Hennepin county and noted his job responsibilities as well as geographic area of responsibility.

Nelson noted that he has been a paramedic for approximately eight months but confirmed that he has successfully completed his training phase and thus was not on probation.

Nelson confirmed that he and his partner, Ian Nash, responded to the critical incident on June 3rd 2021. Nelson explained to the agents that based on the initial nature of the call, they were directed to stage within close proximity to the incident awaiting a code four designation. Once they were notified of the code four (situation calm/safe), they entered the scene.

Nelson noted that upon arrival on scene, he went to the top floor of the parking garage where he encountered numerous members of law enforcement. Nelson stated that he observed member(s) of law enforcement providing the individual who was laying on the ground with medical aid and chest compressions. The law enforcement officers informed him that they had been providing medical aid to the individual for approximately fifteen minutes.

Nelson noted that he observed what appeared to be gunshot wounds on the male. Additionally, he noted the male on ground had dilated and fixed pupils. Nelson stated that the male on the ground appeared deceased. Furthermore, the male was connected to an AED machine that indicted no shockable rhythm and no pulse. Lastly, he noted that the male was in asystole. Nelson stated in his observations

of the chest compressions, liquid that appeared to be blood was secreting from the mouth of the male on the ground.

Based on the observable information and the AED information provided, Nelson informed law enforcement officer(s) to cease medical intervention. Nelson informed agents that his decision to cease medical intervention was based on established medical intervention algorithms and his training.

Nelson stated that shortly thereafter, he completed his paper and was then informed of a second patient related to the incident that was located across the street. His partner went to check on the second patient while he completed the necessary paperwork. **[Agent's Note:** Another set of Hennepin Paramedics responded and treated the second patient. Interview reports of the additional paramedic interview will be documented in a subsequent report.]

Nelson confirmed that he did not seize any evidence nor take any photographs while on scene.

The interview was terminated.

No evidence items were acquired by virtue of this report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	June 12, 2021	BCA CASE #:	2021-399
OFFENSE:	OIS- Minneapolis	EXHIBIT #:	
INTERVIEW OF:	Aron Nelson (AN) Attorney Joseph Kelly (JK)	INTERVIEWED BY:	SSA James Reyerson (JR) SSA Nancy Lang (NL)
REVIEWED BY:	James ■ Reyerson		

- JR Today is, alright the recorder is on, today is Monday, June 12, 2021. It's approximately 11:36 a.m. This is Senior Special Agent James Reyerson with the BCA. I'm here with my partner, Senior Special Agent Nancy Lang with the BCA as well. We are currently at the EMS headquarters or training facility in the bottom of uh 701 parking garage on Park Avenue um and 7th. We are here with sir, repeat your first name, last name stated now for the record.
- AN Aron Nelson (inaudible).
- JR And could you spell your last name for the, for the record?
- AN Yep, last name Nelson, N-E-L-S-O-N.
- JR Perfect and we are here in relation to BCA case 2021-339. Okay sir, how are you currently employed?
- AN So I'm currently a paramedic uh full time with Hennepin uh HCMC.
- JR Okay and how long have you been a full time paramedic?
- AN Eight months.
- JR Eight months?
- AN Eight months.
- JR Okay and have you had any previous uh jobs associated with uh healthcare?
- AN No, not working as a paramedic no.
- JR Okay so this is your first job in the healthcare field?
- AN Yes.
- JR Okay and are you currently on probation then?
- AN No, I'm off probation. Six months is your probationary period (inaudible) you graduate and um then you're technically off probation so as of right now I'm off probation, yes.
- JR Okay and what are some of your duties as your, as a paramedic?
- AN Uh taking care of the general public uh answering calls, whatever the need be in any capacity, whether it's a ya know anybody's medical emergency um whether they're severely ill and they have to be taken to the hospital or they're just really hurt and need to be taken to the hospital.
- JR Okay and um just generally what are the kind of calls that you, g- you go to in the last eight months?

AN Uff, um, anything from uh chest pain that can be heart attack, it could be respiratory related um car accidents um shootings, assaults, uh there's a whole host of...

JR Okay so, so shootings is, is something that you've gone to before, shooting incidents?

AN Yes.

JR Okay.

AN Yes.

JR Um, let me kinda take you back to your education that's required for your current position.

AN So everybody has to start out um going through EMT school which is just teaching you the basics, kind of like building blocks so that's about three months of training um and then from there to become a paramedic you have to go to school for approximately a year to a year and a half um doing more extensive training, doing more extensive clinicals um and ambulance ride time and all of that.

JR Okay um as far as uh like on the job training...

AN Um-hm.

JR ...could you describe that for me?

AN Yeah so on the, so are you talking about while still in school or once we start work?

JR Once you start working.

AN Ah so once you start working um in the first six months we start out in an academy so they um alternate between being in the classroom, teaching us operational stuff and then being on the street getting integrated into the paramedic role.

JR Um-hm.

AN And from there I wanna say it was approximately three to four weeks of alternating and then from there um then we're just specifically on the ambulance um riding with our field training officer as a partner so it's just the two of us.

JR Um-hm.

AN Um and then we also have a very large binder of things with uh protocols and skills and all that, that we go through whether that's on calls or just kinda talking it through with our field training officer to get signed off um just so we can prove that we are ya know competent in what we need to do for our job.

JR Okay um very good so um as far as your geographic re- like area of responsibility, what is that?

AN So it is um most of all of Minneapolis. I'm trying to remember uh we do part of North Minneapolis um it escapes me the exact street that our service area stops and North Memorial's begins. Um I wanna say it's somewhere around West Broadway...

JR Okay.

AN ...is kinda where we stop um down south through uh Richfield and then reaching out west with Minnetonka, Saint Louis Park um Eden Prairie and Glen Lake and Deephaven...

JR Okay.

AN ...out west.

JR Okay um so on June 3rd, 2021, this year uh were you working?

AN Yes.

JR Okay and you were working in your capacity as a paramedic?

AN Yes.

JR Okay there's a critical incident that occurred in the confines of Minneapolis, are you aware of that?

AN Yes.

JR Did you respond to that?

AN Yes.

JR Okay, could you describe to me your response kinda from start to finish?

AN Yeah so my partner and I um were at a station area uh fire station 22 uh which is on Market Plaza in between Excelsior and kinda the I believe it's Lagoon um so we're sitting at the station area. We had originally gotten dispatched to another call um when the call uh for the incident on West Lake Street dropped...

JR Um-hm.

AN ...and my partner and I were driving right by it so we let dispatch know that while we're on our way to another call uh we were right next to this one which seemed to be a little bit more critical.

JR Yeah.

AN Um so then they switched and put my partner and I on that call since we were right in the area.

JR Okay.

AN Uh from there we ya know with, with calls like this where there's a potential for our safety to be in jeopardy...

JR Um-hm.

AN ...we wait for a code four...

JR Okay.

AN ...so we, we'll stage in the area until we see in our notes or we're told from dispatch they are, we are receiving a code four which means that the scene is safe for us to enter.

JR Um-hm.

AN Um so once we received that we then got on scene.

JR Um-hm.

AN Um do you want me to just keep going and...

JR Keep going, yep, absolutely.

AN ...(inaudible) um so once we got on scene uh we weren't really told too terribly much what was going on but we were directed by an officer, I'm not sure what capacity they were serving um but they directed us to an elevator taking us up to the top floor parking garage...

JR Um-hm.

AN ...off of West Lake Street um we were told it was on the fifth floor at the very top uh when we got up there, there was uh I would say somewhere around the general area of 15 officers up there um I was met by one who walked with us as we walked up to the scene. Uh he was informing me that uh this gentleman they were performing CPR on for approximately 15 minutes prior to our arrival um he had gunshot wounds um I was not told how many um they did say that there was one to his left bicep that they applied a tourniquet for.

JR Um-hm.

AN Um there was another one over his uh left chest um they had AED pads and had been performing CPR um in align with the ACLS protocols uh to the capacity that they're able to um and they informed me that so you generally you check for, you do a pulse and rhythm check...

JR Um-hm.

AN ...so when you apply AED pads on somebody um basically the AED will tell you if the rhythm that the person's heart is in is shockable or not shockable.

JR Um-hm, um-hm.

AN Um and I was informed that every time that they stopped which I would assume is within a two minute, every two minute increment...

JR Um-hm.

AN ...um they said that they had a no shock advised um alert on the AED with no pulse every time they checked um so as I walked up uh my partner was getting things prepared um I was also informed that every time they performed chest compressions there was blood coming out of the patient's mouth.

JR Um-hm.

AN Um they had stopped for a pulse and rhythm check while I was present and at that point there was no pulse and there was no shock advised on the AED. I checked the patient's pupils uh they were fixed and dilated and at that point I informed the officers that they could stop resuscitation efforts um and that's pretty much it.

JR Okay.

AN And then at that point we were also informed that there is a second patient somewhere uh so my partner left the scene uh and made his way down to the street trying to figure out where the second person was um I stayed up there because on our end we have charting that we have to do...

JR Um-hm.

AN ...so at bare minimum if we can get like a name and a birth date ya know that's good um so I stayed there and got that information and I made my way down to the street level to meet up with my partner to check in.

JR Okay.

AN So...

JR Alright, do you mind if I ask some follow up questions?

AN Yeah, absolutely.

JR Okay you mentioned stage four and I think we all, we all at this table understand what stage four is a- uh or stage and then code four.

AN Yes.

JR Describe what, what stage is for the recorder and ya know what a code four would mean?

AN Yeah so when we, when we stage in an area um I mean we have the address of where we're going to so...

JR Um-hm.

AN ...usually we will ya know try to stay within a half mile to somewhere around a half mile, usually within a couple blocks.

JR Okay.

AN Um so we're far enough away that ya know our safety isn't in jeopardy on the scene um...

JR Um-hm.

AN ...but we're also close enough that once we do receive that code four telling us that the scene is safe...

JR Um-hm.

AN ...um then we can respond appropriately and our response time is fairly short.

JR Okay um is it common for you to stage?

AN Yes, when yeah, when there's any risk to our safety um just because...

JR Um-hm.

AN ...it's, if we're hurt then (laughs)...

JR Right.

AN ...then we can't perform our duties...

JR Yep.

AN ...ya know and that creates another ya know, second patient so...

JR Right um so correct me if I'm wrong, it's, it is not something that you solely do with the officer involved incidents, staging? That's something you do with other incidents as well, is that correct?

AN Yes.

JR Perfect okay um you said when you arr- when you got to the top of the parking garage there were 15 officers there?

AN Yeah approximately.

JR Approximately?

AN Yeah.

JR Uh do you know, did you know any of the officers or do you know any officers?

AN No.

JR Okay um you said that one of the officers stated that he'd been, that CPR had been performed for 15, approximately 15 minutes?

AN Yeah, approximately 15 minutes.

JR Is that consistent with uh kinda your past experience with officers performing CPR or is that, was that unique in this scenario?

AN So I have no experience being on calls like this, where off-...

JR Yeah.

AN ...performed CPR...

JR Okay.

AN ...um so that, that I can't speak to um...

JR Okay.

AN ...but I mean generally ya know if this kind of incident happens I...

JR Um-hm.

AN ...ya know I would assume that they would perform CPR until we arrived and we can take over and kinda help out with that situation.

JR Okay.

AN So...

JR Good um you mentioned some things like no shock advised, AED...

AN Um-hm.

JR Um what would that be consistent or what did that tell you?

AN So generally that tells us that the heart is not pumping at all and there's no electrical activity in there so generally when you send a shock into anybody during cardiac arrest, that is to stop the heart for a brief second so it can restart itself and try to get back into a normal sinus rhythm.

JR Okay.

AN Um and when there's no shock advised, that means that there is no mechanical or pumping of the heart...

JR Um-hm.

AN ...and there is no electrical activity in the heart.

JR Okay.

AN (Inaudible).

JR Um you also mentioned that there was blood coming from the mouth?

AN Yes.

JR Did you observe that, is that correct?

AN Yes.

JR Alright what, what is that generally mean?

AN So that generally means that there is quite a bit of trauma within the upper thorax in regards to the heart and lungs so I would assume that there is a puncture that was causing blood to get into ya know lungs coming up uh through the mouth in that capacity.

JR Okay um you also mentioned kinda the fixed and dilated pupil, pupils?

AN Um-hm.

JR When you see that, what does ya know based on your medical training what does that tell you?

AN That generally tells me that somebody's dead.

JR Okay and that's consistent with the medical training you received?

AN Yes.

JR Okay um it sounds like and correct me if I'm wrong, at some point you told the officers, you or your partner told the officers to, to stop medical intervention?

AN Yes.

JR And why was that?

AN So with that um in regards to the protocols that we follow um in regards to traumatic arrest um we look for a number of things um for him there was obvious facial trauma which was...

JR Um-hm.

AN ...ya know the one gunshot over the left chest which is in the general area of your heart.

JR Um-hm.

AN And then absence of vital signs which ya know there's no pulse um heart wasn't ya know either ya know working mechanically with the pumping and there was no electrical activity and pupils were fixed and dilated.

JR Okay um so that decision, correct me if I'm wrong, was that decision made based on your protocols established by your employer right?

AN Yes.

JR Okay um are you a doctor?

AN No.

JR Right and are there limitations to some of the care that you can provide based on your training experience and where, where you are right, you're not in a hospital is that correct?

AN Correct.

JR Alright so there are limitations there?

AN Yes.

JR Um let me see here, I think that might be it, do you have anything?

NL When you said that you had arrived and there was approximately 15 officers there...

AN Hm.

NL How did you know they were officers? Were they in uniform? Were they clearly marked or something else?

AN So they were clearly marked. So a lot of them were in plain clothes but they also had uh vests on um with a it looked like a name patch across for most of 'em um I distinctly remembered seeing sheriffs and arshals um across their vests and that was how I was aware that they were all officers in some capacity.

NL Okay, that was the only question I had.

JR Okay, was there anybody else on scene there that you saw that was not law enforcement?

NL No.

JR Okay um just for note of the record um in a representative capacity I failed to mention earlier uh Joseph Kelly is present uh Counselor do you have anything else to add?

JK I don't, thank you.

JR Okay um sir do you have anything else that you'd like to note on the record?

AN No.

JR Okay if there's nothing else from anybody I'll terminate the interview at approximately 11:51.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/86

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Audio File - Interview of Nelson

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/22/2021 *YX*
~~7/24/2021~~

Name

Alvarez, Britni (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

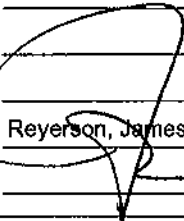
City/State

Telephone

Released By

Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/87

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Lieutenant Matthew Hollihan**
Occurrence From: **07/25/2021 14:17**
Occurrence To: **07/25/2021 14:25**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021 at 1417 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Lt. Matthew Hollihan. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Hollihan, Matthew

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Hollihan, Matthew**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Lieutenant**
Juvenile: **NO**
LEO ID: **474**

Narrative begins on the following page.

On 07/25/2021 at 1417 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Lt. Matthew Hollihan.

The BWC is 4:32 long. It shows Lt. Hollihan near the intersection of Lake and Hennepin, then walking towards the ramp. He checks in with the crime scene log (Minneapolis Police).

The BWC shows him walking to the fifth level-parking ramp. The victim, laying on the ground, is visible.

There is discussion about who is involved and separated from the scene. The BWC ends at this point.

The BWC does not capture the incident, but it is graphic. There are no children present and the BWC does not capture CPR being performed.

SA Michener finished watching the BWC at 1425 hours and did not obtain any property for the report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/88

Report Date: 07/12/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Deputy Daniel Koski**
Occurrence From: **07/25/2021 14:37**
Occurrence To: **07/25/2021 15:08**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the Body Worn Camera (BWC) footage of Hennepin County Sheriff's Deputy Daniel Koski. SA Michener did not obtain any property for the report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Koski, Daniel

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Koski, Daniel**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Deputy**
Juvenile: **NO**
LEO ID: **483**

Narrative begins on the following page.

On 07/25/2021 at 1437 hours, Special Agent (SA) Dan Michener reviewed the Body Worn Camera (BWC) footage of Hennepin County Sheriff's Deputy Lt. Daniel Koski.

The first video (labeled Lt. Koski) is 2:27 long. It shows a large crowd gathering near the crime scene. They are chanting/yelling, but it is not intelligible. The BWC shows Lt. Koski leaving the area.

The second BWC (also labeled Lt. Koski) is 27:04 long. Lt Koski narrates he is responding to a critical incident. It shows Lt Koski in his car and arrives at 26:02. He exits his squad and walks towards the scene. He narrates he is deactivating his BWC at this point.

The BWCs are not graphic. They do not capture the incident and there are no children present. SA Michener concluded his review at 1508 hours and did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/89

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Lieutenant Barb Lusignan**
Occurrence From: **07/25/2021 15:14**
Occurrence To: **07/25/2021 15:14**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) of Hennepin County Sheriff's Lt Barb Lusignan. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Lusignan, Barb

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Lusignan, Barb**
Record Type: **Law Enforcement Official**
Bio: **White, Female**
Rank/Position: **Sergeant, Crime Scene Investigator**
Juvenile: **NO**

Narrative begins on the following page.

On 07/25/2021 at 1514 hours, Special Agent (SA) Dan Michener reviewed the body worn camera footage for Hennepin County Sheriff's Lt Barb Lusignan.

The first BWC is 00:50 long. It shows Lt Lusignan talking with an unknown Sheriff's Deputy discussing administering CPR. The video ends at this point.

The second BWC is 2:31 long. It shows them walking to the crime scene. She checks in with a Minneapolis Police Officer maintaining the crime scene log. She then is on her cell phone talking to an unknown person. She discusses with a person there was an incident; but she does not know the specifics. She then narrates she is shutting down her BWC.

Both BWCs do not capture the incident. There is nothing graphic and no children are present.

SA Michener did not obtain any property for this report and ended his review at 1521 hours.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/90

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Captain Shane Magnuson**
Occurrence From: **07/25/2021 15:22**
Occurrence To: **07/25/2021 15:51**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021 at 1522 hours, Special Agent (SA) Dan Michener reviewed the BWC footage for Hennepin County Sheriff's Captain Shane Magnuson. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Magnuson, Shane

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Magnuson, Shane**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Captain**
Juvenile: **NO**
LEO ID: **459**

Narrative begins on the following page.

On 07/25/2021 at 1522 hours, Special Agent (SA) Dan Michener reviewed the BWC footage for Hennepin County Sheriff's Captain Shane Magnuson.

The first BWC is 15:13 long. The BWC starts with Captain Magnuson making a cell phone call to "Hollihan," and discusses the incident. There is another cell phone call where he instructs the person to send additional resources. The entire BWC shows him driving to the scene until the BWC ends.

The second BWC is 10:54 long. He starts driving and arrives at 5:47 in the BWC, where he walks towards the scene. They enter the crime scene and check in with a Minneapolis Officer maintaining the crime scene log. At 9:32, he is on the 5th level parking ramp.

The BWC captures discussion between officers about CPR and other Officers going to the Minneapolis 5th Precinct. The BWC is shut off at this point.

The second BWC (at the end) is graphic as it captures images of the deceased. There are no children present, it does not capture the actual incident and it does not show officers performing CPR.

SA Michener finished his review at 1551 hours. SA Michener did not obtain property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/91

Report Date: 07/26/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Hennepin County Sheriff's Sergeant Cody McLouden
Occurrence From:	07/26/2021 19:57
Occurrence To:	07/26/2021 20:08
Reporting LEO:	Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/26/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/26/2021 at 1957 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Sgt. Cody McLouden. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
<i>Primary Information</i>	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - McLouden, Cody	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	McLouden, Cody
Record Type:	Law Enforcement Official
Bio:	Male
Rank/Position:	Sergeant
Juvenile:	NO

Narrative begins on the following page.

On 07/26/2021 at 1957 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Sgt. Cody McLouden.

The BWC is 9:12 long. It starts with Sgt. McLouden in his squad car driving towards the scene. At 6:14, Sgt. McLouden arrives and is out of his squad car.

On scene (he does not go to the 5th level-parking ramp), he has an unrelated discussion with another Hennepin County Deputy. The BWC ends at this point.

The BWC does not capture the incident. There is nothing graphic and no children are present.

SA Michener finished reviewing the BWC at 2008 hours and did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/92

Report Date: 07/26/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Review of Body Worn Camera - Hennepin County Sheriff's Deputy [REDACTED]
Occurrence From: 07/26/2021 20:12
Occurrence To: 07/26/2021 20:46
Reporting LEO: Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/26/2021 at 2012 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Deputy [REDACTED]. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Narrative begins on the following page.

On 07/26/2021 at 2012 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Deputy [REDACTED]

The first BWC is 11:40 long and starts with Deputy [REDACTED] in his squad. At 4:40, he arrives and is out of his squad running towards the scene.

The BWC captures officers performing CPR and discussion about medics responding to the scene. Medics arrive and Deputy [REDACTED] assisted with the scene. The BWC ends at this point.

The second BWC is 19:47 long. This BWC shows Deputy [REDACTED] assisting with obtaining biographical information for the deceased to give to medics. The remainder of the BWC is of Deputy [REDACTED] walking around the scene. The BWC ends when he has conversation with an unknown person, addressed as, "LT," who tells him he can deactivate his BWC.

The first BWC is graphic, but does not capture the incident. The BWC shows officers performing CPR. There are no children present.

The second BWC is graphic. The BWC does not capture CPR performed. There are no children present.

SA Michener finished reviewing Deputy [REDACTED] BWC at 2046 hours and did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/93

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Deputy Steven Tomasko**
Occurrence From: **07/25/2021 16:38**
Occurrence To: **07/25/2021 16:59**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage of Hennepin County Sheriff's Deputy Steven Tomasko. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Tomasko, Steven

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Tomasko, Steven**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Deputy**
Juvenile: **NO**
LEO ID: **613**

Narrative begins on the following page.

On 07/25/2021 at 1638 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage of Hennepin County Sheriff's Deputy Steven Tomasko.

The BWC is 20:44 long and starts with Deputy Tomasko responding to the scene.

At 16:00, Deputy Tomasko is on scene. Out of his squad, he assists with directing other squads in and setting up the perimeter.

The BWC ends at this point.

The BWC does not capture the incident. There are no graphic images and no children are present.

SA Michener finished reviewing the BWC at 1659 hours and did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/94

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Hennepin County Sheriff's Lieutenant Nathan Wasgatt**
Occurrence From: **07/25/2021 16:10**
Occurrence To: **07/25/2021 16:36**
Reporting LEO: **Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 07/25/2021, Special Agent (SA) Dan Michener reviewed the body worn camera footage for Hennepin County Sheriff's Deputy Lt. Nathan Wasgatt. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Wasgatt, Nathan

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Wasgatt, Nathan**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Lieutenant**
Juvenile: **NO**
LEO ID: **396**

Narrative begins on the following page.

On 07/25/2021 at 1610 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Deputy Lt. Nathan Wasgatt.

The BWC is 24:46 long. At 17:26, Lt. Wasgatt is on scene. When he arrives, he speaks with a Minneapolis Police Officer about establishing a command post. He enters the crime scene and checks in with a Minneapolis Police Officer maintaining the crime scene log. Then he and others walk up to the 5th level.

On the 5th floor, there is general discussion about moving officers to the 5th Precinct and CPR being administered. The BWC ends at this point.

The BWC does capture (at the end) graphic images of the victim on the ground. The BWC does not capture the incident, the administration of CPR or children.

SA Michener did not obtain any property for this report and ended his review at 1636 hours.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/95

Report Date: 07/25/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Review of Body Worn Camera - Hennepin County Sheriff's Deputy [REDACTED]
Occurrence From: 07/25/2021 15:53
Occurrence To: 07/25/2021 16:09
Reporting LEO: Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/26/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/25/2021 at 1553 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Deputy [REDACTED] SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Rank/Position: [REDACTED]
Juvenile: NO

Narrative begins on the following page.

On 07/25/2021 at 1553 hours, Special Agent (SA) Dan Michener reviewed the body worn camera (BWC) footage for Hennepin County Sheriff's Deputy [REDACTED]

The BWC is 14:45 long. They arrive at 5:10 in the video and enter the scene, going to the 5th level parking.

On scene, the BWC captures officers performing CPR. At 10:57, the BWC is blocked but it appears Deputy [REDACTED] stepped in to perform CPR. There is discussion regarding standing clear as an AED is analyzing the victim. Deputy [REDACTED] then resumes administering CPR.

By 12:20 approximately, Deputy [REDACTED] has walked away from the victim.

The BWC ends at 14:45.

The BWC images are graphic, but it does not capture the incident. The BWC captures officers and Deputy [REDACTED] performing CPR. There are no children present.

SA Michener finished reviewing Deputy [REDACTED] BWC at 1609 hours and did not obtain any property for this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/96

Report Date: 07/27/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Park Police Officer Scott Rethwill**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, SA Holtberg reviewed the body worn camera (BWC) of Mpls Park Police Officer Rethwill. No BCA exhibits were acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Rethwill, Scott

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Rethwill, Scott**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Special Agent Graham Holtberg reviewed the body worn camera (BWC) video by Minneapolis Park Police Officer Scott Rethwill. The videos contains footage from an officer involved shooting incident in Minneapolis, MN on June 3rd 2021.

SA Holtberg reviewed the video identified Axon Body 3 X60334439. The total run time of the video is 00:10:53 and begins at 14:09:38 and finishes at 14:20:31. The following is a summary of the video.

The video begins while Officer Rethwill is driving his patrol car responding to the incident location in emergency traffic mode; audio begins at the 14:10:08. When the audio begins, Officer Rethwill places an audio header to identify his response to Hennepin County deputies being shot at. Audio of the dispatch radio traffic can be heard intermittently when responding. Officer Rethwill deactivates his emergency lights/siren when a supervisor advises responding units can slow their response. Shortly after, Officer Rethwill discontinues his response to the scene and ends his BWC video.

No further BCA exhibits were acquired as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/97

Report Date: 07/27/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Park Police Officer Joseph Stetson**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, SA Holtberg reviewed the body worn camera (BWC) of Mpls Park Police Officer Stetson. No BCA exhibits were acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Stetson, Joseph

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Stetson, Joseph**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Police Officer**
Juvenile: **NO**
LEO ID: **118316**

Narrative begins on the following page.

On July 27th 2021, Special Agent Graham Holtberg reviewed the body worn camera (BWC) video by Minneapolis Park Police Officer Joseph Stetson. The videos contains footage from an officer involved shooting incident in Minneapolis, MN on June 3rd 2021.

SA Holtberg reviewed the video identified Axon Body 3 X60338638. The total run time of the video is 00:07:01 and begins at 14:09:27 and finishes at 14:16:28. The following is a summary of the video.

The video begins while Officer Stetson is driving his patrol car responding to the incident location in emergency traffic mode; audio begins at the 14:09:57. Audio of the dispatch radio traffic can be heard intermittently when responding. Officer Stetson deactivates his emergency lights/siren when a supervisor advises responding units can slow their response. Shortly after, Officer Stetson discontinues his response to the scene and ends his BWC video.

No further BCA exhibits were acquired as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/98

Report Date: 07/27/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Minneapolis Police Officer Bowen Barnard
Occurrence From:	07/27/2021 18:00
Occurrence To:	07/27/2021 19:56
Reporting LEO:	Michener, Daniel (1377 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/27/2021 at 1800 hours, Special Agent (SA) Dan Michener reviewed the body worn camera footage for Minneapolis Police Officer Bowen Barnard. SA Michener did not obtain any property for this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
Primary Information	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Barnard, Bowen	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Barnard, Bowen
Record Type:	Law Enforcement Official
Juvenile:	NO

Narrative begins on the following page.

On 07/27/2021 at 1800 hours, Special Agent (SA) Dan Michener reviewed the body worn camera footage for Minneapolis Police Officer Bowen Barnard.

The first BWC is 36:05 long and starts with Officer Bowden in his squad car. When Officer Bowden arrives, there is already crime scene tape up and other officers are on perimeter.

During the BWC, he has a conversation with other Minneapolis Police Officers whether there was an injured Police Officer and if the Task Force was involved.

He then has conversations with unrelated people who are trying to exit the parking ramp. He takes down their information before they leave. At the end, there is talk about deactivating BWCs.

This BWC does not capture the incident. There are no graphic images and no children are present.

The second BWC is 1:17:08 long. It shows Officer Bowden responding in his squad car. At 5:19, he is out of the squad car and on scene.

The BWC captures Officer Bowden and his partner assisting with crime scene tape and signing the crime scene log. After this, Officer Bowden and his partner return to their squad car. At 41:08, Officer Bowden is out of the squad walking around.

Starting at approximately 56:00, the BWC captures Officer Bowden speaking with a person exiting the ramp and other pedestrians trying to access the parking ramp. At approximately 1:04:01, another Minneapolis Squad pulls up. Officer Bowden and his partner talk about who was involved in the incident (US Marshalls/DOC).

The BWC concludes when Officer Bowden and his partner leave the scene in their squad car.

This BWC does not capture the incident. There is nothing graphic and no children are present.

SA Michener finished reviewing Minneapolis Police Officer Bowden's BWC at 1956 hours.

SA Michener did not obtain any property for this report.

Minnesota BCA
Investigative Supplement 2021-399/99

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Inspector Katie Blackwell**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/26/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/29/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Inspector Katie Blackwell relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Blackwell, Katie

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Blackwell, Katie**
Record Type: **Law Enforcement Official**
Bio: **White, Female**
Rank/Position: **Commander**
Juvenile: **NO**
LEO ID: **664**

Narrative begins on the following page.

On July 26th SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Inspector Blackwell relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

SA Eilers noted that the assigned electronic file contained 5 PDF files and 5 video files. The PDF files were labeled as the following:

- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1411_X6039A8FH.MP4
- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1528_X6039A8FH.MP4
- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1557_X6039A8FH.MP4
- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1615_X6039A8FH.MP4
- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1647_X6039A8FH.MP4

The first video file was labeled:

Axon_Body_3_Video_2021-06-03_1411_X6039A8FH

The following information was displayed in the upper right hand corner of the screen:

2021-06-03 14:11:26 -0500
AXON BODY 3 X6039A8FH

At the start of the video Inspector Blackwell is noted to be driving the squad car, there is no audio for the first few moments of the video.

At the approximate video time stamp of 14:11:52 emergency driving is noted and the audio can be heard.

At the approximate video time stamp of 14:12:08 an unknown person announced Code 4 at the help call at 1405 W. Lake Street and that squads could slow down.

At the approximate video time stamp of 14:13:56, the video showed Inspector Blackwell arriving in the area of the parking ramp. After a few moments Inspector Blackwell exited her vehicle, walked under crime scene tape that was already in place and continued to the parking ramp which she entered and walked to the 4th floor where officers could be seen deploying additional crime scene tape. Inspector Blackwell continued up to the 5th floor. Upon arriving at the

5th floor an unknown Minneapolis uniformed officer urgently stated they needed medics. Inspector Blackwell confirmed with this officer that medics had been requested to respond. Numerous uniformed officers are seen on the 5th floor as well as plain clothes officer wearing placards on gear they were wearing that displayed various law enforcement agencies as well as the word police. Inspector Blackwell walked up to a uniformed Minneapolis Police Sergeant who was speaking with unidentified law enforcement officer from another agency. The Sergeant can be seen and heard advising that he and his officers are available to them in a support role, that Minneapolis Police officers have secured the parking ramp, and that if any escort officers were needed they had personnel to assist with

that. This Sergeant is heard and seen advising Inspector Blackwell that the incident involved U.S. Marshals and not Minneapolis Police Officers. There was then discussion about where the female subject was currently located. It was stated that she was sitting in a law enforcement vehicle on the 5th floor.

Inspector Blackwell can be seen and heard speaking with an unidentified subject wearing identifiers indicating that they were with the U.S. Marshal's Office. Inspector Blackwell asked this subject if his personnel were alright; to which he replied yes. This subject went on to advise her that two law enforcement officers had fired their weapons and the gun was still in the car.

At the approximate video time stamp of 14:18:47, it can be heard on the police radio that EMS was on their way up to the 5th floor.

At the approximate video time stamp of 14:19:11, the video showed multiple law enforcement officers providing medical attention to the subject on the ground and CPR can be seen being performed.

At the approximate video time stamp of 14:19:40, the video showed emergency medical personnel arriving at the 5th floor via the elevator.

During the entire video Inspector Blackwell can be heard receiving and making numerous phone calls with unknown person providing updates of the situation and Minneapolis Police Departments role.

At the approximate video time stamp of 14:21:50, Inspector Blackwell asked a uniformed law enforcement officer if the paramedics pronounced the subject as deceased, they replied yes. The uniformed Minneapolis Police Sergeant can be heard and seen requesting a scene log be started.

At the approximate video time stamp of 14:26:07, an unknown uniformed subject wearing placards indicating they were a member of the Hennepin County Sheriff's Office walked up to Inspector Blackwell, advised he had blood all over his arms and asked her for a blanket to cover up the male subject. Inspector Blackwell advised him that she has been instructed in the past not to cover the body until crime scene personnel arrive.

At the approximate video time stamp of 14:50:30, U.S. Marshal [REDACTED] identifying himself as [REDACTED] advised that he is unable to request the Bureau of Criminal Apprehension to respond to investigate the officer involved shooting and requested Inspector Blackwell make this request. He then provided her the name of BCA SAIC Mueller and his phone number as the person for her to contact.

At the approximate video time stamp of 14:53:26 Inspector Blackwell left the scene and walked back to her squad car and drove away from the scene.

At the approximate video time stamp of 14:55:28 the first video ended.

The second video was labeled:

Axon_Body_3_Video_2021-06-03_1528_X6039A8FH

The following information was displayed in the upper right hand corner of the screen:

2021-06-03 15:28:00 -0500
AXON BODY 3 X6039A8FH

At the start of the video Inspector Blackwell is noted to be sitting in her squad car for a few moments and then exited the vehicle. There is no audio for the first few moments of the video. Inspector Blackwell walked up the entrance of the parking ramp where she met with two uniformed Minneapolis Police Officers whom she checked in with. Inspector Blackwell continued to the elevator of the parking ramp which she took the 5th floor. Upon arrival she delivered a cell phone to a uniformed Minneapolis Police Sergeant. There was a discussion regarding the protestors on the street. Several uniformed and plain clothed law enforcement officials can be seen in the video having what appeared to be meeting.

At the approximate video time stamp of 15:31:50, the video showed a canopy deployed over a subject lying on the ground near vehicles.

At the approximate video time stamp of 15:35:24, the video showed Inspector Blackwell getting onto the elevator and leaving the 5th floor.

At the approximate video time stamp of 15:40:17, Inspector Blackwell received a phone call and a conversation regarding the protestors and crowd control can be heard.

At the approximate video time stamp of 16:09, the second video ended.

The third video was labeled:

Axon_Body_3_Video_2021-06-03_1557_X6039A8FH

The following information was displayed in the upper right hand corner of the screen:

2021-06-03 15:56:34 -0500
AXON BODY 3 X6039A8FH

At the start of the video, Inspector Blackwell can be seen standing at the ground level entrance to the parking ramp with an unidentified uniformed Minneapolis Police Sergeant. There is no audio for the first few moments of the video.

At the approximate video time stamp of 15:57:05, the audio is noted to be on and discussion regarding BWC batteries can be heard. The unidentified Sergeant can be heard telling other officers that they can turn their BWC off unless they are engaging with the public.

At the approximate video time stamp of 16:05:04, Inspector Blackwell walked away from the other officers and announced that she is taking a phone call.

At the approximate video time stamp of 16:05:20, the third video ended.

The fourth video was labeled:

Axon_Body_3_Video_2021-06-03_1615_X6039A8FH

The following information was displayed in the upper right hand corner of the screen:

2021-06-03 16:15:19 -0500
AXON BODY 3 X6039A8FH

At the start of the video Inspector Blackwell is noted to be walking up to the exterior perimeter of the scene where crime scene tape had been set up at ground level. There is no audio for the first few moments of the video.

At the approximate video time stamp of 16:15:49, the video showed Inspector Blackwell standing with other uniformed officers and the audio is noted to be on. General conversation takes place.

At the approximate video time stamp of 16:20:15, Inspector Blackwell announced that she is saving BWC battery and the fourth video ended.

The fifth video was labeled:

Axon_Body_3_Video_2021-06-03_1647_X6039A8FH

The following information was displayed in the upper right hand corner of the screen:

2021-06-03 16:46:55 -0500
AXON BODY 3 X6039A8FH

At the start of the video, it showed Inspector Blackwell walking at ground level outside the parking ramp entrance. There is no audio for the first few moments of the video.

At the approximate video time stamp of 16:47:26 the audio is noted to be activated, Inspector Blackwell is seen walking to the location of others officers maintaining security of the perimeter, general conversation takes place.

At the approximate video time stamp of 16:48:25, the video showed Inspector Blackwell walking out of the scene back to her squad which she gets into and drives away.

At the approximate video time stamp of 16:50:27, Inspector Blackwell announced that she is 2 blocks from the crime scene.

At the approximate video time stamp of 16:50:36, the fifth video ended.

Minnesota BCA
Investigative Supplement 2021-399/100

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Benjamin Campbell**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/26/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/26/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Benjamin Campbell relevant to the officer involved shooting that occurred on June 3, 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Campbell, Benjamin

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Campbell, Benjamin**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 26th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Campbell relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 2 PD files and 2 video files. The PDF files were labeled as follows:

- Audit_Log_For_Shoot-6.mp4
- Audit_Log_For_Shoot-13.mp4

The first video was labeled: Shoot 6. The following information was displayed in the upper right hand corner of the video:

2021-06-03 16:38:08 -0500
AXON BODY 3 X6039938T

At the start of the video Officer Campbell is noted to be standing at an exterior ground level perimeter location inside the crime scene tape with two other uniformed officers. There is no audio for the first few moments of the video.

At the approximate video time stamp of 16:38:39, the audio is noted to be activated. Officer Campbell and other uniformed officers can be seen walking out past the crime scene tape to a cooler located on the side walk. This item is checked and moved the bus stop shelter. Officer Campbell and the other officers then return to their assigned perimeter post.

At the approximate video time stamp of 16:40:46, Officer Campbell announced that he was turning his BWC off and the scene was code 4 and the video ended.

The second video was labeled: Shoot 13. The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:17:32 -0500
AXON BODY 3 X6039938T

At the start of the video Officer Campbell is noted to be driving a two officer police squad car. There is no audio for the first few moments of the video.

At the approximate video time stamp of 14:17:38, the audio is noted to be activated as the siren can be heard and emergency driving is noted.

At the approximate video time stamp of 14:19:22, Officer Campbell's squad car can be seen arriving near the scene at the parking ramp. Officer Campbell and his squad partner exit the vehicle and walk up to the ramp area where crime scene tape can be

seen already in place. Officer Campbell and his partner go up to the skyway access of the parking ramp where they check the doors and then deploy crime scene tape through the door handles to secure the area.

At the approximate video time stamp of 14:29:34, Officer Campbell and his partner return to the ground level and out of the ramp to an open lot area where other uniformed officers are also located.

At the approximate video time stamp of 14:52:12, Officer Campbell and his partner return to the parking ramp where they meet with an unidentified Minneapolis Police Sergeant. They have a discussion regarding perimeter security planning. Officer Campbell and his partner then return back out of the ramp to the open lot area.

At the approximate video time stamp of 15:08:11, the video showed a collapse canopy type tent being carried into the parking ramp.

At the approximate video time stamp of 15:16:53, a Minneapolis Police Sergeant advised Officer Campbell and others that they can turn their BWC to conserve battery.

At the approximate video time stamp of 15:17:12, Officer Campbell announced he was turning his BWC off and the video ended.

Minnesota BCA
Investigative Supplement 2021-399/101

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Jeffrey Carter**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/26/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/26/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Jeffrey Carter relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Carter, Jeffrey

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Carter, Jeffrey**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 26th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Carter relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 2 PDF files and 2 video files. The PDF files were labeled as follows:

- Audit_Log_For_Shoot_3.mp4
- Audit_Log_For_Shoot_9.mp4

The first video was labeled: Shoot-3. In the upper right hand corner of the video the following information was displayed:

2021-06-03 16:37:59 -0500
AXON BODY 3 X6039A7RN

At the start of the video, Officer Carter is noted to be standing on the ground level outside the parking ramp near a sidewalk where crime scene tape is noted to be in place. Two other uniformed officers are noted to be near Officer Carter. A citizen can be seen video recording and verbally engaging with Officer Carter. There is no audio for the first few moments of the video.

At the approximate video time stamp of 16:38:05, the audio is noted to be on. The citizen can be heard loudly stating that he is here for the protection of the people and went on to make offensive, abusive, and threatening statements to Officer Carter and the other officers nearby. The citizen insisted this wasn't a threat and then called the officers racists. The video showed that Officer Carter and the other officers had very minimal engagement with the subject, remaining polite and respectful.

At the approximate video time stamp of 16:38:49, the citizen can be seen walking away from the officers.

At the approximate video time stamp of 16:39:01, the first video ended.

The second video was labeled: Shoot – 9. In the upper right hand corner of the video the following information was displayed:

2021-06-03 14:54:04 -0500
AXON BODY 3 X6039A7RN

At the start of the video Officer Carter is noted to be driving his police squad car. There is no audio for the first few moments of the video.

At the approximate video time stamp of 14:54:26, Officer Carter's vehicle can be seen stopping near the parking ramp and Officer Carter exited his vehicle and walked up to the parking ramp. Numerous police squad cars are noted in the street.

At the approximate video time stamp of 14:55:43, Officer Carter walks past the crime scene tape to the location where several other uniformed officers are located on the outside the parking ramp. General conversation is noted.

At the approximate video time stamp of 15:01:56, a discussion can be heard regarding BWC battery. Officer Carter then announced that the scene is Code 4, that he is not in the scene and was turning his BWC off to conserve the battery. The second video ended.

Minnesota BCA
Investigative Supplement 2021-399/102

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Sergeant Souphaphone Daoheuang**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/27/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Sergeant Souphaphone Daoheuang relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - RELATED #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Daoheuang, Souphaphone

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Daoheuang, Souphaphone**
Record Type: **Law Enforcement Official**
Rank/Position: **Sergeant**
Juvenile: **NO**
LEO ID: **1424**

Narrative begins on the following page.

On July 27th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Sergeant (SGT) relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained one PDF file and one video file. The PDF file was labeled as follows:

Audit_Log_For_Axon_Body_3_Video_2021-06-03_1420_X6039A2EQ.mp4.

The video was labeled as follows: Axon_Body_3_Video_2021-06-03_1420_X6039A2EQ.

The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:19:44 -0500
AXON BODY 3 X6039A2EQ

At the start of the video, SGT Daoheuang is noted to be walking outside the parking ramp but inside the secure perimeter, there is no audio for the first few moments of the video.

At the approximate video time stamp of 14:20:15, the audio is noted to be activated. SGT Daoheuang can be seen walking with several other uniformed Minneapolis Police officers, a discussion and direction regarding perimeter security can be heard. SGT Daoheuang can be seen assisting with putting crime scene tape up to secure the perimeter.

At the approximate video time stamp of 14:28:11, SGT Daoheuang can be heard having a discussion with other Minneapolis Police officers regarding the crowd of people that had gathered and if they should move them across the street. It was decided not to move them. SGT Daoheuang remained outside the ramp inside the perimeter and provided direction to other officers to maintain the security of the perimeter around the parking ramp.

At the approximate video time stamp of 14:45:04, SGT Daoheuang announced that she had very little BWC batter left and was turning it off to preserve the remaining battery and the video ended.

Minnesota BCA
Investigative Supplement 2021-399/103

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Daniel Diedrich**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/27/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Daniel Diedrich relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Diedrich, Daniel

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Diedrich, Daniel**
Record Type: **Law Enforcement Official**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **Badge #1545**

Narrative begins on the following page.

On July 27th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Diedrich relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

In the assigned electronic file there were 2 PDF files and 2 video files. The PDF files were labeled as follows:

- Audit_Log_For_Shoot-8.mp4
- Audit_Log_For_Shoot-10.mp4

The first video was labeled: Shoot 8. The following information was displayed in the upper right hand corner of the video:

2021-06-03 15:55:11 -0500
AXON BODY 3 X6039A6DK

At the start of the video Officer Diedrich can be seen walking inside a hospital, there is no audio for the first few moments of the video.

At the approximate video time stamp of 15:55:30, Officer Diedrich walked into a hospital examination room where a female, wearing only a hospital gown, can be seen sitting. An unidentified uniformed Police Officer is sitting in the room with the female. The female's legs arms can be seen with blood and injuries visible.

At the approximate video time stamp of 15:55:41, the audio is noted to be activated. The female is heard stating that the location of her vehicle is on Aldrich Ave. The female is visibly upset, stated she was terrified, asked if the male subject was deceased and why he was wanted by the police. The female stated she met the male three weeks earlier, that she was on a date with the subject before the police made contact with them. The female stated she only knew his first name. The female demonstrated how she put her hands up and stated that she didn't understand why the male subject wouldn't put his hands up when police instructed him to do so. The other officer told the female that the BCA was conducting the investigation and would be contacting her. The female stated she had nothing to hide.

At the approximate video time stamp of 16:01:03, the female got into a wheelchair to be transported to X-ray. Officer Carter and the other officer accompanied the female down to the X-ray room.

At the approximate video time stamp of 16:02:53, Officer Carter and his partner arrive and remain outside the X-ray room. Officer Carter is then heard announcing that he was turning his BWC off and the first video ended.

The second video was labeled: Shoot 10. The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:11:09 -0500
AXON BODY 3 X6039A6DK

At the start of the video, Officer Diedrich is noted to be occupying the front passenger seat of the police squad car which is being driven by an unidentified officer. There is no audio for the first few moments of the video.

At the approximate video time stamp of 14:11:38, the audio is noted to be activated as the siren can be heard and emergency driving is noted. It is heard announced on the police radio by an unknown officer that the incident is an officer involved shooting.

At the approximate video time stamp of 14:13:48, Officer Diedrich's squad arrived outside the parking ramp. Crime scene tape is noted to be in place. Officer Diedrich immediately exited his vehicle, retrieved a roll of crime scene tape and responded to the 5th floor of the parking ramp. Upon arrival on the 5th floor Officer Diedrich and his partner began deploying additional crime scene tape.

At the approximate video time stamp of 14:19:44, Fire/Emergency Medical Services personnel can be seen arriving on the 5th floor by means of the stairway.

At the approximate video time stamp of 14:20:19, the video showed Officer Diedrich informed by his partner that they were assigned to escort the female subject to the hospital.

At the approximate video time stamp of 14:20:31, Officer Diedrich and his partner walked to a red colored SUV where they open the back seat door and assist a handcuffed female subject out of the vehicle. The female is visibly upset, repeatedly asking if she was shot. Injuries and blood can be seen on the female subject's legs and arms. Officer Diedrich quickly assessed that the female subject was able to walk down stairs and they subsequently escorted her downstairs so that she can be assessed by paramedics.

At the approximate video time stamp of 14:24:40, Officer Diedrich, his partner and the female subject arrived at a squad car outside the parking ramp and a paramedic arrived to provide first aide. Officer Diedrich removed the handcuffs from the female. The paramedic stated that the female's injuries all appear to be caused by broken glass.

At the approximate video time stamp of 14:27:34, the female subject spontaneously stated that she told the male subject to put his hands up.

At the approximate video time stamp of 14:28:39, Officer Diedrich walked over to other officers to determine the owner of the handcuffs and then returned back to his partner

and the female subject who was now sitting in an ambulance. The female subject told the medic her name was Norhan Askar. She stated she met the male subject through her best friend three weeks ago and that she only knew his first name. She stated that she and the male subject had eaten dinner at Stella's.

At the approximate video time stamp of 14:40:31, Officer Diedrich exited the ambulance and briefed a Minneapolis Police Lieutenant, advising that his partner would ride in the ambulance and he would follow in the squad. Officer Diedrich then walked to his squad where he remained for the duration of the video.

At the approximate video time stamp of 14:43:09, the video ended.

Minnesota BCA
Investigative Supplement 2021-399/104

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Amber Englund**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/27/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Amber Englund relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Englund, Amber

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Englund, Amber**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Englund relevant to the officer involved shooting that occurred on June 3rd 2021, on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 3 PDF files and 3 video files. The PDF files were labeled as follows:

- Audit_Log_For_Shooting_p5.mp4
- Audit_Log_For_Shooting_P5.2.mp4
- Audit_Log_For_Shooting_P5.3.mp4

The first video was labeled as follows: Shooting P5. The following information was displayed in the upper right hand corner of the video:

2021-06-03 16:37:17 -0500
AXON BODY 3 X6039A579

At the start of the video, Officer Englund is noted to be standing outside the parking ramp at a perimeter location with other officers behind crime scene tape near a sidewalk. A citizen can be seen walking up the officers.

At the approximate video time stamp of 16:37:46, the audio is noted to be activated as the citizen can be heard yelling at the officers and appears to be recording them with his phone. The male subject makes offenses remarks to the officers. The officers do not engage the subject and remain respectful. The citizen walked away from the officers after a few minutes.

At the approximate vide time stamp of 16:38:58, Officer Englund announces that she is turning her BWC off and the first video ended.

The second video was titled: Shooting P5-2. The following information was displayed in the upper right hand corner of the video:

2021-06-03 15:51:57 -0500
AXON BODY 3 X6039A579

At the start of the video, Officer Englund is noted to be driving the two person police squad car. There is no audio for the first few moments of the video.

At the approximate video time stamp of 15:52:25, the audio is noted to be activated. Officer Englund and her partner arrived at a perimeter location outside the parking ramp. Officer Englund exited her vehicle, was briefed by other officers already at the location of their assignment to obtain name and contact information of persons leaving in the ramp in their vehicles. Officer Englund makes contact with several people leaving the ramp.

At the approximate video time stamp of 16:26:44, Officer Englund exited the parking ramp and met with a Minneapolis Police Sergeant who arrived at the officer's location. The Sergeant advised the officers that they can turn the BWC off if they are not involved in the scene. Officer Englund then announced that per Sergeant Carter she was turning off her BWC and the second video ended.

The third video was titled: Shooting P5-3. The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:10:11 -0500
AXON BODY 3 X6039A579

At the start of the video, Officer Englund is noted to be driving the two-person police squad car, emergency driving is noted.

At the approximate video time stamp of 14:15:13, Officer Englund arrived at perimeter location of the parking ramp. Officer Englund exited her vehicle and walked past the crime scene tape that had already been set up and remained on outside the parking ramp.

At the approximate video time stamp of 14:16:02 the video showed an ambulance arriving at the parking ramp.

Officer Englund remained outside of the parking ramp providing security assistance at perimeter locations.

At the approximate video time stamp of 15:27:09, Officer England and her partner returned to their squad car and drive way from the scene for a break. Officer England's partner can be heard announcing that they are heading for a bathroom break and the BWC was being turned off.

The third video ended.

Minnesota BCA
Investigative Supplement 2021-399/105

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Mitchel Erickson**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Mitchel Erickson relevant to the officer involved shooting that occurred on June 3, 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Erickson, Mitchel

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Erickson, Mitchel**
Record Type: **Law Enforcement Official**
Rank/Position: **Officer**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Erickson relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 2 PDF files and 2 video files. The PDF files were labeled as follows:

- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1758_X6039A7NQ.mp4
- Audit_Log_For_Axon_Body_3_Video_2021-06-03_1810_X6039A7NQ.mp4

The first video was titled: Axon_Body_3_Video_2021-06-03_1758_X6039A7NQ. The following information was displayed in the upper right hand corner of the video:

2021-06-03 17:15:34 -0500
AXON BODY 3 X6039A7NQ

At the start of the video Officer Erickson is noted to be standing at a perimeter location with other officers outside the parking ramp behind crime scene tape and a crowd can be seen standing on the side walk and in the street. There is no audio for the first few moments of the video. Officer Erickson can be seen and heard providing assistance to several citizens who are inquiring about obtaining their vehicle from the parking ramp.

At the approximate video time stamp of 17:02:13, Officer Erickson announced he was turning his BWC off and the first video ended.

The second video was titled: Axon_Body_3_Video_2021-06-03_1810_X6039A7NQ. The following information was displayed in the upper right hand corner of the video:

2021-06-03 18:09:48 -0500
AXON BODY 3 X6039A7NQ

At the start of the video, Officer Erickson is noted to be standing at a perimeter location with other officers outside the parking ramp behind crime scene tape and a crowd can be seen standing on the side walk and in the street. There is no audio for the first few moments of the video. Officer Erickson can be seen and heard providing assistance to a citizen who are inquiring about obtaining their vehicle from the parking ramp.

At the approximate video time stamp of 18:13:06, the second video ended.

Minnesota BCA
Investigative Supplement 2021-399/106

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Michael Griffin**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/27/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Michael Griffin relevant to the officer involved shooting that occurred on June 3rd 2021, at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - GRIFFIN, Michael

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **GRIFFIN, Michael**
Record Type: **Law Enforcement Official**
Juvenile: **NO**
LEO ID: **2475**

Narrative begins on the following page.

On July 27th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Griffin relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 2 PDF files and 2 video files. The PDF files were labeled as follows:

- Audit_Log_For_Shoot-5.mp4
- Audit_Log_For_Shoot-15.mp4

The first video was labeled Shoot 5. The following information was displayed in the upper right hand corner of the video:

2021-06-03 17:19:23 -0500
AXON BODY 3 X603993Z8

At the start of the video, Officer Griffin is noted to be standing at a perimeter location with other officers behind the crime scene tape. A crowd of people can be seen standing on sidewalk and in the street. There is no audio for the first few moments of the video.

At the approximate video time stamp of 17:19:47, the audio is noted a person can be heard using a megaphone to make offensive statements to the officers. The officers do not engage the crowd.

At the approximate video time stamp of 17:21:45, Officer Griffin walked back to his squad car and the first video ended.

The second video was labeled Shoot 15. The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:09:18 -0500
AXON BODY 3 X603993Z8

At the start of the video, Officer Griffin is noted to be driving his vehicle out of parking garage. There is no audio for the first few seconds of the video.

At the approximate video time stamp of 14:09:48, the siren could be heard and emergency driving is noted.

At the approximate video time stamp of 14:11:53, Officer Griffin arrived at the parking ramp and exited his vehicle. A few minutes later Officer Griffin retrieved crime scene tape and began deploying it to secure the perimeter of the scene.

At the approximate video time stamp of 14:15:51, the video showed an ambulance arriving at the parking ramp.

At the approximate video time stamp of 14:18:46, the video showed Fire Department/EMS personnel arriving at the parking ramp. Officer Griffin accompanied the Fire/EMS personnel up to the 5th floor of the parking ramp.

At the approximate video time stamp of 14:20:40, Officer Griffin assisted other Minneapolis Police Officers with a female subject, who was handcuffed. She was visibly upset and had blood on her legs and arms. Officer Griffin accompanied the officers as they escorted the female subject down the steps out of the ramp where first aid was provided to her by paramedics.

At the approximate video time stamp of 14:30:48, Officer Griffin returned to assist other officers maintaining security outside the parking ramp where the crowd had gathered. Officer Griffin and other officers did not engage with the crowd who were yelling obscenities and abusive language.

At the approximate video time stamp of 15:53:13, a Minneapolis Police Sergeant advised Officer Griffin and other officers to move their positions back away from the crime scene tape and the crowd.

At the approximate video time stamp of 16:00:26, a Minneapolis Police Sergeant advised Officer Griffin that he could turn his BWC off to conserve batteries. Officer Griffin then announced he was doing that and the second video ended.

Minnesota BCA
Investigative Supplement 2021-399/107

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Efre Hamilton**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/28/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Efre Hamilton relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Hamilton, Efre

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Hamilton, Efre**
Record Type: **Law Enforcement Official**
Rank/Position: **Officer**
Juvenile: **NO**

Narrative begins on the following page.

On July 28th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Hamilton relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 1 PDF file and 1 video file. The PDF file was titled: Audit_Log_For_Response_Car.mp4. The video was titled: Response_Car.

The following information was displayed in the upper right hand corner of the video:

2021-06-03 14:29:20 -0500
AXON BODY 3 X6039A2MH

At the start of the video, Officer Hamilton is noted to be driving his 2-person police squad car. There is no audio for the first few moments of the video.

At the approximate video time stamp of 14:29:37, Officer Hamilton arrived near the parking ramp and exited his vehicle.

At the approximate video time stamp of 14:29:48, the audio is noted to be activated. Officer Hamilton walked past the crime scene tape already in place near the parking ramps. Officer Hamilton checked in with other officers already on scene, at which time he was advised that Minneapolis Police were not involved in the shooting and their only role is to provide support and assistance. Officer Hamilton was instructed to obtain name and contact information of any citizens exiting the area on foot or in a vehicle and to ask if they saw or heard anything.

At the approximate video time stamp of 14:32:49, Officer Hamilton escorted workers out of the area and then returned to his post in the perimeter.

At the approximate video time stamp of 15:02:04, Officer Hamilton can be heard announcing that he is turning his BWC off to conserve battery and the video ended.

Minnesota BCA
Investigative Supplement 2021-399/108

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Travis Hansen**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/28/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Travis Hansen relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - HANSEN, Travis

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **HANSEN, Travis**
Record Type: **Law Enforcement Official**
Juvenile: **NO**
LEO ID: **2763**

Narrative begins on the following page.

On July 28th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Hansen relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained 1 PDF file and 1 video file. The PDF file was labeled: Audit_Log_For_Shoot_OIS.mp4. The video was labeled: Shoot_OIS. The following information was displayed in the upper right hand corner of the video:

2021-06-03 18:49:29 -0500
AXON BODY 3 X6039A7MW

At the start of the video, Officer Hansen is noted to be sitting in the driver position of a 2-person police squad car, which is parked at a perimeter location. There is no audio for the first few moments of the video.

At the approximate video time stamp of 18:50:59, the audio is noted to be activated. Officer Hansen announced that he is on a shoot scene providing security. Officer Hansen then stated he was ending his camera and the video ended.

Minnesota BCA
Investigative Supplement 2021-399/109

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Aaron Hanson**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/28/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Aaron Hansen relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Hanson, Aaron

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Hanson, Aaron**
Record Type: **Law Enforcement Official**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **Badge 2702**

Narrative begins on the following page.

On July 28th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Hansen relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained one PFD file and one video file. The PDF file was labeled: Audit_Log_For_Shoot.-7.mp4. The video file was labeled: Shoot-7. The following information was displayed in the upper right hand corner of the video:

2021-06-03 18:19:07 -0500
AXON BODY 3 X6039A5UH

At the start of the video, Officer Hansen is noted to be standing outside of his police squad car at a perimeter location at the parking ramp. There is no audio for the first few moments of the video.

At the approximate video time stamp of 18:19:35, the audio is noted to be activated. Officer Hansen is noted to be escorting a citizen to their vehicle in the parking ramp so that they can leave. Officer Hansen also made contact with another citizen waiting in their vehicle in the ramp.

At the approximate video time stamp of 18:23:22 the video ended.

Minnesota BCA
Investigative Supplement 2021-399/110

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Todd Harder**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Eilers, Elizabeth (1383 / DHS Task Force / Minnesota BCA)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 7/28/2021, SA Eilers reviewed the body worn camera video of Minneapolis Police Officer Todd Harder relevant to the officer involved shooting that occurred on June 3rd 2021 at 1405 West Lake Street in Minneapolis. No new items of evidence were acquired as a result of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Harder, Todd

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Harder, Todd**
Record Type: **Law Enforcement Official**
Rank/Position: **Officer**
Juvenile: **NO**

Narrative begins on the following page.

On July 28th 2021, SA Eilers reviewed the body worn camera (BWC) video of Minneapolis Police Officer Harder relevant to the officer involved shooting that occurred on June 3rd 2021 on the 5th floor of the Calhoun Square parking ramp located at 1405 West Lake Street in Minneapolis Minnesota.

The assigned electronic file contained two PDF files and two video files. The PDF files were labeled as the following:

- Audit_Log_For_Shoot_-2.mp4.
- Audit_Log_For_Shoot-6.mp4

The first video was labeled: Shoot_-2. The following information was displayed in the upper right hand corner of the video:

2021-06-03 18:37:17 -0500
AXON BODY 3 X6039A68S

At the start of the video, Officer Harder is noted to be the driver of a two-person police squad car which is parked at a perimeter location. There is no audio for the first few moments of the video.

At the approximate video time stamp of 18:37:46, the audio is noted as Officer Harder can be heard announcing that he his sitting at a perimeter location at 31st and Girard providing security for an officer involved shooting and that he has had no contact with any other law enforcement or citizens. And then the first video ended.

The second video was labeled: Shoot_-6. The following information was displayed in the upper right hand corner of the video:

2021-06-03 21:09:09 -0500
AXON BODY 3 X6039A68S

At the start of the video, Officer Harder is noted to be standing at an exterior perimeter location. There is no audio for the first few moments of the video.

At the approximate video time stamp of 21:09:40, the audio is noted to be on as Officer Harder can be heard obtain the name of a citizen he escorted to his vehicle in the parking ramp.

At the approximate video time stamp of 21:11:28 the second video ended.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/111

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information
Description: Review of Body Worn Camera - Minneapolis Police Officer Matthew Heger
Occurrence From: 07/27/2021 00:00
Occurrence To: 07/27/2021 00:00
Reporting LEO: Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera of Minneapolis Police Officer Matthew Heger from an incident that occurred on 6/3/2021. No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE
Primary Information
Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Heger, Matthew
Primary Information
Exempt From Disclosure: YES
Subject Name: Heger, Matthew
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge 2877

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera video of Minneapolis Police Officer Matthew Heger. The video was related to an officer involved shooting which occurred on 6/3/2021.

The video was from Axon X6039A5YF and included two video clips. The first video was marked as occurring from 16:37 to 16:39 hours. In the video clip, the officer appeared to be standing inside a barricade when a black male approached him and was yelling at him about hate and blowing the officers brains out. The officers did not appear to engage the male.

The second video clip was marked as having occurred from 15:25 to 16:26 hours. In the video, the officer inside a squad and parked at a parking ramp. During the entirety of the video, the officer walked through and around the perimeter of the ramp.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/112

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Paul Huynh**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera of Minneapolis Police Officer Paul Huynh regarding an officer involved shooting which occurred on 6/3/2021. No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Huynh, Paul

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Huynh, Paul**
Record Type: **Law Enforcement Official**
Bio: **Asian, Male**
Rank/Position: **Officer/Pct 1 CRT**
Juvenile: **NO**
LEO ID: **3198**

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera of Minneapolis Police Officer Paul Huynh as related to an officer involved shooting which occurred on 6/3/2021.

The video was from Axon X6039A5XV and contained three video clips. The first clip was marked as occurring from 16:38 to 16:40 hours. In the video, the officer is directed to a bank parking lot where he checks a cooler left at the location. The cooler contained a lunch and the officer left it at the location.

The second video clip was labeled scene security 2 and began at 15:06 hours. In the video clip, the officer was observed in the parking ramp entrance area on the scene perimeter.

The third video clip was labeled scene security 3 and was marked from 14:17 to 14:59 hours. In the video, the officer is in a squad and arrives on scene to the area of the parking ramp. The officer assisted in taping off the area with crime scene tape and remained in the area on perimeter.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/113

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Logan Johansson**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Logan Johansson related to an officer involved shooting which occurred on 6/3/2021.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - JOHANSSON, Logan

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **JOHANSSON, Logan**
Record Type: **Law Enforcement Official**
Juvenile: **NO**
LEO ID: **3333**

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Logan Johansson related to the 6/3/2021 officer involved shooting.

The video footage contained three clips from Axon X6039A8D7. The first clip was labeled shoot 2 and was marked to have occurred from 21:19 to 21:20 hours. In the video, the officer was walking through the courtyard area next to the parking ramp and was being followed by a group of people chanting.

The second clip was labeled shoot 3 and was marked as having occurred from 17:45 to 14:46 hours. In the video, the officer is in the perimeter walking through the lot.

The third video was labeled shoot 4 and was marked as having occurred from 17:39 to 17:41 hours. The video was of the officer in a squad car arriving on the scene.

No further BCA exhibits were acquired as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/114

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Minneapolis Police Officer Mark Johnson
Occurrence From:	07/28/2021 00:00
Occurrence To:	07/28/2021 00:00
Reporting LEO:	Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis	
On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage from Minneapolis Police Officer Mark Johnson related to the 6/3/2021 officer involved shooting.	
No evidence was acquired by virtue of this report.	

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
<i>Primary Information</i>	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - JOHNSON, Mark	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	JOHNSON, Mark
Record Type:	Law Enforcement Official
Rank/Position:	Patrol Officer/Precinct 5
Juvenile:	NO
LEO ID:	3459

Narrative begins on the following page.

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera from Minneapolis Police Officer Mark Johnson related to the 6/3/2021 officer involved shooting. The footage was captured on Axon X6039ATPP and was marked as occurring from 14:09 to 14:44 hours.

The video shows Officer Johnson responding to the ramp. Officer Johnson arrived at the wrong location originally and then went to the incident location. When Officer Johnson arrived at the scene, he used his squad to block traffic at the south ramp entrance. Officer Johnson then put up crime scene tape around the ramp. At 14:14:53 hours, Officer Johnson arrived at the police department to get a tent requested for the crime scene. The final clip from 21:17 to 21:18 hours showed Officer Johnson leaving the location in the night.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/115

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Review of Body Worn Camera - Minneapolis Police Officer Jamie Karshbaum
Occurrence From: 07/27/2021 00:00
Occurrence To: 07/27/2021 00:00
Reporting LEO: Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 7/27/2021, Special Agent Jennifer Fetrow reviewed the body worn camera of Minneapolis Police Officer Jamie Karshbaum related to an officer involved shooting which occurred on 6/3/2021.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Karshbaum, Jamie

Primary Information

Exempt From Disclosure: YES
Subject Name: Karshbaum, Jamie
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Jamie Karshbaum. The video contained footage from the 6/3/2021 officer involved shooting from Axon X6039A5V3. The video was marked as having occurred from 14:11 to 14:24 hours. In the video, the officer is in a squad responding to the incident. The officer arrived at 14:15 and an ambulance is observed to be arriving at the same time. In the video, crime scene tape was being put up around the perimeter of the ramp.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/116

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Kevin Lazarchic**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Kevin Lazarchic related to the 6/3/2021 officer involved shooting.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Kevin, Lazarchic

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Kevin, Lazarchic**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage from Minneapolis Police Officer Kevin Lazarchic related to the 6/3/2021 officer involved shooting.

The video was marked to begin at 14:40 hours on Axon X603992NE. In the video, officer Lazarchic was at an intersection on perimeter blocking traffic.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/117

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Jesse Lopez**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Jesse Lopez related to the 6/3/2021 officer involved shooting.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Lopez, Jesse

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Lopez, Jesse**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **4237**

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Jesse Lopez related to the 6/3/2021 officer involved shooting.

The video was recorded on Axon X603992SG and was marked as beginning at 17:03 hours. In the video, Officer Lopez was on perimeter security and was sitting in the courtyard area near the parking ramp.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/118

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Rolf Markstrom**
Occurrence From: **07/27/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Rolf Markstrom related to the 6/3/2021 officer involved shooting.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Markstrom, Rolf

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Markstrom, Rolf**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage from Minneapolis Police Officer Rolf Markstrom related to the 6/3/2021 officer involved shooting. The video was captured on Axon X603994WS and began at 14:09 hours.

In the video, the officer was at 1405 West Lake St. parking ramp. Crime scene tape was being put up and the officer advised another officer to start a crime log. Over the radio, "CPR started" could be heard. In the back of a nearby parked squad, a female could be seen and heard yelling. At the 38 minute a Hennepin County deputy was observed saying that one of his guys shot and he was wondering where they were.

At the one hour mark, Officer Markstrom arrived on the 5th floor ramp and the camera footage shows the male victim down on the ground in front of an SUV. Several unmarked squads with emergency lights on were also observed behind the incident location. At the 1:02:00 mark, the deceased male was observed on the camera footage as a tent was set up and moved into place over the male's body. At the 1:12:00 mark, the deceased body can be seen again.

At the 1:19:00 mark, protesters could be heard as the officer continued to direct other officers on perimeter. At the 2:04:00 mark, the officer was back on the 5th floor of the ramp and the deceased body could be seen under the tent. The video ended at 16:26 hours.

The second video clip was marked as occurring from 20:45 to 21:25 hours. In the video footage the officer appeared to be on foot in the courtyard area next to the parking ramp. The officer appeared to be clearing out the area and protesters appeared to be coming into the area towards officers. The officer appeared to get into his squad and leave the scene after the other officers.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/119

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Minneapolis Police Officer Dean Milner
Occurrence From:	07/28/2021 00:00
Occurrence To:	07/28/2021 00:00
Reporting LEO:	Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis	
On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Dean Milner related to the 6/3/2021 officer involved shooting.	
No evidence was acquired by virtue of this report.	

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
Primary Information	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - WITNESS #1 - Askar, Norhan Ashraf	
Primary Information	
Subject Name:	Askar, Norhan Ashraf
Record Type:	Person
Bio:	27 yr. old, White, Female
Birth Date:	01/27/1994
Juvenile:	NO
Personal Information	
Height:	505
Weight:	170
Eye Color:	Brown
Addresses	
<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	6680 CENTRAL AVE NE, Fridley, Minnesota 55432 United States
Telephones / E-Addresses	
<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(763) 312-9898 (CELLULAR)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/119

Report Date: 07/28/2021

Subject #2 - LAW ENFORCEMENT OFFICER #1 - Milner, Dean

Primary Information

Exempt From Disclosure:	YES
Subject Name:	Milner, Dean
Record Type:	Law Enforcement Official
Bio:	White, Male
Rank/Position:	Officer
Juvenile:	NO
LEO ID:	04807

Narrative begins on the following page.

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Dean Milner related to the 6/3/2021 officer involved shooting. The video was captured on Axon X6039A7PR and began at 14:11 hours.

In the video footage, Officer Milner is observed driving the squad to the help call and upon arrival, went up the stairs of the ramp. Upon arrival at the top floor of the ramp, at least six unmarked squads were observed parked behind the located of the deceased suspect. Officer Milner assisted in taping off the top floor of the ramps with crime scene tape.

Officer Milner was then asked to secure the female witness who had been involved in the incident. In this portion of the video, the medical scene can be observed but the deceased's body was not observed. Officer Milner and other officers escort the female down the stairs of the ramp. The female asked for help with her bleeding arm at 14:20 hours.

The female was later observed telling Officer Milner that the male involved, "Winston" said that he was in trouble with the police but she didn't know what kind of trouble. The female identified herself as Norhan Askar, said that she had just started talking with Winston about three weeks ago and today was their second date. Askar told Officer Milner that the police told them to put their hands up and Winston refused. Askar said that the police shot through the window and pulled her out. She also said that the male was saying that he didn't want to go to jail.

The camera footage included Askar's ambulance ride to the hospital and her medical treatment. At 15:08 hours, Officer Milner and Askar arrived at the hospital and other patients were seen on the camera.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/120

Report Date: 07/27/2021

Warning
Contains entities exempt from disclosure

Primary Information
Description: Review of Body Worn Camera - Minneapolis Police Officer Marcus Ottney
Occurrence From: 07/27/2021 00:00
Occurrence To: 07/27/2021 00:00
Reporting LEO: HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 27th 2021, SA Holtberg reviewed the body worn camera (BWC) of Mpls Police Officer Ottney. No BCA exhibits were acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE
Primary Information
Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Ottney, Marcus
Primary Information
Exempt From Disclosure: YES
Subject Name: Ottney, Marcus
Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 5355

Narrative begins on the following page.

On July 27th 2021, Special Agent Graham Holtberg reviewed the body worn camera (BWC) video by Minneapolis Police Officer Marcus Ottney. The videos contains footage from an officer involved shooting incident in Minneapolis, MN on June 3rd 2021.

SA Holtberg reviewed the video identified Axon Body 3 X6039A7ZF. The total run time of the video is 01:03:12 and begins at 14:14:05 and finishes at 15:17:17. The following is a summary of the video.

The video begins while Officer Ottney is a passenger in his assigned patrol car responding to the incident location in emergency traffic mode intermittently with his patrol partner; audio begins at the 14:14:34. Officer Ottney and his partner arrive at the incident location at 14:19:22. Officer Ottney assists with scene security on street level and the upper parking ramp and skyway levels.

Audio of the dispatch radio traffic can be heard throughout the incident. Officer Ottney ends his BWC video following supervisor approval.

No further BCA exhibits were acquired as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/121

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Minneapolis Police Officer Tanya Paulson
Occurrence From:	07/28/2021 00:00
Occurrence To:	07/28/2021 00:00
Reporting LEO:	Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body work camera footage of Officer Tanya Paulson related to the 6/3/2021 officer involved shooting.
No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
<i>Primary Information</i>	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Paulson, Tanya	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	Paulson, Tanya
Record Type:	Law Enforcement Official
Juvenile:	NO
LEO ID:	5491

Narrative begins on the following page.

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Tanya Paulson related to the 6/3/2021 officer involved shooting. The footage was captured on Axon X6039A883.

In the video, officers were responding to and arriving on the scene. Upon arrival Officer Paulson was advised to leave her camera off unless she needed to engage someone. Officer Paulson then turned her camera off.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/122

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Sergeant George Peltz**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage from Minneapolis Police Officer George Peltz related to the 6/3/2021 officer involved shooting.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - PELTZ, George

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **PELTZ, George**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Sgt**
Juvenile: **NO**
LEO ID: **5546**

Narrative begins on the following page.

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer George Peltz related to the 6/3/2021 officer involved shooting. The video was captured on Axon X6039A89T and was marked as occurring from 14:36 to 15:02 hours.

In the video, Officer Peltz arrived on scene, a perimeter was set up and the officer continued to stand by.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/123

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Michael Pfaff**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **Fetrow, Jennifer (1355 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Michael Pfaff related to the 6/3/2021 officer involved shooting.

No evidence was acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Pfaff, Michael

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Pfaff, Michael**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Patrol Officer/Precinct 1**
Juvenile: **NO**
LEO ID: **5675**

Narrative begins on the following page.

On July 28th 2021, Special Agent Jennifer Fetrow reviewed the body worn camera footage of Minneapolis Police Officer Michael Pfaff related to the 6/3/2021 officer involved shooting. The video was captured on Axon X6039A2UM and was marked as occurring from 18:37 to 18:38 hours.

The video showed a short clip of the officer sitting in a squad before being shut off.

No evidence was acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/124

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Myron Phernetton**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Phernetton, Myron

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Phernetton, Myron**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Officer**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed two BWC videos from Minneapolis Police Officer Myron Phernetton. Officer Phernetton's first video starts at 21:00:24 hours on June 3rd 2021. Officer Phernetton was standing on a sidewalk, behind "Police" tape. Officer Phernetton audibly stated that he activated his camera to display the large crowd that had gathered and to further show the crowd's unruliness and verbal abusiveness. Officer Phernetton then stated he was deactivating to conserve battery life. Nothing else was shown on this video that SA Dieter believed to be pertinent. The video was 2 minutes and 21 seconds long.

The second video captured by Officer Phernetton was from this same date and was 4 minutes and 55 seconds long. The BWC video started at 21:16:25 hours. This BWC video showed the crowd growing larger and Officers along with Minneapolis marked patrol units leaving the scene. Officers were seen walking backwards from the crowd and reaching their parked units to the south of the parking ramp. Officers entered their vehicles and left the scene area. The video ended at 21:19:33 with no other pertinent information observed on the video.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/125

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Sergeant Christopher Pickhardt**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - RELATED #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Pickhardt, Christopher

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Pickhardt, Christopher**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 26th 2021 and July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to the report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed BWC from Minneapolis Police Officer Christopher Pickhardt. The recording is from the June 3rd 2021 incident and had a start time of 14:09:24. Officer Pickhardt was seen quickly leaving the Minneapolis Police 5th precinct. The camera was briefly shut off and turned back on at 14:11:48, showing Officer Pickhardt in his patrol vehicle. At 14:11:59 Officer Pickhardt arrived on scene.

At 14:13:31, Officer Pickhardt arrived to the fifth floor of the parking ramp and makes contact with involved task force agents. At 14:13:47, SA Dieter was able to observe on scene task force agents providing CPR to an individual. Officer Pickhardt spoke with a task force agent and was advised of an adult female that was in a vehicle with the adult male. This agent indicated the female had blood on her.

At 14:16:03, an agent approached Officer Pickhardt and indicated there were 2 suspects in the vehicle, 1 with warrants. The agent identified the unit as the Marshals Task Force. The agent stated "He went for a weapon" and "We returned fire". The agent identified himself as one of the "Shooters". The agent indicated he believed all fired shots stayed within the immediate vicinity. While viewing the video, SA Dieter observed what appeared to be blood on this agent's right hand.

At 14:19:48, SA Dieter observed medics arrive on the fifth floor of the parking ramp. At 14:21:00 it appeared that medics then left the scene, leaving the adult deceased male at the ramp.

At 15:12:48, Officer Pickhardt assisted with placing a collapsible tent over the decedent's body.

At 18:06:35, Officer Pickhardt escorted an employee with the Medical Examiner's Office to the fifth floor of the ramp.

Officer Pickhardt stays on scene, but no further pertinent information was observed by SA Dieter. The recording is ended at 18:28:20, with a total recorded time of 4 hours, 16 minutes and 50 seconds.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/126

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information
Description: Review of Body Worn Camera - Minneapolis Police Officer Jonathon Poduba
Occurrence From: 07/26/2021 00:00
Occurrence To: 07/27/2021 00:00
Reporting LEO: Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - RELATED #1 - 1430 MARYLAND AVE
Primary Information
Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Poduba, Jonathon
Primary Information
Exempt From Disclosure: YES
Subject Name: Poduba, Jonathon
Record Type: Law Enforcement Official
Juvenile: NO

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter viewed BWC video from Minneapolis Police Officer Jonathon Poduba. This video started at 14:17:47 hours on June 3rd 2021. Officer Poduba appeared to be the passenger in a patrol vehicle. At 14:20:05 it appeared that the officers arrived on scene. Officer Poduba briefly spoke with civilians at times, mostly regarding retrieving their vehicles. No pertinent information related to the incident was observed on camera. The camera was shut off at 15:17:14, with it being 59 minutes and 38 seconds long.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/127

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Patrick Reuben**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Reuben, Patrick

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Reuben, Patrick**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed BWC video from Minneapolis Police Officer Patrick Reuben, which started at 14:10:51 hours and is 2 hours, 30 minutes and 54 seconds long. Officer Reuben was initially seen driving to the scene. At 14:13:51, Officer Reuben arrived on scene and exited the patrol vehicle. Shortly thereafter he re-entered and moved the vehicle. He exited again with a crime scene personnel log sheet and began logging personnel at the scene.

At 14:27:12, SA Dieter observed Officer Reuben walk near an on scene ambulance. Officer Reuben's BWC captured medics and Minneapolis police officers assisting an adult female with injuries related to this incident. This adult female was present in a vehicle with the descendent during the officer involved shooting. At 14:29:05, the adult female was escorted away from the scene to an awaiting ambulance.

At 14:47:39, Ramsey County Sheriff's Office Undersheriff Mike Martin appeared on Officer Reuben's BWC. Martin indicated he received information that "One of my guys is a shooter," indicating one of his employees was involved in the incident.

Officer Reuben then spent the remainder of the BWC video logging individuals entering and exiting the scene.

The video is ended at 16:39:23.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/128

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Justin Saint Jean**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Saint Jean, Justin

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Saint Jean, Justin**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed BWC from Minneapolis Police Officer Justin Saint Jean from June 3rd 2021. Officer Saint Jean's BWC video was approximately 1 minute and 37 seconds long. SA Dieter observed the video to have a timestamp of 19:10:38 at the start of the video. Officer Saint Jean is observed to be a passenger in a patrol vehicle. SA Dieter heard Officer Saint Jean verbally indicate he was "Perimeter security." Officer Saint Jean ended the recording at 19:12:14.

No other pertinent details were viewed.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/129

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information
Description: Review of Body Worn Camera - Minneapolis Police Lieutenant Brian Sand
Occurrence From: 07/26/2021 00:00
Occurrence To: 07/27/2021 00:00
Reporting LEO: Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE
Primary Information
Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - SAND, Brian				
Primary Information				
Exempt From Disclosure: YES				
Subject Name: SAND, Brian				
Record Type: Law Enforcement Official				
Bio: White, Male				
Rank/Position: Lieutenant/Precinct 5				
Juvenile: NO				
LEO ID: 6272				
Addresses				
<table border="1"><thead><tr><th>Relationship</th><th>Address</th></tr></thead><tbody><tr><td>BUSINESS LOCATION</td><td>350 S 5TH ST Minneapolis Police Department, Minneapolis, Minnesota 55415 United States</td></tr></tbody></table>	Relationship	Address	BUSINESS LOCATION	350 S 5TH ST Minneapolis Police Department, Minneapolis, Minnesota 55415 United States
Relationship	Address			
BUSINESS LOCATION	350 S 5TH ST Minneapolis Police Department, Minneapolis, Minnesota 55415 United States			
Telephones / E-Addresses				
<table border="1"><thead><tr><th>Relationship</th><th>Number/E-Address</th></tr></thead><tbody><tr><td>BUSINESS</td><td>(651) 673-5703 (BUSINESS)</td></tr></tbody></table>	Relationship	Number/E-Address	BUSINESS	(651) 673-5703 (BUSINESS)
Relationship	Number/E-Address			
BUSINESS	(651) 673-5703 (BUSINESS)			

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers were responding to the report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed BWC from Minneapolis Police Officer Brian Sand. This recording started at 14:15:12 and showed Officer Sand driving to the scene in a patrol vehicle. Upon arriving on scene, Officer Sand spoke with civilians regarding the area being a crime scene.

At 14:24:21, Officer Sand walked to an area where medics were providing medical attention to an adult female. SA Dieter observed this female to be extremely upset and crying. The female indicated to medics and police officers that she believed she was shot. The female was checked by medics and escorted to a nearby ambulance. At 14:29:30 the female boarded the ambulance.

At 15:17:30, Officer Sand escorted an adult female civilian to her parked vehicle on the first level of the parking ramp. During this escort, the female and Officer Sand discussed various camera locations in the area. The female then left and Officer Sand exited the ramp. Officer Sand ended the recording at 16:17:26, with a total recording time of 2 hours, 4 minutes and 57 seconds. No other pertinent information was obtained during the review of this video.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/130

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body Worn Camera - Minneapolis Police Officer Jonathan Stalboerger**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/27/2021 00:00**
Reporting LEO: **Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - STALBOERGER, Jonathan

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **STALBOERGER, Jonathan**
Record Type: **Law Enforcement Official**
Bio: **Male**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **6758**

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed two BWC videos provided to the Bureau of Criminal Apprehension from Minneapolis Officer Jonathon Stalboerger. Both videos reviewed are from June 3rd 2021. The first video reviewed by SA Dieter started at 17:39:42. SA Dieter observed Officer Stalboerger seated as a passenger in the vehicle. Stalboerger exited and walked inside the perimeter. Officer Stalboerger then ended his recording at 17:41:30, with a total recording time of 1 minute, 48 seconds.

SA Dieter reviewed the second BWC video and observed the start time to be 17:45:20. Officer Stalboerger was walking in the area of the parking ramp. This video ends at 17:46:45, with a total recording time of 1 minute and 26 seconds.

Nothing pertinent was observed on either video.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/131

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Body Worn Camera - Minneapolis Police Officer Kyle Swanson
Occurrence From:	06/03/2021 15:46
Occurrence To:	06/03/2021 15:50
Reporting LEO:	Dieter, Michael (1398 / BRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 26th 2021 and July 27th 2021, SA Dieter conducted body worn camera video review in regards to this investigation. No evidence was obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
Primary Information	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Swanson, Kyle	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Swanson, Kyle
Record Type:	Law Enforcement Official
Bio:	Male
Rank/Position:	Patrol Officer/Precinct 3
Juvenile:	NO
LEO ID:	7022

Narrative begins on the following page.

On July 27th 2021, Bureau of Criminal Apprehension Special Agent Michael Dieter assisted in this investigation by reviewing Body Worn Camera (BWC) video footage from responding Minneapolis Police Officers. Officers responded to a report of an officer involved shooting at a parking ramp in Minneapolis, Minnesota. This incident occurred on June 3rd 2021.

SA Dieter reviewed BWC from Minneapolis Police Officer Kyle Swanson. Officer Swanson's video was from the June 3rd 2021 incident and starts at 15:46:35. Video showed Officer Swanson seated as a passenger in a patrol vehicle and meeting with a supervisor on scene. Officer Swanson ended the recording at 15:50:04, with a total recording time of 3 minutes and 48 seconds.

Nothing pertinent was observed on the recording.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/132

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Squad Video - Minneapolis Police Department, Various Officers Reviewed
Occurrence From:	07/28/2021 00:00
Occurrence To:	07/28/2021 00:00
Reporting LEO:	HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 28th 2021, SA Holtberg reviewed seven (7) squad car videos from numerous officers all identified in Minneapolis Police Department Chain of Custody Report as MPD 76823. No BCA exhibits were acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
Primary Information	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Barnard, Bowen	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Barnard, Bowen
Record Type:	Law Enforcement Official
Juvenile:	NO

Subject #2 - LAW ENFORCEMENT OFFICER #2 - Campbell, Benjamin	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Campbell, Benjamin
Record Type:	Law Enforcement Official
Juvenile:	NO

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Dellwo, Paul	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Dellwo, Paul
Record Type:	Law Enforcement Official

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/132

Report Date: 07/28/2021

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Dellwo, Paul - Continued

Primary Information - Continued

Bio: White, Male
Rank/Position: Patrol Officer
Juvenile: NO

Subject #4 - LAW ENFORCEMENT OFFICER #4 - Diedrich, Daniel

Primary Information

Exempt From Disclosure: YES
Subject Name: Diedrich, Daniel
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge #1545

Subject #5 - LAW ENFORCEMENT OFFICER #5 - Englund, Amber

Primary Information

Exempt From Disclosure: YES
Subject Name: Englund, Amber
Record Type: Law Enforcement Official
Juvenile: NO

Subject #6 - LAW ENFORCEMENT OFFICER #6 - GRIFFIN, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: GRIFFIN, Michael
Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 2475

Subject #7 - LAW ENFORCEMENT OFFICER #7 - Karshbaum, Jamie

Primary Information

Exempt From Disclosure: YES
Subject Name: Karshbaum, Jamie
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/132

Report Date: 07/28/2021

Subject #8 - LAW ENFORCEMENT OFFICER #8 - Milner, Dean

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Milner, Dean**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **04807**

Subject #9 - LAW ENFORCEMENT OFFICER #9 - Ottney, Marcus

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Ottney, Marcus**
Record Type: **Law Enforcement Official**
Juvenile: **NO**
LEO ID: **5355**

Subject #10 - LAW ENFORCEMENT OFFICER #10 - Reuben, Patrick

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Reuben, Patrick**
Record Type: **Law Enforcement Official**
Juvenile: **NO**

Narrative begins on the following page.

On July 28th 2021, Special Agent Graham Holtberg reviewed seven (7) patrol car videos by Minneapolis Police Department further identified by the Media Chain of Custody Report as MPD 76823. The videos contains footage from an officer involved shooting incident in Crystal, MN on July 16, 2020.

SA Holtberg reviewed the video identified as *System ID 1294137* and is a Mobile Vision platform. The total run time of the video is 00:43:07 and begins at 14:09:26 and finishes at 14:52:33. It is identified to be patrol car 510; Officer Michael Griffin. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins as Officer Griffin begins his response to the incident location; audio begins at 14:09:48. Officer Griffin arrives at the incident location at 14:11:57, exits his patrol car and is out of sight. The image of the video is of the sidewalk to the skyway entrance and sidewalk. Dispatch and officer radio traffic can be heard from this video. It should be noted, SA Holtberg also reviewed Camera 2, video of rear transport seat, which is an audio duplicate of Camera 1.

At 14:22:55 in Camera 1, a female in handcuffs is escorted by an officer from the skyway entrance to the patrol car and is seated in the rear seat area at 14:23:37. The female states, "I know you guys were just trying to do your job an stuff like that but I was put in the middle of it and I was trying to call the cops (indecipherable)" and remains in the rear seat awaiting a medical evaluation. The female also indicates her lack of knowledge to the male who was shot stating she was just on a date with him; she states this a number of times throughout the video. Shortly after, she is removed from the rear of the patrol car when officer observe blood on her and conduct a quick evaluation. Some of the conversation outside the vehicle with the female can be heard; however, some is indecipherable. The female can be heard stating she had her hands up and she kept telling the male to put his up as well. The female doesn't return to the patrol car and appears to have been brought somewhere else. Nothing else of note is observed.

SA Holtberg reviewed the video identified as *System ID 1294080* and is a Mobile Vision platform. The total run time of the video is 00:05:56 and begins at 14:09:48 and finishes at 14:15:14. It is identified to be patrol car 340; Officer Bowen Barnard and Officer Amber Englund. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins from a parked commercial location; audio begins at 14:10:10 while the patrol car is responding in emergency traffic mode. The siren and road noise make any ambient audio difficult to hear. Officers arrive at the incident location and exit their patrol car. At that time, the video ends. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

SA Holtberg reviewed the video identified as *System ID 1294186* and is a Mobile Vision platform. The total run time of the video is 00:50:54 and begins at 14:10:58 and finishes at 15:01:52. It is identified to be patrol car 512; Officer Patrick Reuben. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins while Officer Reuben is traveling in a parking lot; the audio begins at 14:11:20 at which time he begins to travel in emergency traffic mode. Officer and dispatch radio traffic can be heard but is at times indecipherable due to the siren and road noise. Officer Reuben arrives on scene at 14:13:49 and exits his patrol car. The video view is directed at a sidewalk and observes other emergency vehicles arriving on scene and pedestrians. Officer Reuben deactivates the patrol camera and the video ends; SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

SA Holtberg reviewed the video identified as *System ID 1294105* and is a Mobile Vision platform. The total run time of the video is 00:31:41 and begins at 14:11:10 and finishes at 14:42:51. It is identified to be patrol car 520; Officer Daniel Diedrich and Officer Dean Milner. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins with the patrol car leaving parking lot with other patrol cars; the audio begins at 14:11:31 when the officers respond to the incident location in emergency traffic mode. Officers arrive on scene at 14:13:50; the video is displaying the exterior of the parking ramp and entrance driveway. At 14:16:05 a Hennepin Healthcare ambulance arrives on scene and parks in front of the patrol car. A second pair of paramedics is observed arriving on scene at 14:18:34. An unknown female is being escorted past the ambulance three first responders then walk out of view at 14:28:56. Paramedics can be observed rolling a gurney to the ambulance at 14:32:08; the subject on the gurney cannot be seen and is blocked by pedestrians on scene observing. The ambulance doors are closed shortly after. The patrol car is repositioning to leave, at which time a second ambulance is observed parked on the street. The video ends shortly thereafter. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

SA Holtberg reviewed the video identified as *System ID 1295388* and is a Mobile Vision platform. The total run time of the video is 00:05:17 and begins at 14:14:14 and finishes at 14:19:32. It is identified to be patrol car 181; Officer Marcus Ottney and Officer Benjamin Campbell. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins while the officers are traveling to the incident location in emergency traffic mode; audio begins at 14:14:35. Officers arrive on scene at 14:19:19 and park off South Girard Avenue. The video ends at that time; SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

SA Holtberg reviewed the video identified as *System ID 1294257* and is a Mobile Vision platform. The total run time of the video is 00:08:11 and begins at 14:18:12 and finishes at 14:26:44. It is identified to be patrol car 320; Officer Paul Dellwo and Officer Jamie Karshbaum. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins while officers are on patrol; audio begins at 14:18:33 at which time they respond to the incident location in emergency traffic mode. Officers arrive on scene at 14:21:32; at 14:21:52 a Hennepin Healthcare ambulance is observed arriving at the location and parks out of view. The patrol car is repositioned soon after facing the lower level of the parking ramp where officer secure the area. Nothing of note was observed for the remainder of the video. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

SA Holtberg reviewed the video identified as *System ID 1294140* and is a Mobile Vision platform. The total run time of the video is 00:50:49 and begins at 15:01:51 and finishes at 15:52:44. It is identified to be patrol car 512; Officer Patrick Reuben. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The patrol car is parked already on scene facing a sidewalk; audio immediately starts and appears to be a continuation from a previous video of Officer Reuben's patrol car. Near the end of the video, the patrol car is repositioned and parked near the lower level of the parking ramp near other patrol cars. Nothing of note was observed for the remainder of the video. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note.

No BCA exhibits were acquired by SA Holtberg as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/133

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Review of Squad Video - Minneapolis Police Officer Patrick Reuben
Occurrence From:	07/28/2021 00:00
Occurrence To:	07/28/2021 00:00
Reporting LEO:	HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On July 28th 2021, SA Holtberg reviewed three (3) squad car videos from Officer Reuben of the Minneapolis Police Department regarding Chain of Custody Report as MPD 76945. No BCA exhibits were acquired by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE	
Primary Information	
Address:	1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description:	Bureau of Criminal Apprehension

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Reuben, Patrick	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Reuben, Patrick
Record Type:	Law Enforcement Official
Juvenile:	NO

Narrative begins on the following page.

Special Agent Graham Holtberg reviewed three (3) patrol car videos by Minneapolis Police Department further identified by the Media Chain of Custody Report as MPD 76945. The videos contains footage from an officer involved shooting incident in Crystal, MN on July 16th 2020.

SA Holtberg reviewed the video identified as *System ID 1294178* and is a Mobile Vision platform. The total run time of the video is 00:48:26 and begins at 15:52:43 and finishes at 16:43:36. It is identified to be patrol car 512; Officer Patrick Reuben. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins as the patrol car is in a parked position at the lower level of the parking ramp and appears to be a continuation from a previous video; the audio begins immediately. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note in either Camera 1 or Camera 2.

SA Holtberg reviewed the video identified as *System ID 1294171* and is a Mobile Vision platform. The total run time of the video is 00:50:14 and begins at 16:43:36 and finishes at 17:34:29. It is identified to be patrol car 512; Officer Patrick Reuben. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins as the patrol car is in a parked position at the lower level of the parking ramp and appears to be a continuation from the previous video (System ID 1294178); the audio begins immediately. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note in either Camera 1 or Camera 2.

SA Holtberg reviewed the video identified as *System ID 1294174* and is a Mobile Vision platform. The total run time of the video is 00:23:42 and begins at 17:34:29 and finishes at 17:59:04. It is identified to be patrol car 512; Officer Patrick Reuben. The following is a summary of the video identified as Camera 1, the forward facing dash camera.

The video begins as the patrol car is in a parked position at the lower level of the parking ramp and appears to be a continuation from the previous video (System ID 1294171); the audio begins immediately. SA Holtberg also viewed Camera 2, rear passenger seat, and observed nothing of note in either Camera 1 or Camera 2.

No BCA exhibits were acquired by SA Holtberg as a result of this report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/134

Report Date: 07/27/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview Declinations - Hennepin County Sheriff's Office
Occurrence From: 06/21/2021 16:45
Occurrence To: 07/22/2021 13:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

This report documents the declination of voluntary interviews from several members of the Hennepin County Sheriff's Office. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Augdahl, Kami

Primary Information

Exempt From Disclosure: YES
Subject Name: Augdahl, Kami
Record Type: Law Enforcement Official
Juvenile: NO

Subject #2 - LAW ENFORCEMENT OFFICER #2 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Thom, Tera

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/134

Report Date: 07/27/2021

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Thom, Tera - Continued

Primary Information - Continued

Subject Name: Thom, Tera
Record Type: Law Enforcement Official
Bio: Female
Rank/Position: Sergeant
Juvenile: NO
LEO ID: 553

Subject #4 - LAW ENFORCEMENT OFFICER #4 - Tomasko, Steven

Primary Information

Exempt From Disclosure: YES
Subject Name: Tomasko, Steven
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Deputy
Juvenile: NO
LEO ID: 613

Subject #5 - LAW ENFORCEMENT OFFICER #5 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Rank/Position: [REDACTED]
Juvenile: NO

Officers

LEO
Wasgatt, Nathan (396 / Lieutenant / Hennepin County Sheriff)

Narrative begins on the following page.

On 06/21/2021, Senior Special Agent (SSA) Brent Petersen made a formal request to the Hennepin County Sheriff's Office (HCSO) seeking voluntary interviews with all members of the sheriff's office who responded to the scene in Uptown on 06/03/2021. SSA made the request via email to Lieutenant Nathan Wasgatt, per HCSO instruction.

Between the dates of 06/29/2021 through 07/02/2021, SSA Petersen took voluntary interviews with 7 members of the sheriff's office, statements from whom are documented under separate investigative supplement in this case file.

On 07/23/2021, SSA Petersen interviewed 3 additional members of the sheriff's office, statements from whom are documented under separate investigative supplement in this case file.

As of 07/23/2021, SSA Petersen either received declinations via email or telephone, or no response at all to the request from the remaining 5 members of the sheriff's office. Those five are listed in this report.

SSA Petersen has attached two email declinations received. Deputy [REDACTED] declined to provide a statement via telephone on 07/01/2021 at approximately 1510 hours.

Copy of original interview request email is also attached to this supplement.

No exhibit(s) by virtue of this activity or report.

From: [Petersen, Brent](#) (DPS)
To: nathan.wasgatt@hennepin.us
Subject: HCSO Voluntary Interview Request
Date: Monday, June 21, 2021 4:44:00 PM
Attachments: [image001.png](#)
[HCSO Report - 21005944.pdf](#)
[20210603 HCSO CAD Event.pdf](#)
[image003.png](#)

Good Afternoon, Lieutenant Wasgatt.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all HCSO personnel that responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the deputies to be interviewed are considered witnesses after-the-fact to the incident and are not the subject of the criminal investigation.

If deputies decline to provide a statement to BCA agents, a written statement is then requested from every deputy who responded and that the written statements fully document their respective actions and observations within or at the scene of this critical incident. I have attached a copy of a police report and CAD report, respectively, that I received from the sheriff's office that lists the names of the responding HCSO staff.

If you could please help me facilitate the request for interview from the deputies listed in the attached document, I would greatly appreciate it. Please call me or reply to this email with any questions or concerns.

Thank you for your prompt attention to this request.

Regards,

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT

BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | brent.petersen@state.mn.us

From: [Kami Augdahl](#)
To: [Petersen, Brent](#) (DPS)
Subject: HCSO CN#21005944
Date: Wednesday, June 30, 2021 7:46:50 AM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello Agent Petersen,

I am a Crime Scene Investigator for the Hennepin County Sheriff's Office Crime Scene Unit. I was instructed to contact you regarding my involvement in incident HCSO CN#21005944 that occurred on 6/3/21. I put myself enroute to the call at approximately 1418 hours but did not actually go to the scene. I was re-routed prior to my arrival to get our Crime Scene tent to bring to the scene with my Sgt. However, we were cancelled while back enroute. I cleared at approximately 1509 hours.

Please let me know if I can be of any further assistance to you. My work cell phone number is 612-400-2306. Thank you for your time.

CSI Kami Augdahl

Sent from [Mail](#) for Windows 10

Disclaimer: If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly permanently delete this message from your computer system.

From: [Steven Tomasko](#)
To: [Petersen, Brent](#) (DPS)
Subject: Re: [External] RE:
Date: Tuesday, June 29, 2021 3:40:04 PM
Attachments: [image003.png](#)

Yes

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From: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Sent: Tuesday, June 29, 2021 3:39:05 PM
To: Steven Tomasko <Steven.Tomasko@hennepin.us>
Subject: [External] RE:

Thank you, sir. Just so it is clear to me, are you declining an interview?

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT



BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | brent.petersen@state.mn.us

From: Steven Tomasko <Steven.Tomasko@hennepin.us>
Sent: Tuesday, June 29, 2021 3:05 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Subject:

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Mr. Peterson,
I had no involvement with the OIS in Minneapolis on 20210603. Upon arrival I stood on perimeter and did not go to the actual incident scene.

Deputy Tomasko
Hennepin County Sheriffs Office

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the sender and know the content, do not click links or open attachments.***

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Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview Declinations - Minneapolis Police Department
Occurrence From:	06/21/2021 17:00
Occurrence To:	07/22/2021 13:30
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/25/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
This report documents the declination of a voluntary interview from several members of the Minneapolis Police Department. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
<i>Primary Information</i>	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Barnard, Bowen	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	Barnard, Bowen
Record Type:	Law Enforcement Official
Juvenile:	NO

Subject #2 - LAW ENFORCEMENT OFFICER #2 - Brown, Joseph	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	Brown, Joseph
Record Type:	Law Enforcement Official
Juvenile:	NO
LEO ID:	0830

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Campbell, Benjamin	
<i>Primary Information</i>	
Exempt From Disclosure:	YES
Subject Name:	Campbell, Benjamin

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #3 - LAW ENFORCEMENT OFFICER #3 - Campbell, Benjamin - Continued

Primary Information - Continued

Record Type: Law Enforcement Official
Juvenile: NO

Subject #4 - LAW ENFORCEMENT OFFICER #4 - Carter, Jeffrey

Primary Information

Exempt From Disclosure: YES
Subject Name: Carter, Jeffrey
Record Type: Law Enforcement Official
Juvenile: NO

Subject #5 - LAW ENFORCEMENT OFFICER #5 - Daoheuang, Souphaphone

Primary Information

Exempt From Disclosure: YES
Subject Name: Daoheuang, Souphaphone
Record Type: Law Enforcement Official
Rank/Position: Sergeant
Juvenile: NO
LEO ID: 1424

Subject #6 - LAW ENFORCEMENT OFFICER #6 - Dellwo, Paul

Primary Information

Exempt From Disclosure: YES
Subject Name: Dellwo, Paul
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Patrol Officer
Juvenile: NO

Subject #7 - LAW ENFORCEMENT OFFICER #7 - Diedrich, Daniel

Primary Information

Exempt From Disclosure: YES
Subject Name: Diedrich, Daniel
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge #1545

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #8 - LAW ENFORCEMENT OFFICER #8 - Englund, Amber

Primary Information

Exempt From Disclosure: YES
Subject Name: Englund, Amber
Record Type: Law Enforcement Official
Juvenile: NO

Subject #9 - LAW ENFORCEMENT OFFICER #9 - Erickson, Mitchel

Primary Information

Exempt From Disclosure: YES
Subject Name: Erickson, Mitchel
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Subject #10 - LAW ENFORCEMENT OFFICER #10 - GRIFFIN, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: GRIFFIN, Michael
Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 2475

Subject #11 - LAW ENFORCEMENT OFFICER #11 - Hamilton, Efrem

Primary Information

Exempt From Disclosure: YES
Subject Name: Hamilton, Efrem
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Subject #12 - LAW ENFORCEMENT OFFICER #12 - HANSEN, Travis

Primary Information

Exempt From Disclosure: YES
Subject Name: HANSEN, Travis
Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 2763

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #13 - LAW ENFORCEMENT OFFICER #13 - Hanson, Aaron

Primary Information

Exempt From Disclosure: YES
Subject Name: Hanson, Aaron
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge 2702

Subject #14 - LAW ENFORCEMENT OFFICER #14 - Harder, Todd

Primary Information

Exempt From Disclosure: YES
Subject Name: Harder, Todd
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Subject #15 - LAW ENFORCEMENT OFFICER #15 - Heger, Matthew

Primary Information

Exempt From Disclosure: YES
Subject Name: Heger, Matthew
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge 2877

Subject #16 - LAW ENFORCEMENT OFFICER #16 - Huynh, Paul

Primary Information

Exempt From Disclosure: YES
Subject Name: Huynh, Paul
Record Type: Law Enforcement Official
Bio: Asian, Male
Rank/Position: Officer/Pct 1 CRT
Juvenile: NO
LEO ID: 3198

Subject #17 - LAW ENFORCEMENT OFFICER #17 - JOHANSSON, Logan

Primary Information

Exempt From Disclosure: YES
Subject Name: JOHANSSON, Logan

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #17 - LAW ENFORCEMENT OFFICER #17 - JOHANSSON, Logan - Continued

Primary Information - Continued

Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 3333

Subject #18 - LAW ENFORCEMENT OFFICER #18 - JOHNSON, Mark

Primary Information

Exempt From Disclosure: YES
Subject Name: JOHNSON, Mark
Record Type: Law Enforcement Official
Rank/Position: Patrol Officer/Precinct 5
Juvenile: NO
LEO ID: 3459

Subject #19 - LAW ENFORCEMENT OFFICER #19 - Karshbaum, Jamie

Primary Information

Exempt From Disclosure: YES
Subject Name: Karshbaum, Jamie
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO

Subject #20 - LAW ENFORCEMENT OFFICER #20 - Kevin, Lazarchic

Primary Information

Exempt From Disclosure: YES
Subject Name: Kevin, Lazarchic
Record Type: Law Enforcement Official
Juvenile: NO

Subject #21 - LAW ENFORCEMENT OFFICER #21 - Klund, Darcy

Primary Information

Exempt From Disclosure: YES
Subject Name: Klund, Darcy
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Sergeant/Pct 1 CRT
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #22 - LAW ENFORCEMENT OFFICER #22 - Lopez, Jesse

Primary Information

Exempt From Disclosure: YES
Subject Name: Lopez, Jesse
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Officer
Juvenile: NO
LEO ID: 4237

Subject #23 - LAW ENFORCEMENT OFFICER #23 - Markstrom, Rolf

Primary Information

Exempt From Disclosure: YES
Subject Name: Markstrom, Rolf
Record Type: Law Enforcement Official
Juvenile: NO

Subject #24 - LAW ENFORCEMENT OFFICER #24 - Moua, Tou

Primary Information

Exempt From Disclosure: YES
Subject Name: Moua, Tou
Record Type: Law Enforcement Official
Rank/Position: Officer
Juvenile: NO
LEO ID: Badge 4887

Subject #25 - LAW ENFORCEMENT OFFICER #25 - Ottney, Marcus

Primary Information

Exempt From Disclosure: YES
Subject Name: Ottney, Marcus
Record Type: Law Enforcement Official
Juvenile: NO
LEO ID: 5355

Subject #26 - LAW ENFORCEMENT OFFICER #26 - Paulson, Tanya

Primary Information

Exempt From Disclosure: YES
Subject Name: Paulson, Tanya
Record Type: Law Enforcement Official
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #26 - LAW ENFORCEMENT OFFICER #26 - Paulson, Tanya - Continued

Primary Information - Continued

LEO ID: 5491

Subject #27 - LAW ENFORCEMENT OFFICER #27 - PELTZ, George

Primary Information

Exempt From Disclosure: YES
Subject Name: PELTZ, George
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Sgt
Juvenile: NO
LEO ID: 5546

Subject #28 - LAW ENFORCEMENT OFFICER #28 - Pfaff, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: Pfaff, Michael
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Patrol Officer/Precinct 1
Juvenile: NO
LEO ID: 5675

Subject #29 - LAW ENFORCEMENT OFFICER #29 - Phernetton, Myron

Primary Information

Exempt From Disclosure: YES
Subject Name: Phernetton, Myron
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Officer
Juvenile: NO

Subject #30 - LAW ENFORCEMENT OFFICER #30 - Poduba, Jonathon

Primary Information

Exempt From Disclosure: YES
Subject Name: Poduba, Jonathon
Record Type: Law Enforcement Official
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/135

Report Date: 07/23/2021

Subject #31 - LAW ENFORCEMENT OFFICER #31 - Reuben, Patrick

Primary Information

Exempt From Disclosure: YES
Subject Name: Reuben, Patrick
Record Type: Law Enforcement Official
Juvenile: NO

Subject #32 - LAW ENFORCEMENT OFFICER #32 - Saint Jean, Justin

Primary Information

Exempt From Disclosure: YES
Subject Name: Saint Jean, Justin
Record Type: Law Enforcement Official
Juvenile: NO

Subject #33 - LAW ENFORCEMENT OFFICER #33 - Swanson, Kyle

Primary Information

Exempt From Disclosure: YES
Subject Name: Swanson, Kyle
Record Type: Law Enforcement Official
Bio: Male
Rank/Position: Patrol Officer/Precinct 3
Juvenile: NO
LEO ID: 7022

Officers

LEO
Garman, David (2216 / Lieutenant/Union VP / Minneapolis Police Department)
Schmidt, Sherral (Sgt. / Minneapolis Police Dept)
Hedberg, Anna (2927 / Sergeant/Patrol / Minneapolis Police Department)

Narrative begins on the following page.

On 06/21/2021, Senior Special Agent (SSA) Brent Petersen made a formal request to the Minneapolis Police Federation for voluntary interviews from Minneapolis police officers who responded to the critical incident in Uptown on 06/03/2021. SSA Petersen sent the request to Federation President, Sergeant Sherral Schmidt, Federation Vice-President, Lieutenant David Garman and Director, Sergeant Anna Hedberg. Lieutenant (Lt.) Garman became the point-of-contact for the Federation and agreed to contact all of the officers.

Between the dates of 06/21/2021 through 07/23/2021, SSA Petersen interviewed 6 Minneapolis officers regarding this incident. Those interviews are documented under separate investigative supplement in this case file.

The remaining officers, all of whom are listed in this report, either declined to provide a statement or did not respond to either SSA Petersen or Lt. Garman.

The officers listed in this report who did not provide a statement did provide either a written report and/or an associated body-worn camera video(s). Refer to that data for details on the officers' involvement in this incident.

No exhibit(s) by virtue of this activity or report.

Copy of email interview request to the Federation is attached to this supplement.

Copy of email declinations from several officers also attached to this supplement.

From: [Barnard, Bowen](#)
To: [Garman, David A.](#); [Petersen, Brent](#) (DPS)
Cc: [Dave Garman \(Federation\)](#)
Subject: Re: CCN 21-119996 OIS Girard/Lake
Date: Thursday, June 24, 2021 8:11:52 AM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Sir,

I am declining the interview. My report and BWC will stand as my record.

Respectfully,

Officer Barnard, #0279
3rd Pct Daywatch

Get [Outlook for iOS](#)

From: Garman, David <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:11:03 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Cc: Dave Garman (Federation) <dgarman@mpdfederation.com>
Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective

written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

Lt Dave Garman
612-673-5590

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From: [Diedrich, Daniel](#)
To: [Garman, David](#) [REDACTED]
Cc: [Petersen, Brent](#) [REDACTED] (DPS)
Subject: RE: CCN 21-119996 OIS Girard/Lake
Date: Wednesday, July 14, 2021 8:59:42 AM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

I would like my BWC to be my record. Thanks

From: Garman, David [REDACTED] <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:11 PM
To: Petersen, Brent [REDACTED] (DPS) <brent.w.petersen@state.mn.us>
Cc: Dave Garman (Federation) <dgarman@mpdfederation.com>
Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

Lt Dave Garman
612-673-5590

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From: [Dave Garman](#)
To: [Petersen, Brent](#) (DPS)
Subject: Fwd: [EXTERNAL] Fwd: CCN 21-119996 OIS Girard/Lake
Date: Monday, June 21, 2021 9:25:51 PM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Decline.
Get [Outlook for iOS](#)

From: Dave Garman <dgarman@mpdfederation.com>
Sent: Monday, June 21, 2021 21:25
To: Paulson, Tanya M
Subject: Re: [EXTERNAL] Fwd: CCN 21-119996 OIS Girard/Lake

Received I'll pass it on thanks!

Get [Outlook for iOS](#)

From: Paulson, Tanya <tanya.paulson@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:24:46 PM
To: Dave Garman <dgarman@mpdfederation.com>
Subject: Re: [EXTERNAL] Fwd: CCN 21-119996 OIS Girard/Lake

I'd like to decline. All I did was stand on perimeter after the fact.

Officer Tanya Paulson
2nd Precinct
Dog Watch
Cell: 612-380-4241
1911 Central Avenue NE
Minneapolis, MN 55418

From: Dave Garman <dgarman@mpdfederation.com>
Sent: Monday, June 21, 2021 9:21:33 PM
To: Paulson, Tanya <tanya.paulson@minneapolismn.gov>
Subject: [EXTERNAL] Fwd: CCN 21-119996 OIS Girard/Lake

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From: Garman, David <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 21:11
To: Petersen, Brent (DPS)

Cc: Dave Garman

Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

Lt Dave Garman
612-673-5590

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distribution, or use of the contents of this information is prohibited and punishable by law. If you have received this electronic transmission in error, please immediately notify the sender by return email and then promptly delete this message from your computer system.

[EXTERNAL] This email originated from outside of the City of Minneapolis. Please exercise caution when opening links or attachments.

From: [Moua, Tou](#)
To: [Garman, David A.](#); [Petersen, Brent](#) (DPS)
Cc: [Dave Garman \(Federation\)](#)
Subject: Re: CCN 21-119996 OIS Girard/Lake
Date: Monday, June 21, 2021 10:53:41 PM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good evening,

I would like to decline the interview. I would like my supplement and BWC to stand as my record.
Thank you.

Officer Moua #4887
5th Precinct Middlewatch

Get [Outlook for iOS](#)

From: Garman, David <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:11:03 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Cc: Dave Garman (Federation) <dgarman@mpdfederation.com>
Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are

not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

Lt Dave Garman
612-673-5590

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From: [Daoheuang, Souphaphone](#)
To: [Petersen, Brent](#) (DPS)
Cc: [Dave Garman \(Federation\)](#)
Subject: RE: CCN 21-119996 OIS Girard/Lake
Date: Tuesday, June 22, 2021 10:28:31 AM

This message may be from an external email source.

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Good Afternoon Brent,

I would like my BWC and report to stand as my record. Thank you!

Sgt. Soupha Daoheuang #1424
Minneapolis Police Department
Strategic Information Center (SIC)
Office: 612-673-3357 | Cell: 612-512-7024

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From: Garman, David (DPS) <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:11 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Cc: Dave Garman (Federation) <dgarman@mpdfederation.com>
Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

Lt Dave Garman
612-673-5590

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From: [Erickson, Mitchell](#)
To: [Garman, David](#); [Petersen, Brent](#) (DPS)
Cc: [Dave Garman \(Federation\)](#)
Subject: Re: CCN 21-119996 OIS Girard/Lake
Date: Wednesday, June 23, 2021 8:47:24 PM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

I would like to decline any voluntary interviews and or statements.

Best regards,

Ofc. Mitchell Erickson

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From: Garman, David <David.Garman@minneapolismn.gov>
Sent: Monday, June 21, 2021 9:11:03 PM
To: Petersen, Brent (DPS) <brent.petersen@state.mn.us>
Cc: Dave Garman (Federation) <dgarman@mpdfederation.com>
Subject: CCN 21-119996 OIS Girard/Lake

The below is a email from Agent Petersen from the BCA. Please respond, you have all been blind copied to Agent Petersen and I if you decline interview and that you want your report and BWC to stand as your record. If you would like to answer voluntary questions let me know and we can work for the next steps of making you available for interviewing.

Agent Petersen needs an answer either way, and Ill thank you for the response.

Any questions feel free to email/call or text directly. Thank you for your cooperation in the matter.

From Agent Petersen:

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

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612-673-5590

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From: [Petersen, Brent](#) (DPS)
To: [Garman, David](#); [Anna Hedberg](#); [Sherral Schmidt](#)
Subject: Minneapolis PD/Park PD Voluntary Interview Request
Date: Monday, June 21, 2021 4:58:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT

BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | brent.petersen@state.mn.us

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/136

Report Date: 07/22/2021

Warning
Contains entities exempt from disclosure

Primary Information
Description: Interview Declinations - Minneapolis Park Police Department
Occurrence From: 06/21/2021 17:00
Occurrence To: 07/22/2021 13:30
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/25/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
This report documents the declination of voluntary interviews from the Minneapolis Park Police Department. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E
Primary Information
Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Rethwill, Scott
Primary Information
Exempt From Disclosure: YES
Subject Name: Rethwill, Scott
Record Type: Law Enforcement Official
Juvenile: NO

Subject #2 - LAW ENFORCEMENT OFFICER #2 - Stetson, Joseph
Primary Information
Exempt From Disclosure: YES
Subject Name: Stetson, Joseph
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Police Officer
Juvenile: NO
LEO ID: 118316

Officers
LEO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/136

Report Date: 07/22/2021

Officers - Continued

LEO

Garman, David (2216 / Lieutenant/Union VP / Minneapolis Police Department)

Narrative begins on the following page.

On 06/21/2021, Senior Special Agent (SSA) Brent Petersen made a formal request to the Minneapolis Police Federation for voluntary interviews from two Park Police officers who responded to the incident in Uptown on 06/03/2021. SSA Petersen sent the request to Federation President, Sergeant Sherral Schmidt, Federation Vice-President, Lieutenant David Garman and Director, Sergeant Anna Hedberg. Lieutenant (Lt.) Garman became the point-of-contact for the Federation.

Lt. Garman forwarded the request for interview to the two Park officers, Officer Joseph Stetson and Officer Scott Rethwill. As of 07/22/2021, neither SSA Petersen nor Lt. Garman received a response from either officer.

Both Park officers wrote supplements and have associated body-worn camera video. Refer to that data for further information regarding their respective involvement in this incident.

No exhibit(s) by virtue of this activity or report.

Copy of emailed interview request is attached to this supplement.

From: [Petersen, Brent](#) (DPS)
To: [Garman, David](#); [Anna Hedberg](#); [Sherral Schmidt](#)
Subject: Minneapolis PD/Park PD Voluntary Interview Request
Date: Monday, June 21, 2021 4:58:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon, MPD Federation.

In furtherance of the BCA investigation into the deadly use of force encounter on 06/03/2021 in the city of Minneapolis, the BCA is requesting voluntary interviews with all MPD and Mpls Park officers/staff who responded to the scene at W. Lake St and Girard Ave S. All interviews with the BCA are voluntary and the officers to be interviewed are considered as witnesses after-the-fact and are not the subject of the criminal investigation.

If officers decline to provide a statement to BCA agents and would rather rely on their respective written reports and associated body camera video (if applicable), I would just need written confirmation of the interview declination.

The MPD case number for this incident is **2021-119996**.

If the Federation could please help facilitate sending requests to the officers involved in this call to see who, if any, would be willing to interview with the BCA I would greatly appreciate it.

Please call me or reply to this email with any questions or concerns. Thank you all for your assistance and patience with me regarding this request.

Regards,

BRENT PETERSEN | SENIOR SPECIAL AGENT | METRO REGIONAL OFFICE

FORCE INVESTIGATIONS UNIT

BUREAU OF CRIMINAL APPREHENSION

1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-1056 (w) | brent.petersen@state.mn.us

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/137

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Review of Body-Worn Camera Video - Minneapolis Police Officer Paul Dellwo**
Occurrence From: **07/28/2021 00:00**
Occurrence To: **07/28/2021 00:00**
Reporting LEO: **HOLTBERG, Graham (1344 / SRO - Narcotics / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 28, 2021, SA Holtberg reviewed the body worn camera (BWC) of Mpls Police Officer Dellwo. No BCA exhibits were acquired by virtue of this report.

Address #1 - RELATED #1 - 1430 MARYLAND AVE

Primary Information

Address: **1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States**
Description: **Bureau of Criminal Apprehension**

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Dellwo, Paul

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Dellwo, Paul**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Patrol Officer**
Juvenile: **NO**

Narrative begins on the following page.

On July 28th 2021, Special Agent Graham Holtberg reviewed the body worn camera (BWC) video by Minneapolis Police Officer Paul Dellwo. The videos contains footage from an officer involved shooting incident in Minneapolis, MN on June 3rd 2021.

SA Holtberg reviewed the video identified Axon Body 3 X6039A5GW. The total run time of the video is 00:12:47 and begins at 14:11:49 and finishes at 14:24:37. The following is a summary of the video.

The video begins while Officer Dellwo is driving his patrol car responding to the incident location in emergency traffic mode; audio begins at the 14:12:19. Officer Dellwo and his partner arrive at the incident location at 14:15:29. Officer Dellwo exits his patrol car and assists with scene security on street level near the entrance to the parking ramp. A Hennepin Healthcare ambulance is observed arriving on scene at 14:15:44. Officer Dellwo and his partner later reposition their patrol car and continue with scene security.

No further BCA exhibits were acquired as a result of this report.

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/138

Report Date: 07/19/2021

Primary Information

Description:	8 & 9 - DNA - Recovered Firearm
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/19/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

BCA laboratory reports eight (8) and nine (9) are respectively attached to this supplement. Both reports are from the DNA Section and document the presence of Winston Smith's DNA on the firearm recovered from inside the Maserati SUV by the BCA Crime Scene Team on June 3rd, 2021.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577

Attention: SA Brent Petersen

Report No. 8

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

DNA 06/28/2021

Laboratory Number: S21-09577
Section Reporting: DNA
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2021399
County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [REDACTED] [REDACTED] Winston Boogie Smith, Jr.

Description of Submitted Evidence:

Item	Type and Packaging	Description	Source
27	One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380, SN: NHD9367, from front driver side of Maserati	
27A	One manila envelope containing evidence classified as a swabbing from Item	grips	
27B	One manila envelope containing evidence classified as a swabbing from Item	slide	
27C	One manila envelope containing evidence classified as a swab of apparent blood	left side grip	
27D	One manila envelope containing evidence classified as a swabbing from Item	magazine base	
70	One manila envelope containing evidence classified as a bloodstain	blood prep, agency item 36.1	Winston Smith, Jr.

Results of Laboratory Examination:

DNA profiling* was performed on the known sample from Winston Smith, Jr. and was previously performed on Items 27A through 27D. The DNA results are as follows:

Item 27A

- Mixture of five or more individuals, as previously reported
- Major male DNA profile matches Winston Smith, Jr.
- Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population

Item 27B

- Mixture of four or more individuals, as previously reported
- Major male DNA profile matches Winston Smith, Jr.
- Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population

Items 27C and 27D

- Mixtures of three or more individuals, as previously reported
- Major male DNA profile matches Winston Smith, Jr.
- Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Erik Koeppe
Forensic Scientist

*DNA STR loci tested using PCR includes some or all of the following: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, Amelogenin, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338, Penta E, D6S1043, DYS576 and DYS570.

Disposition Policy:

Lab will hold all evidence until exams are completed.

The contents of Item 70 have been retained.

Distribution:

BCA St. Paul



MINNESOTA DEPARTMENT OF PUBLIC SAFETY
 Bureau of Criminal Apprehension
 Forensic Science Laboratory - St. Paul
 1430 Maryland Avenue East
 St. Paul, MN 55106
 TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul **Lab No.** S21-09577
 1430 Maryland Avenue East
 St. Paul, MN 55106

Attention: SA Brent Petersen **Report No.** 9
REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE
DNA 06/29/2021

Laboratory Number: S21-09577 **Requesting Agency:** BCA St. Paul
Section Reporting: DNA **Agency Case Number:** 2021399
Case Type: Officer Involved Shooting/with a Death **County:** Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [REDACTED] [REDACTED] Winston Boogie Smith, Jr.

Description of Submitted Evidence:

Item	Type and Packaging	Description	Source
27	One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380, SN: NHD9367, from front driver side of Maserati	
27C	One manila envelope containing evidence classified as a swab of apparent blood	left side grip	

Results of Laboratory Examination:

A major male DNA profile* was previously obtained from blood indicated on Item 27C which has been searched through the Minnesota DNA Databases. This profile matches a DNA profile from the case listed in the table below.

Case Information

BCA Laboratory Case #	S19-18944
Submitting Agency	White Bear Lake Police Department
Agency Case #	19025215
Agency Contact	Nate Hook
Agency Telephone #	(952) 429-8511

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Erik Koeppen
Forensic Scientist

*DNA STR loci tested using PCR includes some or all of the following: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, Amelogenin, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338, Penta E, D6S1043, DYS576 and DYS570.

Disposition Policy:

Lab will hold all evidence until exams are completed.

Any associations identified through a search of the Minnesota DNA Databases and NDIS should be treated as investigative information.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/139

Report Date: 07/19/2021

Primary Information

Description: **10 - Crime Scene Team**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/19/2021**
Approved By: **Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

BCA laboratory report number ten (10) is attached to this supplement. Report 10 is the documentation of the crime scene by the BCA Crime Scene Team. Team Leader Ross Thomas authored the report.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577

Attention: SA Brent Petersen

Report No. 10

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Crime Scene Team 07/16/2021

Laboratory Number: S21-09577 Requesting Agency: BCA St. Paul
Section Reporting: Crime Scene Team Agency Case Number: 2021399
Case Type: Officer Involved Shooting/with a Death County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar ; [REDACTED] ; [REDACTED]

Description of Submitted Evidence:

Item	Type and Packaging	Description	Source
1	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
2	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
3	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
4	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
5	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
6	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
7	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
8	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
9	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
10	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
11	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
12	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	
13	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati	

14	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati
15	One manila envelope containing evidence classified as cartridge(s)	"FC 9mm Luger" from exterior driver side of Dodge Durango 633WVD
16	One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151TCA
17	One brown paper bag containing evidence classified as a magazine	loaded magazine in black plastic glove from front passenger seat of MN license plate EKL907
18	One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5
19	One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5
20	One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151TCA
21	One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV840
22	One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV840
23	One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV840
24	One manila envelope containing evidence classified as a swab of apparent blood	near rear bumper of MN license plate 281XGG
25	One cardboard box containing evidence classified as an item of evidence	handcuffs with apparent blood behind MN license plate 281XGG
26	One brown paper bag containing evidence classified as an item of evidence	small black backpack behind MN license plate 281XGG
27	One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380 M2.0 Shield EZ, SN: NHD9367, from front driver side of Maserati
28	One manila envelope containing evidence classified as bullet(s)	from under decedent
29	One brown paper bag containing evidence classified as an item of evidence	keys near decedent
30	One brown paper bag containing evidence classified as mobile phone	black Samsung phone near decedent
31	One brown paper bag containing evidence classified as mobile phone	purple iPhone near decedent
32	One manila envelope containing evidence classified as an item of evidence	\$830 near decedent
33	One brown paper bag containing evidence classified as an item of evidence	black bag labeled "Ammo Medical" and "Go Bag" near body
34	One brown paper bag containing evidence classified as clothing	jean shorts with belt and right purple shoe near decedent
35	One manila envelope containing evidence classified as an item of evidence	lighter and bead near decedent
36	One brown paper bag containing evidence classified as mobile phone	pink and black iPhone from Item 26
37	One manila envelope containing evidence classified as bullet(s)	from front driver floor of Maserati

38	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
39	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
40	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from driver side floor of Maserati	
41	One manila envelope containing evidence classified as bullet fragment(s)	from dashboard of Maserati	
42	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
43	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
44	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front passenger side of Maserati	
45	One brown paper bag containing evidence classified as mobile phone	black iPhone from front passenger seat of Maserati	
50	One manila envelope containing evidence classified as known major case prints		Winston Smith, Jr.

BCA Inv. Case #: 2021399

BCA Case Agent: SA Brent Petersen

BCA Crime Scene Team:

Team Leader - FS Ross Thomas

Team Member - FS Ashley Granger

Technician - FS Steve Swenson

Team Photographer/Videographer - SA Rachel Nelson

Address/Location:

Top level of parking ramp at 1405 West Lake Street,
Minneapolis

Date/Time Processed:

06/03/2021 16:30 to 06/03/2021 20:40

Items:

1-26, 29, 31-45
28, 30
27

Collected By:

Ashley Granger
Steven Swenson
Ross Thomas

Scene Synopsis:

Reported bloodstains were either presumptively tested for the presence of blood or were visually consistent with blood.

The BCA Crime Scene Team (CST) was requested to respond to an officer involved shooting resulting in the death of Winston Smith, Jr.

The scene was located on the top (5th) level of a parking ramp at 1405 West Lake Street, in Minneapolis, where eight unmarked law enforcement vehicles and a gray Maserati Levante Q4 (MN plate FRB567) were parked.

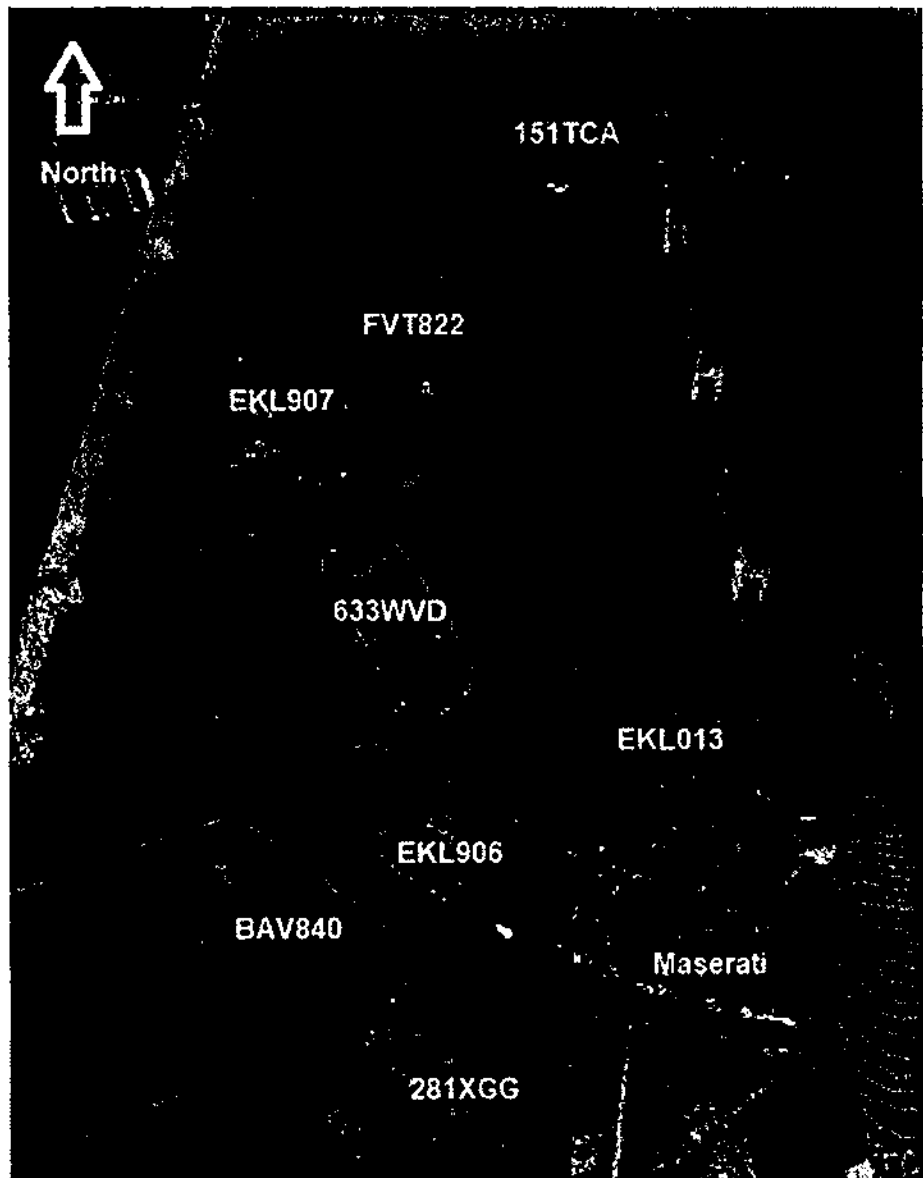
The Maserati was facing east and all law enforcement vehicles were facing generally southeast or south. The decedent was on the pavement on the passenger side of the Maserati.

There were 14 "FC 9mm Luger" cartridge cases (**Items 1 through 14**) on the parking ramp pavement on the driver side of the Maserati.

To the right is a diagrammed representation of the top level of the parking ramp at 1405 West Lake Street, showing the locations of the vehicles in the scene and the associated license plates of the unmarked vehicles.

Some items were taken from the Maserati at the scene, to ensure the items did not get moved during transport:

- A bullet from the front driver floor (**Item 37**)
- Two "Blazer 380 Auto" cartridge cases from the front driver seat (**Items 38 and 39**)
- One "Blazer 380 Auto" cartridge case from the front driver floor (**Item 40**)
- A bullet fragment from the dashboard (**Item 41**)
- Two "Blazer 380 Auto" cartridge cases from the center console (**Items 42 and 43**)
- One "Blazer 380 Auto" cartridge case from the front passenger seat (**Item 44**)
- A black iPhone from the front passenger seat (**Item 45**)



Decedent Information

Decedent: Winston Smith Jr.

- DOB: 04/08/1989

- Supine on the parking ramp pavement, head facing south, feet facing north
- Wearing black t-shirt (cut up the front middle), black underwear, white socks
- Jean shorts with a belt, and right purple shoe were on the pavement to the east of body
- Medical equipment on and around the body
- Algor Mortis: Cool to the touch in his arms
- Livor Mortis: Settled blood was noted in his back, consistent with position
- Rigor Mortis: Present in his arms and legs
- Several defects observed on left arm, left-center chest and back
- A bullet (Item 28) was recovered from under the body
- Bloodstains on face, arms, hands, chest, legs and socks
- Transported to Hennepin County Medical Examiner's office at 1840 hours

Weapon Documentation

Item # 27

- Located on the floor of the Maserati between the front driver door and seat
- Pistol
- Smith and Wesson M&P 380 M2.0 Shield EZ
- .380 caliber
- Serial Number: NHD9367
- One cartridge in chamber, "Blazer 380 Auto"
- Empty magazine
- Frame under muzzle damaged
- Bloodstains on both sides of pistol



Results of Processing/Enhancement:

Lead

Examination and chemical testing of the following defects in the Maserati indicated the presence of lead, consistent with the passage of a bullet:

- Two defects in the rear driver side window
- Nine defects in the front driver side window

Examination and chemical testing of the following failed to detect the presence of lead:

- Defect interior to the stationary rear passenger side window of the Maserati

Trajectory Analysis:

The following observations and conclusions are based upon the information provided to date.

Specific linear trajectories could not be established, however, bullet hole characteristics and/or locations of the following areas were used to determine a general path of travel:

Multiple defects on the same window shared similar characteristics, which indicated they had a similar origin.

Front driver side window, Maserati

Twelve defects in the center of the front driver side window indicated that the projectiles originated from the exterior driver side of the vehicle, perforated the window and traveled into the interior of the vehicle.

Rear driver side window, Maserati

Two defects in the bottom center of the rear driver side window indicated that the projectiles originated from the exterior driver side of the vehicle, perforated the window and traveled into the interior of the vehicle.

Investigative Evidence

- Gold colored bracelet southwest of body
- \$830 next to body (Item 32)
- \$6 from parking ramp 4th/5th floors

Evidence collected by the Crime Scene Team at the Medical Examiner's Office

- Item 50

The scene was photographed, diagrammed and videoed. The Crime Scene Team Leader, listed as the author of this field report, will act as the point of contact for all laboratory matters regarding this crime scene response.

Not all evidence items collected by the Crime Scene Team will be forwarded on for testing in the Laboratory. Please contact the author of this report for more information on testing plans.

Vehicle processing will be addressed in a subsequent report.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Ross Thomas
Forensic Scientist

Disposition Policy:

Lab will hold all evidence until exams are completed.
Item 26, 29, 30, 32, 33 and 36 have been returned.

Distribution:
BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/140

Report Date: 07/22/2021

Primary Information

Description:	11 - Firearms
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/22/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

BCA lab report number eleven (11) is attached to this supplement and documents the ballistic testing performed on the three firearms collected during this investigation. The BCA Firearms Section performed the testing and authored the report.

Lab report number 11 attached.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul Lab No. S21-09577
1430 Maryland Avenue East
St. Paul, MN 55106

Attention: SA Brent Petersen Report No. 11

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Firearms 07/21/2021

Laboratory Number: S21-09577 Requesting Agency: BCA St. Paul
Section Reporting: Firearms Agency Case Number: 2021399
Case Type: Officer Involved Shooting/with a Death County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [Redacted] Winston
Boogie Smith, Jr.

Description of Submitted Evidence:

Table with 3 columns: Item, Type and Packaging, Description/Source. Contains 13 rows of evidence descriptions, all listing 'One manila envelope containing evidence classified as cartridge case(s)' and 'FC 9mm Luger' from exterior driver side of Maserati.

14	One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior driver side of Maserati
15	One manila envelope containing evidence classified as cartridge(s)	"FC 9mm Luger" from exterior driver side of Dodge Durango 633WVD
17	One brown paper bag containing evidence classified as a magazine	loaded magazine in black plastic glove from front passenger seat of MN license plate EKL907
27	One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380 M2.0 Shield EZ, SN: NHD9367, from front driver side of Maserati
27F	One manila envelope containing evidence classified as test specimens	Test fired cartridge cases and bullets from Item 27.
28	One manila envelope containing evidence classified as bullet(s)	from under decedent
37	One manila envelope containing evidence classified as bullet(s)	from front driver floor of Maserati
38	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati
39	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati
40	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from driver side floor of Maserati
41	One manila envelope containing evidence classified as bullet fragment(s)	from dashboard of Maserati
42	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati
43	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati
44	One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front passenger side of Maserati
46	One cardboard box containing evidence classified as a pistol	and magazine with round - item 3.2
46A	One manila envelope containing evidence classified as test specimens	Test fired cartridge cases and bullets from Item 46.
47	One cardboard box containing evidence classified as a pistol	and magazine with rounds - item 4.1
47A	One manila envelope containing evidence classified as test specimens	Test fired cartridge cases and bullets from Item 47.
57	One brown paper bag containing evidence classified as a magazine	Smith and Wesson M&P 380, loaded w/ 7 "Blazer 380 Auto" cartridges from duffel from Item 51
60	One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51
61	One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51
62	One manila envelope containing evidence classified as bullet fragment(s)	from rear passenger seat of Item 51
63	One manila envelope containing evidence classified as bullet fragment(s)	from front driver seat of Item 51

64	One manila envelope containing evidence classified as bullet fragment(s)	from front driver floor of Item 51
65	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
66	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
67	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
68	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
71	One manila envelope containing evidence classified as bullet fragment(s)	from right 5th finger, agency item 36.2
72	One manila envelope containing evidence classified as bullet fragment(s)	from left forearm skin, agency item 36.3
73	One manila envelope containing evidence classified as bullet fragment(s)	from left axilla, agency item 36.4
74	One manila envelope containing evidence classified as bullet(s)	from right side of back, agency item 36.5
75	One manila envelope containing evidence classified as bullet fragment(s)	from the posterior right forearm, agency item 36.6
76	One manila envelope containing evidence classified as bullet(s)	from soft tissue of mid chest, agency item 36.7
77	One manila envelope containing evidence classified as bullet(s)	from right scapula, agency item 36.8
78	One manila envelope containing evidence classified as bullet(s)	from heart with fabric fragment, agency item 36.9
79	One manila envelope containing evidence classified as bullet(s)	with fabric fragment from 7th thoracic vertebral, agency item 36.10
80	One manila envelope containing evidence classified as bullet(s)	from posterior left 7th rib, agency item 36.11
81	One manila envelope containing evidence classified as bullet(s)	from mouth, agency item 36.12
82	One manila envelope containing evidence classified as bullet(s)	from soft tissue of inferior midline back, agency item 36.13
83	One manila envelope containing evidence classified as bullet(s)	from soft tissue of superior midline back, agency item 36.14
84	One manila envelope containing evidence classified as bullet fragment(s)	from skin of superolateral left side of chest, agency item 36.15

Results of Laboratory Examination:

Items 38 through 40 and 42 through 44 (six 380 Auto caliber cartridge cases) and Items 66 and 67 (two bullet fragments) were identified¹ as having been fired by Item 27 (a Smith & Wesson Model M&P 380 Shield EZ 380 Auto caliber pistol bearing serial number NHD9367 and marked as "M2.0").

It could not be determined if Item 27 fired Item 65 (a bullet fragment).²

Items 2 and 3 (two 9mm Luger caliber cartridge cases) were identified¹ as having been fired by Item 46 (a Smith & Wesson Model M&P9 9mm Luger caliber pistol bearing serial number NDJ7385 and marked as "M2.0", two magazines and cartridges).

Items 1 and 4 through 14 (twelve 9mm Luger caliber cartridge cases) were identified¹ as having been fired by Item 47 (a Glock Model 17 Gen4 9mm Luger caliber pistol bearing serial number TXU032, a magazine and cartridges).

Examinations and test firing of Items 27, 46, and 47 showed the firearms and the safety mechanisms to be functional.

The trigger pull of Item 46 was measured and found to be from 4 1/2 to 5 1/2 pounds +/- 1 pound with a level of confidence of 95.45%.

The trigger pull of Item 47 was measured and found to be from 7 to 8 pounds +/- 1 pound with a level of confidence of 95.45%.

Item 68 (a bullet fragment) is unsuitable for comparative examinations.

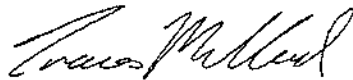
Items 15, 17, 28, 37, 41, 57, 60-64, and 71-84 were not examined at this time.

The entry of images of a test fired cartridge case from Item 27 into the Minnesota firearms database will be addressed in a separate report.

¹Source identification is reached when the discernable class and individual characteristics have corresponding detail and the examiner would not expect to see the same arrangement of details repeated in another source.

²The comparative examinations showed agreement of individual characteristics, but possibly due to the damage of Item 65 was insufficient for an identification. The comparative examinations were inconclusive.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Travis Melland
Forensic Scientist

Disposition Policy:

Lab will hold all evidence until exams are completed.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/141

Report Date: 07/22/2021

Primary Information

Description: Correction to Report #57 Narrative; Correct Property Items should be 57.1 and 57.2
Occurrence From: 07/22/2021 00:00
Occurrence To: 07/22/2021 00:00
Reporting LEO: Phill, Charles (1324 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/23/2021
Approved By: Mueller, Scott (1305 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Earlier in June 2021, ASAIC Phill incorrectly labeled two items of evidence in Report #57 as Items 25.1 & 25.2. They are in fact, 57.1 & 57.2. No new evidence acquired with this report.

Address #1 - RELATED #1 - 1405 W LAKE ST

Primary Information

Address: 1405 W LAKE ST, Minneapolis, Minnesota 55408 United States
Description: Calhoun Square Parking Ramp

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: Smith, Winston Jr
Record Type: Person
Bio: 32 yr. old, Black, Male
Birth Date: 04/08/1989
Juvenile: NO

Personal Information

Deceased: YES
Date Deceased: 06/03/2021 00:00

Addresses

Relationship	Address
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Narrative begins on the following page.

On report 2021-399/57 in this case file, Assistant Special Agent in Charge (ASAIC) Phill incorrectly labeled 2 items of evidence in the narrative as Items 25.1 and 25.2. As they were acquired with report #57, those items should have been listed as Items 57.1 and 57.2 in the narrative.

The Items were correctly added to the ACISS Property and Evidence side as Items 57.1 (metal bracelet) and 57.2 (3 sealed envelopes of cash), which caused no problems with evidence record keeping and integrity.

This report is to correct that the Items should have been #57.1 and 57.2 in Report 2021-399/57.

No new items of evidence acquired with this report.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/142

Report Date: 07/22/2021

Primary Information

Description:	Use of Force and Critical Incident Policies - Hennepin County Sheriff's Office
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/25/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

7/22/2021 acquisition of Use of force and critical incident policies and procedures from the Hennepin County Sheriff's Office; attached to this supplement.

Narrative begins on the following page.

On 07/22/2021, Senior Special Agent Brent Petersen requested and received the policies and procedures from the Hennepin County Sheriff's Office regarding use of force and critical incidents.

Copies of the policies are attached to this supplement.

No exhibit(s) by virtue of this activity or report.



Document Number: **300**
Document Name: **Use of Force**
Effective Date: *December 15, 2020*
Document Status: *Approved*

300.1 PURPOSE AND SCOPE

It is the policy of the Office to provide deputies with guidelines for the use of force and deadly force in accordance with:

[Minn. Stat. § 626.8452 DEADLY FORCE AND FIREARMS USE; POLICIES AND INSTRUCTION REQUIRED;](#)
[Minn. Stat. § 626.8475 DUTY TO INTERCEDE AND REPORT;](#)
[Minn. Stat. § 609.06 AUTHORIZED USE OF FORCE;](#)
[Minn. Stat. § 609.065 JUSTIFIABLE TAKING OF LIFE;](#) and
[Minn. Stat. § 609.066 AUTHORIZED USE OF FORCE BY PEACE OFFICERS.](#)

300.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized Device: A device a deputy has received permission from the Office to carry and use in the discharge of their duties and for which the deputy has

- (a) obtained training in the technical, mechanical and physical aspects of the device and;
- (b) developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

Bodily Harm: Physical pain or injury.

Choke Hold: A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Deadly Force: As defined by MN Minn. Stat. §609.066, "Force which the actor uses with the purpose of causing, or which the actor should reasonably know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm, other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force."

De-Escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Excited Delirium: also known as agitated delirium, is a state of extreme excitation, usually associated with illicit drug use and manifested by behavioral and physical changes that may result in sudden and unexplained death.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Involved – for the purposes of this policy, the term “involved” means participating in or witnessing of a use of force event.

Other Than Deadly Force: Force used by a deputy that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

300.2 POLICY

It is the policy of this Office to ensure deputies respect the sanctity of human life when making decisions regarding use of force. Deputies have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Deputies shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the deputy.

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

Deputies should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from deputies.

The decision by a deputy to use force or deadly force shall be evaluated from the perspective of a reasonable deputy in the same situation, based on the totality of the circumstances known to or perceived by the deputy at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when deputies may be forced to make quick judgments about using such force.

This policy is reviewed annually, and any questions or concerns should be addressed to the

immediate supervisor for clarification.

This policy applies to all employees engaged in the discharge of official duties.

300.3 USE OF FORCE PROCEDURE

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 GENERAL PROVISIONS

1. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
2. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.
3. Once the scene is safe and as soon as practical, a deputy shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention.
4. All uses of force shall be documented and reviewed pursuant to the Office's policies.

300.3.2 DUTY TO INTERCEDE

Regardless of tenure or rank, a deputy must intercede when:

- (a) present and observing another deputy using force in violation of section Minn. Stat. § 609.066, Subd. 2, or otherwise beyond that which is objectively reasonable under the circumstances; and
- (b) physically or verbally able to do so.

300.3.3 DUTY TO REPORT

A deputy who observes another deputy or officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to both the Sheriff and to the reporting deputy's supervisor, who shall promptly report the incident up the chain of command.

300.3.4 DE-ESCALATION

Deputies shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force.

Whenever possible and when such delay will not compromise the safety of another or the deputy and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, a deputy shall allow an individual time and opportunity to submit to verbal commands before force is used.

300.3.5 USE OF OTHER THAN DEADLY FORCE

When de-escalation techniques are not effective or appropriate, a deputy may consider the use of other than deadly force to control a non-compliant or actively resistant individual. A deputy is authorized to use agency-approved other than deadly force techniques and issued equipment in the following circumstances (Minn. Stat. § 609.066 and Minn. Stat. § 629.33):

- (a) In effecting a lawful arrest; or
- (b) In the execution of a legal process; or
- (c) In enforcing an order of the court; or
- (d) In executing any other duty imposed by law; or
- (e) In defense of self or another.

300.3.6 USE OF CERTAIN TYPES OF FORCE

Except in cases where deadly force is authorized as articulated in Minn. Stat. § 609.066 to protect the deputy or another from death or great bodily harm, deputies are prohibited from using:

- (a) Chokeholds,
- (b) Tying all of a person's limbs together behind a person's back to render the person immobile, or
- (c) Securing a person in any way that results in transporting the person face down in a vehicle.

Less than lethal measures must be considered by the deputy prior to applying these measures.

300.3.7 USE OF DEADLY FORCE

A deputy is authorized to use deadly force if an objectively reasonable deputy would believe, based on the totality of the circumstances known to the deputy at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply:

1. To protect the deputy or another from death or great bodily harm, provided that the threat:
 - i. can be articulated with specificity by the deputy;
 - ii. is reasonable likely to occur absent action by the deputy; and
 - iii. must be addressed through the use of deadly force without unreasonable delay; or
2. To effect the arrest or capture, or prevent the escape, of a person whom the deputy knows or has reasonable grounds to believe has committed or attempted to commit a felony and the deputy reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in items (i) to (iii) above, unless immediately apprehended.

A deputy shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable deputy would believe, based on the totality of the circumstances known to the deputy at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the deputy or another under the threat criteria in items (i) to (iii) above.

Where feasible, the deputy shall identify themselves as a law enforcement official and warn of his/her intent to use deadly force.

300.3.8 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to deputies or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
- (c) Deputy/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, and the number of deputies available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.

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- (j) Training and experience of the deputy.
 - (k) Potential for injury to deputies, suspects and others.
 - (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the deputy.
 - (m) The risk and reasonably foreseeable consequences of escape.
 - (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
 - (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
 - (p) Prior contacts with the subject or awareness of any propensity for violence.
 - (q) Any other exigent circumstances.

300.3.9 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have successfully completed office-approved training and that are objectively reasonable under the circumstances. Deputies utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the deputy.
- (c) Whether the person has been given sufficient opportunity to comply.
- (d) Whether the pain compliance technique is effective in achieving an appropriate level of control.
- (e) The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.
- (f) If time permits (e.g., passive resistors), other reasonable alternatives.

300.4 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Deputies should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others.

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this office shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. Reports shall be completed by all involved employees unless otherwise directed by a supervisor. The deputy

should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Office may require the completion of additional report forms, as specified in office policy, procedure or law.

The Office's [Use of Force Report Writing Guidelines can be found here](#).

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a conducted energy or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

300.6 MEDICAL CONSIDERATION

Medical assistance shall be obtained for any person who exhibits signs of physical distress, has been subject to a TASER® application, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Persons who are under the influence of drugs or who exhibit signs and/or symptoms of excited delirium must be examined by qualified medical personnel as soon as practical and their condition regularly monitored while in custody.

Based upon the deputy's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, medical staff assigned to the Emergency Services Unit or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to

pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

Unless special circumstances exist an on-duty supervisor should respond to the location of the use of force incident. The supervisor has the following responsibilities:

- (a) If appropriate, implement the Critical Incident Policy.
- (b) Obtain the basic facts from the involved deputies.
- (c) Ensure that any injured parties are examined and treated.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

The Office’s [“Use of Force Incident Review Process – On-Duty Supervisor Responsibilities”](#) are found here.

300.8 TRAINING

1. All deputies shall receive training, at least annually, on the Office’s use of force policy and related legal updates.
2. In addition, training shall be provided on a regular and periodic basis and designed to:
 - (a) Provide techniques for the use of and reinforce the importance of de-escalation.
 - (b) simulate actual shooting situations and conditions; and
 - (c) enhance deputies’ discretion and judgement in using other than deadly force in accordance with this policy.
3. Before being authorized to carry a firearm, all deputies shall receive training and instruction with regard to the proper use of deadly force and to the Office’s policies and State statutes with regard to such force. Such training and instruction shall continue on an annual basis.
4. Before carrying an authorized device, all deputies shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or

other than deadly force situations. Such training and instruction shall continue on an annual basis.

5. Deputies will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the public or the deputy requiring the use of a device or object that has not been authorized to counter such a threat.
6. With Office approval, deputies may modify, alter or cause to be altered an authorized device in their possession or control.

300.9 RECORD KEEPING REQUIREMENTS

The Sheriff or designee shall maintain records of the Office's compliance with use of force training requirements.



Hennepin County Sheriff's Office Policy Manual

Document Number: **302**
Document Name: **Use of Force Review Process**
Effective Date: *December 15, 2020*
Document Status: *Approved*

302.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process to review the use of force by employees of this office.

302.2 REVIEW PROCESS

The Office is charged with the important responsibility of objectively evaluating the use of force by its employees. An administrative review will be conducted on all use of force incidents that meet the following criteria:

- (a) The use of force appears to have caused physical injury to the subject or the subject complains of physical injury
- (b) Any application of a physical control technique such as a takedown, pain compliance technique, kick, strike, stun, etc.
- (c) Any application of a leg restraint device
- (d) Any use or threatened use of a control device (OC spray, baton, chemical munition, kinetic energy projectile, or TASER)
- (e) Any situation involving a physical K-9 apprehension
- (f) Any threatened use or discharge of a firearm or other deadly force option
- (g) Any use or threatened use of an improvised weapon

The purpose of this review is to help identify any 'lessons learned' that can be implemented to improve training, safety, equipment, operations, and/or performance.

The Sheriff or designee may also request a review of the circumstances surrounding any other use of force incident.

302.3 USE OF FORCE REPORTING

Minn. Stat. § 626.5534 requires the Sheriff or Chief Deputy of the Office must provide information about each incident of law enforcement use of force resulting in serious bodily injury or death, as those terms are defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent of the Bureau of Criminal Apprehension. This report must be filed once a month to the superintendent.

Serious bodily injury is defined as bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement or protracted loss or impairment of the function of bodily member, organ or mental faculty.

The BCA has created an electronic form for the reporting. The form can be found on the Employee Development SharePoint page. This form should be completed by a supervisor from

the unit or division that was involved in the use of force incident. The completed form should be sent to the Employee Development Unit lieutenant and he/she will report the information monthly to the BCA.



Document Number:	310
Document Name:	Critical Incident
Effective Date:	<i>October 23, 2017</i>
Document Status:	<i>Approved</i>

310.1 PURPOSE AND SCOPE

The Office shall ensure that an investigation is conducted of all incidents that are of a critical nature where the involved employee acted within the course and scope of employment and which include, but are not limited to:

- (a) The use of deadly force by or against a deputy.
- (b) Any incident that has caused or is likely to have caused great bodily harm or death to any person to include Office employees.
- (c) Any incident deemed critical by the Sheriff or designee.

The purpose of this policy is to provide guidelines and procedures that shall be uniformly applied throughout all bureaus of the Office following critical incidents to ensure that a thorough and objective investigation is conducted. It is also the purpose of this policy to provide guidelines and procedures to ensure that appropriate action is taken after critical incidents to safeguard the well-being of all involved personnel.

310.2 DEFINITIONS

Detective - The investigator(s) from the agency which is conducting the investigation of the critical incident.

Equipment - This term includes but is not limited to: firearm, TASER, magazine, ammunition, baton, flashlight, uniform, boots, etc.

Escort - A deputy assigned by the First Responding Supervisor to stay with Involved Employee(s) and/or Witness Employee(s) until the Escort is relieved. Escorts shall be of the rank of sergeant or above whenever possible.

First Responding Assisting Employees - The first employees who respond to a critical incident.

First Responding Supervisor - The first Office supervisor responding to a critical incident, who was not involved in the incident as neither an Involved Person nor Involved Witness.

Great Bodily Harm - Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Office Incident Commander - The first POST licensed Office supervisor responding to the critical incident after the First Responding Supervisor.

Investigating Entity - The Office or any other assigned agency that may be conducting the critical incident investigation.

Investigation Headquarters - The Office Investigative Unit or other location designated by the Lead Detective at which Involved Employees and Witness Employees gather immediately following a critical incident to meet with legal counsel, Detectives and to surrender Equipment.

Involved Employee - Any Employee who appears to have engaged in conduct constituting a critical incident. This also includes an employee who is a victim of a critical incident.

Lead Detective - The lead investigator of the critical incident or their designee. The Lead Detective shall be from the Investigating Entity.

Report - Any written documentation from any reporting system used by the Office.

Witness Employee - An employee who witnesses a critical incident, but did not engage in any conduct constituting a critical incident.

310.3 PROCEDURES

Whenever an employee of the Office is involved in a critical incident, they shall immediately notify their supervisor or the on-duty Office supervisor. If the incident occurs outside of the County, the employee shall immediately notify the responsible law enforcement agency with jurisdiction and their supervisor or the on-duty Office supervisor.

(a) Employees involved in critical incidents can be profoundly affected by the incident. Anyone dealing with an employee involved in a critical incident shall follow these guiding principles:

1. Do not leave Involved Employee alone or ignore them.
2. Do not take an Involved Employee's firearm unless a supervisor has reason to believe that the Involved Employee poses a threat to themselves or to others, or unless directed by the Lead Detective.
3. Do not allow employee(s) to talk about the incident to anyone at the scene, except to provide sufficient information to enable the primary responders or detectives to ensure public safety and officer safety.
4. Care should be taken to preserve the integrity of any physical evidence present on the employee's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

(b) Unless there is an identifiable reason for doing so, i.e. destroying obvious evidence such as washing blood off hands, do not deny an employee who requests access to:

1. Food and drink
2. Restroom facilities
3. Telephone to contact family and/or significant person(s)
4. A union or labor representative
5. A representative from the Employee Assistance Program
6. A chaplain or other clergy
7. Legal counsel

310.4 RESPONSIBILITIES

The following outlines the responsibilities of Office employees during a critical incident:

310.4.1 THE SHERIFF OR DESIGNEE

The Sheriff or designee shall:

- a) Determine whether the Office or an outside agency will become the investigating entity.
- b) Determine whether a criminal investigation is necessary.
- c) Determine whether the Director of Communications shall contact the media and coordinate all media inquiries on the critical incident.

310.4.2 DUTIES OF INITIAL EMPLOYEE(S) ARRIVING ON SCENE

Upon arrival at the scene of a critical incident, the first uninvolved employee(s) will be in-charge and assume the duties of a supervisor until relieved by the responding supervisor, and should:

- a) Secure the scene, remain at the scene, identify and eliminate hazards for all those involved.
- b) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.
- c) Coordinate a perimeter or pursuit of suspects as appropriate.
- d) Request additional resources, units or agencies as appropriate.
- e) Brief the supervisor upon arrival.
- f) Not speak to other employees about the incident, except to ensure public safety, officer safety and to preserve the scene.

310.4.3 DUTIES OF INITIAL ON-SCENE SUPERVISOR

Upon arrival at the scene of a critical incident, the first uninvolved supervisor should continue and complete the duties as outlined above, plus:

- a) Identify Involved Employee(s) and Witness Employee(s).
- b) Obtain from the Involved Employee(s) only the information needed to ensure public safety, officer safety and to preserve the scene.
- c) Reveal no information given to you by the Involved Employee(s) except what is necessary to protect public safety, officer safety and to preserve the scene.
- d) Keep the Involved Employee(s) and Witness Employee(s) separated from each other when possible.
- e) Set up scene boundaries and keep the scene secure.
- f) Notify the commander of the unit or division whose personnel are involved in the incident.

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- g) Request additional resources and personnel as necessary.
 - h) Contact the Office Forensic Science Laboratory, if necessary.
 - i) Assign a deputy sheriff to accompany any injured persons to the hospital.
 - j) Assign an Escort(s) to accompany the Involved Employee(s) to the hospital for alcohol and drug testing and/or to Investigation Headquarters with instructions not to discuss the incident with each other or other persons.
 - k) Determine whether an Escort will be assigned to the Witness Employee(s).
 - l) Allow Involved Employee(s) and Witness Employee(s) a reasonable opportunity to contact family members and/or other significant persons unless contra-indicated.
 - m) If the Involved Employee(s) or Witness Employee(s) have requested legal representation; they shall be allowed to consult in a private setting.
 - n) First Responding Supervisor shall not take or prepare any detailed statements or reports, written or verbal, from the Involved Employee(s).
 - o) If directed by the Investigating Entity, complete a supplemental report documenting supervisory actions taken including times, specific assignments made, and the identities of all personnel involved in the critical incident.

310.4.4 DUTIES OF THE INCIDENT COMMANDER

Upon learning of a critical incident, the Incident Commander shall:

- a) Notify the following persons:
 - 1. The commander of the affected unit or division
 - 2. The Sheriff or designee
 - 3. The Investigative Entity
- b) Assume command of the scene upon arrival.
- c) Ensure that the First Responding Supervisor has carried out all duties.
- d) Determine when the Involved Employee(s) and Witness Employee(s) may leave the scene for drug testing and/or transport to Investigation Headquarters (see Alcohol and Drug Use policy 1012.)
- e) Inform the Sheriff or designee of the facts so they can determine if the incident requires a criminal investigation, and if so, who the Investigating Entity will be.
- f) If the Sheriff or designee has determined there will be a criminal investigation, ensure the Investigating Entity has assumed command of the critical incident.
- g) In any critical incident, video and audio data shall not be accessed unless approved by the Sheriff or designee.

310.4.5 DUTIES OF WITNESS EMPLOYEES

Upon arrival at the scene of a critical incident, the Witness Employee(s) shall:

- a) Not speak to other employees about the critical incident, except to ensure public safety, officer safety and to preserve the scene.

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- b) Provide a brief verbal account of the incident to the on-scene supervisor. The account should include, but is not necessarily limited to, identifying and locating suspects, reporting approximate number and trajectory of rounds fired or exchanged, and any other information deemed pertinent to public or officer safety.
 - c) Prepare an incident report or provide a question and answer statement after being directed to do so by a detective and after consulting with legal counsel, if desired.
 - d) Meet with and answer any questions from a detective.
 - e) Meet with a designated psychologist within 72 hours for critical incident debriefing.

310.4.6 DUTIES OF ESCORT EMPLOYEE

Upon arrival at the scene of a critical incident, the Escort Employee(s) shall:

- a) Assume control of the Involved Employee or Witness Employee as directed by the on-scene supervisor.
- b) Take the Involved Employee from the scene to the alcohol and drug testing site when directed by the Office Incident Commander.
- c) After test samples are obtained; the Escort Employee shall transport the Involved Employee to the Investigative Division.
- d) Advise the Involved Employee or Witness Employee to remain separate from other Involved Employee(s) and Witness Employee(s).
- e) Remain with the Involved Employee or Witness Employee when they are brought to the Investigative Division and until they are turned over to other supervisory personnel.
- f) Advise the Involved Employee or Witness Employee not to discuss the incident with anyone except an attorney, union representative or detective.
- g) Write a report detailing their actions, including who had access to the Involved Employee or witness employee and specifically documenting whether the Involved Employee or Witness Employee spoke with anyone about the incident while in the Escort Employee's presence. Details in the report shall include involved times, places etc.

310.4.7 DUTIES OF INVOLVED EMPLOYEE(S)

All involved employees should:

- a) Remain at the scene.
- b) Not speak to other employees about the incident, except to ensure public safety, officer safety and to preserve the scene.
- c) Surrender equipment and any other pertinent item(s) needed, when requested by a detective.
- d) After having an opportunity to consult with legal counsel, the legal counsel will inform the Lead Detective or designee if the Involved Employee(s) is willing to give a voluntary statement. Involved Employee(s) who are able and willing to be

interviewed shall be interviewed at Investigation Headquarters or such other location and time chosen by the Lead Detective and the Involved Employee(s).

- e) Participate in alcohol and drug testing as soon as practical after the incident (see Alcohol and Drug Use policy 1012.)
- f) Meet with a designated psychologist within 72 hours for critical incident debriefing.

310.5 RELIEF FROM DUTY

After a critical incident the Involved Employee(s) shall be relieved from active duty as soon as possible and may be placed on paid administrative leave. The Office will provide the opportunity for the employee(s) to meet with necessary individuals for critical incident debriefing.

No Involved Employee(s) will return to duty status without authorization of the Sheriff or designee.

No Involved Employee(s) shall be rearmed without the authorization of the Sheriff or designee. A loaner handgun will be given to the Involved Employee(s) at the authorization of the Sheriff or designee.

310.6 NOTIFICATION

The Sheriff or designee shall notify the Commissioner of Public Safety within 30 days whenever a deputy sheriff discharges a firearm in the course of duty, other than for training purposes or the killing of an animal that is sick, injured or dangerous per Minn. Stat. § 626.553.

Effective January 1, 2013, the following procedure will be implemented regarding Law Enforcement Officers Killed or Assaulted Report (LEOKA) reporting to the MN BCA:

A LEOKA form must be completed for all incidents when:

- (a) A licensed deputy is assaulted in the line of duty (does not require injury to the deputy).
- (b) A licensed deputy is killed in the line of duty by accident or negligence.
- (c) A licensed deputy is killed in the line of duty by felonious act.

The applicable Division/Unit Commander should complete the report as soon as practicable. A copy of the form is located at:

<http://hcsoweb/administrativeservices/administration/employeedevelopment/home.asp>

The completed report should be forwarded to the Employee Development Unit within 20 days of the incident. The Employee Development Unit will be responsible for submitting the report electronically to the MN BCA.

The Employee Development Unit is responsible for reviewing all LEOKA incidents. Copies of all reports related to the incident as well as copies of the administrative reviews conducted by the on-duty supervisor and the applicable Division/Unit Commander should be submitted to the Employee Development Unit Commander within 20 working days of the incident.



Document Number:	311
Document Name:	Critical and Traumatic Incident Management
Effective Date:	<i>October 23, 2017</i>
Document Status:	<i>Approved</i>

311.1 PURPOSE AND SCOPE

It shall be the policy of the Office to recognize that all employees in the performance of their duties may be exposed to incidents of a critical nature. The purpose of this policy is to help employees recognize and minimize through prompt intervention the potential negative effects of stress caused by traumatic events and to provide the scene supervisor with procedures for immediate notification of support personnel.

This policy also recognizes that the spirit of the Office is one of helping people and providing support and assistance. This includes our assistance to the "Office Family" and especially during the time when a member of the Office suffers a serious injury, illness or death.

311.2 DEFINITIONS

Acute Stress Disorder - Development of clinically significant distress or impairment in social, occupational, or other important areas of functioning, or impairment of an individual's ability to pursue necessary tasks, such as obtaining necessary assistance or mobilizing personal resources to cope with a traumatic incident. The disturbance lasts for a minimum of two days and a maximum of four weeks and occurs within four weeks (one month) of the traumatic incident.

County Psychologist (fitness for duty) - A County-contracted psychologist, who provides fitness-for-duty evaluations as a consultant/agent of the County. Doctor/patient confidentiality does not exist. A summary report on an employee's fitness for duty is provided to the Major of Administrative Services.

Crisis Psychologist - An Office-contracted psychologist, on call to provide psychological first aid and support to employees. Employees are protected by doctor/patient confidentiality in meeting with the crisis psychologist.

Critical Incident -

An incident involving any of the following situations occurring in the line of duty:

- The use of deadly force by or against a deputy;
- Any incident that has caused or is likely to have caused great bodily harm or death to any person to include Office employees;
- Any incident deemed critical by the Sheriff or designee.

Critical Incident Stress Debriefing (CISD) - An educational as well as psychological process designed to lessen the impact of a critical incident. CISD sessions provide employees with the professional assistance necessary to maintain their emotional and physical well-being.

Post-Traumatic Stress Disorder (PTSD) - Development of intense fear, helplessness, or horror as the result of a traumatic incident. Symptoms include and are not limited to reoccurring distressing dreams of the event, persistent avoidance of stimuli associated with the traumatic incident, numbing of general responsiveness, and persistent symptoms of increased psychological arousal (e.g. sleep disturbances, anger, hyper vigilance, exaggerated startle response). The disturbance has lasted for more than one month since the traumatic incident.

Stress - Any change in the environment that produces physical and/or psychological reactions. These reactions include but are not limited to: increased heart rate, rise in blood pressure, muscular tension, irritability, and heightened or reduced awareness.

Traumatic Experience - Witnessing, or being confronted with an incident or multiple incidents that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others. A traumatic experience often creates significant stress (distress).

Traumatic Incident - A traumatic incident may be an incident which does not qualify as a critical incident. The employee or a supervisor must be able to articulate reason(s) why assistance is being requested. The following list of examples is not all-inclusive. Some incidents considered traumatic by the scene supervisor or an employee may include:

- (a) High-speed chase with serious injury.
- (b) Multiple-casualty incident.
- (c) Suicide or attempted suicide of an inmate or other person in the presence of an employee.
- (d) Prolonged rescue or recovery operation.
- (e) Suicide of any Office member.
- (f) Shooting situations.
- (g) Violence or injury to, or death of a child.
- (h) Severe duty-related injury of Office member.

311.3 NOTIFICATION RESPONSIBILITY

It is a supervisor's responsibility to make appropriate notifications as set forth below:

- a) Critical Incident Procedure:
 - 1. The scene supervisor shall initiate the Critical Incident Procedure. The scene supervisor shall notify Sheriff's 911 Dispatch Division of a critical incident that is in progress. Sheriff's 911 Dispatch Division shall make the appropriate notifications as directed by this policy.
 - 2. Critical incident notifications shall at a minimum include: Sheriff's Administration, Investigative Division, Crisis Psychologist, union representative, and/or chaplain.

b) Traumatic Incident Procedure:

1. The Traumatic Incident Procedure may be initiated by a supervisor or an affected employee.
2. Traumatic incidents may require notification of Sheriff's Administration, Investigative Division, Crisis Psychologist (with prior administrative approval) and/or chaplain.

311.4 CRITICAL INCIDENT PROCEDURES

The flow chart for a critical incident provides employees with both mandatory and voluntary procedures for critical incidents.

In any critical incident, video and audio data shall not be accessed unless approved by the Sheriff or designee.

Employees directly involved in a critical incident may meet with a Crisis Psychologist and may receive up to three days of administrative leave.

Employees directly involved in a critical incident shall meet with the County Psychologist as directed by the Major of Administrative Services. This meeting shall normally occur within 72 hours of the incident. Exceptions include, but are not limited to when an employee is hospitalized or incapacitated for an extended period of time. In these instances, the employee will be required to meet with the County Psychologist as soon as practicable. In all cases, the employee shall meet with the County Psychologist for a duty readiness assessment prior to returning to duty.

311.4.1 CRITICAL INCIDENT FLOW CHART

See Attachment: [Critical Incident Procedures.JPG](#)

311.5 TRAUMATIC INCIDENT PROCESS

The flow chart for a traumatic incident provides employees with voluntary procedures for traumatic incidents.

Employees may request psychological support immediately or later for a work-related event which the employee interprets as traumatic.

311.5.1 TRAUMATIC INCIDENT FLOW CHART

See Attachment: [Traumatic Incident Procedures.JPG](#)

311.6 REVIEW OF A CRITICAL OR TRAUMATIC INCIDENT

A critical or traumatic incident review panel may be convened at the direction of the Sheriff or designee following a critical or traumatic incident. The direction to convene a panel shall be made in writing by the Sheriff or designee. The decision to convene a panel shall be made within thirty working days from the time Sheriff's Administration is first informed or made aware that such an incident occurred.

The panel shall generally consist of command staff designated by the Sheriff or designee. In most cases, the Captain of the Investigative Division and the Captain(s) of the involved employee(s) will participate. The Chief Deputy, unless otherwise directed by the Sheriff, will be a member of the committee and preside over the panel.

The primary purpose of the panel is to conduct an evaluation of the incident focusing on the adequacy of established policy, procedure and training. The panel will produce a synopsis report detailing recommended actions, if any. It is in the best interest of both the Office and employees to learn from our experiences.

The panel shall not interfere or impede any active criminal investigation or internal investigation of the matter. In many cases, the panel's review may be delayed until pending criminal investigations are resolved.

311.7 DUTY READINESS

The employee may personally finance the acquisition of a second opinion for duty readiness from a licensed psychologist or physician during the period of time they are away from work provided the process of obtaining a second opinion does not interfere with the process and/or instruction recommended by the County Psychologist.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/143

Report Date: 07/22/2021

Primary Information

Description:	Use of Force and Critical Incident Policies - Ramsey County Sheriff's Office
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/25/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

7/23/2021, acquisition of Use of force and critical incident procedures and policies from the Ramsey County Sheriff's Office are attached to this report. No exhibit(s) by virtue of this activity or report.

Narrative begins on the following page.

On 07/23/2021, Senior Special Agent Brent Petersen requested and received a copy of the policy and procedures from the Ramsey County Sheriff's Office for deputy use-of-force and critical incidents.

Copies of the policies are attached to this supplement.

No exhibit(s) by virtue of this activity or report.

Officer-Involved Shooting and Deaths

310.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of a deputy.

In other incidents not covered by this policy, the Sheriff may decide that the investigation will follow the process provided in this policy.

310.2 POLICY

The policy of the Ramsey County Sheriff's Office is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

310.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved deputies.
- A civil investigation to determine potential liability.

310.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer/deputy. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

310.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Ramsey County Sheriff's Office would control the investigation if the suspect's crime occurred in one of its contract cities.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Sheriff and with concurrence from the other agency.

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310.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved deputy's conduct during the incident will be determined by the employing agency's protocol.

When a deputy from this office is involved, the criminal investigation will be handled by the jurisdiction in which the event occurred.

Requests made of this office to investigate a shooting or death involving an outside agency's officer shall be referred to the Sheriff or the authorized designee for approval.

310.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

310.4.4 POST ADMINISTRATIVE INVESTIGATIONS

The Minnesota POST Board may require an administrative investigation based on a complaint alleging a violation of a statute or rule that the board is empowered to enforce. An officer-involved shooting may result in such an allegation. Any such complaint assigned to this office shall be completed and a written summary submitted to the POST executive director within 30 days of the order for inquiry (Minn. Stat. § 214.10 Subd. 10).

310.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death:

310.5.1 UNINVOLVED DEPUTY RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved RCSO deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Office or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

310.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved RCSO supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.

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1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any RCSO deputy to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Unit Commander and Emergency Communications Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional RCSO members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. Each involved RCSO deputy should be given an administrative order not to discuss the incident with other involved officers or RCSO members pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other deputies.

310.5.3 UNIT COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Unit Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Sheriff or designee.

All outside inquiries about the incident shall be directed to the PIO.

310.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Sheriff
- CIU Commander
- Outside agency investigators (if appropriate)
- Office of Professional Standards Commander
- County civil liability attorney
- Psychological/peer support personnel

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- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

310.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 1. Involved RCSO deputies shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-RCSO officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Office to each involved RCSO deputy. A licensed psychotherapist may also be provided to any other affected RCSO members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications with peer counselors are privileged and shall not be disclosed without the permission of the involved deputy. The peer counselor, however, may disclose information that he/she reasonably believes indicates that the deputy may be a danger to self or others, as long as the information is used only for the purpose of eliminating the danger. Such information or opinion is not admissible in any personnel or occupational licensing matter involving the deputy (Minn. Stat. § 181.973).

Care should be taken to preserve the integrity of any physical evidence present on the involved deputy's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it. If safe to do so, the involved deputy shall leave his/her firearm in the same condition it was immediately after the shooting (e.g., bullet in chamber, handgun in holster).

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Each involved RCSO deputy shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of a supervisor to make schedule adjustments to accommodate such leave.

310.6 CRIMINAL INVESTIGATION

The BCA is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death, unless delegated to another agency.

If available, investigative personnel from this office may be assigned to partner with investigators from outside agencies or the County Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) RCSO supervisors and Internal Affairs Unit personnel should not participate directly in any voluntary interview of RCSO deputies. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved deputies shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

310.6.1 REPORTS BY INVOLVED RCSO DEPUTIES

In the event that suspects remain outstanding or subject to prosecution for related offenses, this office shall retain the authority to require involved RCSO deputies to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

The audio recording of a voluntary interview of any involved RCSO deputy shall be transcribed and will become his/her report for the incident. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

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Nothing in this section shall be construed to deprive an involved RCSO deputy of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

310.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Office.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident. If the family and/or associate have not been notified of the death or serious injury, refer to the Death Investigation Policy for guidance.

310.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated CIU supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Office investigators will be assigned to work with investigators from the BCA or designee and may be assigned to separately handle the investigation of any related crimes not being investigated by the BCA.

All related office reports, except administrative and/or privileged reports, will be forwarded to the designated CIU supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division/Unit Commander.

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310.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this office will conduct an internal administrative investigation of involved RCSO deputies to determine conformance with office policy. This investigation will be conducted under the supervision of the Office of Professional Standards and will be considered a confidential deputy personnel file.

Interviews of members shall be subject to office policies and applicable laws (Personnel Complaints Policy; Minn. Stat. § 626.89).

- (a) Any deputy involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening in accordance with the drug and alcohol testing guidelines in the Drug- and Alcohol-Free Workplace Policy adopted under the authority of Minn. Stat. § 181.950 to Minn. Stat. § 181.957. Absent consent from the deputy, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any deputy has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved deputy.
 - 1. If a further interview of the deputy is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved deputy shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved deputy has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the deputy's physical and psychological needs have been addressed before commencing the interview.
 - 2. The interview must be taken at the RCSO or at a place agreed to by the interviewer and the involved deputy.
 - 3. The interview must be of reasonable duration and provide the involved deputy reasonable periods for rest and personal necessities. When practicable, the interview must be held during the involved deputy's regularly scheduled work shift. If not, the involved deputy must be compensated at his/her current pay rate.
 - 4. If requested, the deputy shall have the opportunity to select an uninvolved representative or an attorney, or both, to be present during the interview. However, in order to maintain the integrity of each individual deputy's statement, involved deputies shall not consult or meet with a representative collectively or in groups prior to being interviewed.
 - 5. Administrative interviews shall be recorded electronically or otherwise by the investigator. The deputy may also record the interview. A complete copy or

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transcript of the interview must be provided to the involved deputy upon written request without charge or undue delay.

6. The deputy shall be informed of the nature of the investigation. If a deputy refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The deputy shall be informed in writing or on the record that the interview will be for administrative purposes only and that the statement cannot be used criminally.
7. The Office of Professional Standards shall compile all relevant information and reports necessary for the Office to determine compliance with applicable policies.
8. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
9. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

310.8 CIVIL LIABILITY RESPONSE

A member of this office may be assigned to work exclusively under the direction of the legal counsel for the Office to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

310.9 AUDIO AND VIDEO RECORDINGS

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or County Attorney's Office, as appropriate.

310.10 DEBRIEFING

Following an officer-involved shooting or death, the Ramsey County Sheriff's Office should conduct both a critical incident/stress debriefing and a tactical debriefing.

310.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The EAP coordinator is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event (Minn. Stat. § 181.973).

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The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Office directly involved in the incident, which can include support personnel (e.g., dispatchers, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Office, including supervisory and Office of Professional Standards personnel.

The EAP coordinator shall collaborate with the criminal investigators and administrative investigators prior to scheduling the debriefing.

310.10.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Sheriff should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

310.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and office representative responsible for each phase of the investigation. Releases will be available to the on-duty supervisor, CIU Commander and Public Information Officer in the event of inquiries from the media.

No involved RCSO deputy shall make any comment to the media unless he/she is authorized by the Sheriff or designee.

Office members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

310.12 REPORTING

If a deputy discharges a firearm in the course of duty, the Sheriff shall notify the Commissioner of Public Safety within 30 days of the reason for and the circumstances surrounding the discharge of the firearm (Minn. Stat. § 626.553).

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Minn. Stat. § 626.8452).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized Device - A device a deputy has received permission from the agency to carry and use in the discharge of that deputy's duties, and for which the deputy has:

1. obtained training in the technical, mechanical and physical aspects of the device; and
2. developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device

Bodily Harm - Physical pain or injury, illness, or any impairment of physical condition.

Choke Hold - A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Deadly Force - Force used by a deputy that the deputy knows or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

De-Escalation - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

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Great Bodily Harm - Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Other Than Deadly Force - Force used by a deputy that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

Substantial Bodily Harm - Bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

300.2 POLICY

It is the policy of this law enforcement agency to ensure deputies respect the sanctity of human life when making decisions regarding use of force. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Deputies shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the deputy.

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

Deputies should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

The decision by a deputy to use force or deadly force shall be evaluated from the perspective of a reasonable deputy in the same situation, based on the totality of the circumstances known to or perceived by the deputy at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when deputies may be forced to make quick judgments about using such force.

This policy is to be reviewed annually and any questions or concerns should be addressed to the immediate supervisor for clarification.

This policy applies to all licensed peace officers and part-time peace officers engaged in the discharge of official duties.

300.2.1 DUTY TO INTERCEDE AND REPORT

Any deputy, regardless of tenure or rank, present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede physically or verbally to prevent the use of unreasonable force (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

Any deputy who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances shall report these

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observations in writing to the Sheriff within 24 hours (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

300.3 USE OF FORCE

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose. Use of physical force should be discontinued when resistance ceases or when the incident is under control.

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

When de-escalation techniques are not effective or appropriate, a deputy may consider the use of other than deadly force to control a non-compliant or actively resistant individual. A deputy is authorized to use agency-approved other than deadly force techniques and issued equipment may use reasonable force in the following circumstances (Minn. Stat. § 609.06 and Minn. Stat. § 629.33):

- (a) In effecting a lawful arrest.
- (b) In the execution of a legal process.
- (c) In enforcing an order of the court.
- (d) In executing any other duty imposed by law.
- (e) In preventing the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime.

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- (f) In restraining a person with a mental illness or a person with a developmental disability from self-injury or injury to another.
- (g) In self-defense or defense of another.

A deputy who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such deputy be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

A deputy shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force.

Whenever possible and when such delay will not compromise the safety of another or the deputy and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, the deputy shall allow an individual time and opportunity to submit to verbal commands before force is used.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to deputies or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
- (c) Deputy/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with deputy commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness (Minn. Stat. § 626.8452).
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the deputy.
- (l) Potential for injury to deputies, suspects, and others.

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- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.2 RESTRICTIONS ON THE USE OF OTHER RESTRAINTS

Deputies may not use any of the following restraints unless the use of deadly force is authorized (Minn. Stat. § 609.06; Minn. Stat. § 609.066):

- (a) A choke hold.
- (b) Tying all of an individual's limbs together behind the person's back to render the person immobile.
- (c) Securing an individual in any way that results in transporting the person face down in a vehicle.

Less than lethal measures must be considered by the deputy prior to applying these measures.

Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the deputy, or another person. In these situations, only the amount of force necessary to control the situation shall be used.

300.4 USE OF DEADLY FORCE

A deputy is authorized to use deadly force if an objectively reasonable deputy would believe, based on the totality of the circumstances known to the deputy at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply;

- (a) To protect the peace deputy or another from death or great bodily harm, provided that the threat:
 - i. can be articulated with specificity by the deputy;
 - ii. is reasonably likely to occur absent action by the deputy; and
 - iii. must be addressed through the use of deadly force without unreasonable delay;or
- (b) To effect the arrest or capture, or prevent the escape, of a person whom the deputy knows or has reasonable grounds to believe has committed or attempted to commit a felony and the deputy reasonably believes that the person will cause death or great

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bodily harm to another person under the threat criteria in paragraph (a), items (i) to (iii), unless immediately apprehended.

A deputy shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable deputy would believe, based on the totality of the circumstances known to the deputy at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the deputy or to another under the threat criteria in paragraph (1a), items (i) to (iii).

Where feasible, the deputy shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, deputies should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this office shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The deputy should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis and related purposes, the Office may require the completion of additional report forms, as specified in office policy, procedure or law.

300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the Conducted Electrical Weapon (CEW) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.

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- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the deputy's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor shall respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Arrive with body worn camera activated.
- (b) Obtain the basic facts from the involved deputies. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

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- (c) Ensure that any injured parties are examined and treated.
- (d) Review and approve all related reports.
- (e) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

300.7.1 DIVISION COMMANDER RESPONSIBILITY

The Division Commander or the authorized designee shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING

Deputies will receive training on this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3). This includes the POST recommendations of general rules governing use of force to include:

- (a) Before carrying a firearm all deputies shall receive training and instruction with regard to the proper use of deadly force and to the agency's policies and State statutes with regard to such force. Such training and instruction shall continue on an annual basis.
- (b) Before carrying an authorized device all deputies shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or other than deadly force situations. Such training and instruction shall continue on an annual basis.
- (c) Deputies will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the deputy or the public requiring the use of a device or object that has not been authorized to counter such a threat.
- (d) In addition, training shall be provided on regular and periodic basis and designed to
 1. Provide techniques for the use and reinforce the importance of de-escalation
 2. Simulate actual shooting situations and conditions; and
 3. Enhance deputies' discretion and judgment in using other than deadly force in accordance with this policy.
- (e) With agency approval deputies may modify, alter or cause to be altered an authorized device in their possession or control.

300.8.1 PROHIBITED TRAINING

Warrior-style training, as defined in Minn. Stat. § 626.8434, whether provided directly by the Office or through a third party, is prohibited (Minn. Stat. § 626.8434).

300.9 RECORDKEEPING REQUIREMENTS

The Sheriff or designee shall maintain records of the agency's compliance with use of force training requirements.

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300.10 DEPUTY RESPONSE MODEL

[Deputy Response Model - RCSO.png](#)

The Deputy Response Model illustrates the options a deputy has at each level of resistance. It is provided as a visual aid in decision-making. The illustration is not to be interpreted as a mandatory step-by-step progression. It is recognized that a compliant encounter can escalate to a deadly force situation quickly.

LEVELS OF RESISTANCE OR AGGRESSION:

Cooperative - An individual who acknowledges direction of lawful orders and offers no passive, active, aggressive, or aggravated aggressive resistance.

Passive Resistance - The individual is not complying with a deputy's commands and is uncooperative but is taking only minimal physical action to prevent a deputy from placing them in custody and rendering the situation safe.

Active Resistance - The individual's verbal or physical actions are intended to prevent a deputy from placing them in custody and rendering the situation safe, but are not directed at harming the deputy.

Aggressive Resistance - The individual displays by their behavior the perceived intent to harm the deputy, themselves or another person and prevent a deputy from placing them in custody and rendering the situation safe.

Aggravated Aggressive Resistance - The individual's actions are likely to result in death or serious bodily harm to the deputy, themselves or another.

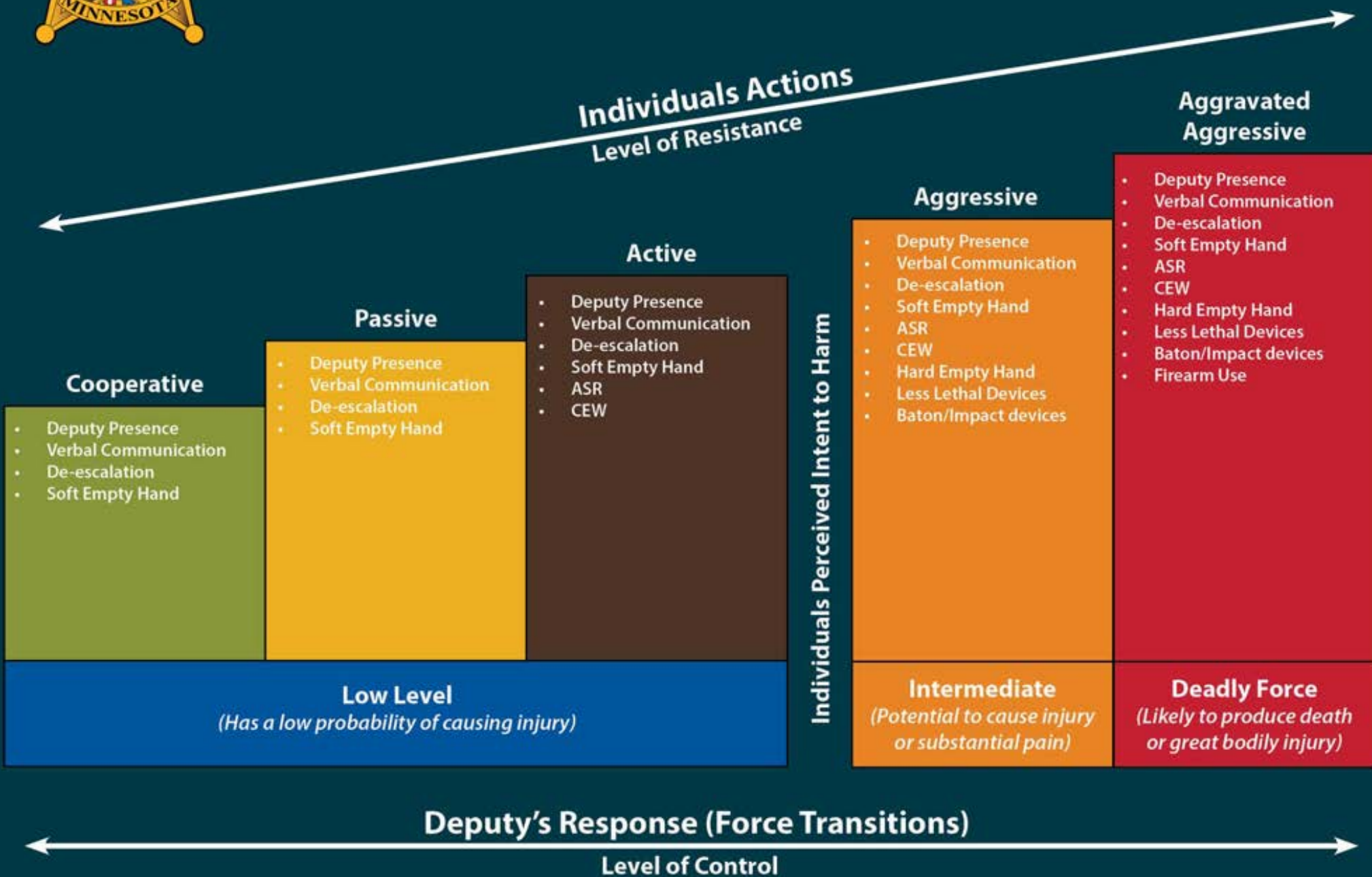
Attachments

Deputy Response Model - RCSO.png



Deputy Response Model

This is a general guideline; not a set pathway. Deputies shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the deputy.



Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/144

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Minneapolis Firefighter Byron Todd
Occurrence From: 07/15/2021 09:12
Occurrence To: 07/15/2021 09:24
Reporting LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/15/2021, at 0912 hours, SSA Lang conducted a phone interview with Minneapolis Firefighter, Byron Todd. Recorded interview saved to DVD, resulting in the acquisition of evidence item 2021-399/144.1. Interview transcript and evidence transfer receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - Firefighter #1 - Bjorn, Benjamin

Primary Information

Exempt From Disclosure: YES
Subject Name: Bjorn, Benjamin
Record Type: Firefighter
Bio: Unknown, Male
Juvenile: NO

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(612) 922-7109 (BUSINESS)

Subject #2 - Firefighter #2 - Havron, Neil

Primary Information

Exempt From Disclosure: YES
Subject Name: Havron, Neil
Record Type: Firefighter
Bio: Unknown, Male
Juvenile: NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/144

Report Date: 07/29/2021

Subject #2 - Firefighter #2 - Havron, Neil - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3025 MARKET PLZ, Minneapolis, Minnesota 55416 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 922-7109 (BUSINESS)

Subject #3 - Firefighter #3 - Todd, Byron

Primary Information

Exempt From Disclosure:	YES
Subject Name:	Todd, Byron
Record Type:	Firefighter
Juvenile:	NO

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
EMPLOYER	(612) 922-7109 (BUSINESS)

Property #1 - Item 144.1 DVD of interview with Minneapolis Firefighter Byron Todd

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Item 144.1 DVD of interview with Minneapolis Firefighter Byron Todd
Property Status:	BCA / HQ
Status Date:	07/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/144.1)
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Lang, Nancy
Collected Date/Time:	07/15/2021 09:12

Narrative begins on the following page.

On 07/15/2021, at 0912 hours, Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Lang conducted a phone interview with Minneapolis Firefighter, Byron Todd. SSA Remme was also present via phone for the interview. The interview was in reference to Todd's role in the response to the officer-involved shooting on June 3rd 2021, in Minneapolis, MN.

The following is a synopsis of the statement with Todd:

He is currently employed as a Fire Motor Operator for the City of Minneapolis and has been employed by the city for 25 years. His badge number is 187 and his current assignment is Engine 22. He is an Emergency Medical Technician (EMT) Basic and his training and certifications are current.

He was working on June 3rd 2021 and responded to a critical incident in Minneapolis in a parking ramp. On that day he was working 0800 hours until 0800 hours the following morning. He was working with Captain Ben Biorn and Firefighter Neil Havron.

When they arrived in the area, there were several squads on the Lake Street side and on the 31st Street Side. They were met by a police officer, who walked them to the stairs closest to Lake Street and to the incident. He saw paramedics doing CPR. About ten seconds after they arrived, the paramedics pronounced the patient deceased and stopped working on him. He saw ten to twelve people in the area, who all looked like cops and were wearing vests. He saw several undercover vehicles with LED lights blinking.

He did not know the patient or any of the officers involved in the incident.

His team went back down the ramp and a law enforcement official, unknown department, walked them over to a Minneapolis squad where another patient was waiting with a paramedic. The female patient had blood on her and was asking if she had been shot and if she was going to die. An officer and the paramedic were trying to calm her down and told her she had not been shot but was bleeding from glass shrapnel and needed to go to the hospital. He heard her say, in reference to the deceased male, she had been talking to him for only three weeks and "boys are bad and maybe I should just date girls."

He did not take any photos or videos when he was there, but they were called back later that evening to the ramp to wash down the blood. A large crowd had formed and he took a photo of the crowd when he was on the ramp. He did not know if he had the photo as he had since replaced the phone. See statement with Todd for further information.

Recorded interview saved to DVD, resulting in the acquisition of evidence item 2021-399/144.1. Interview transcript and evidence transfer receipt, respectively, attached.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/144

Case Agent: Petersen, Brent

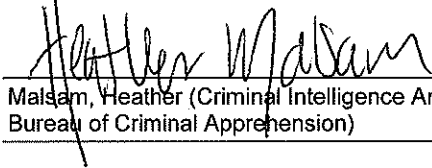
Item	Quantity	Description
1	1.00	Item 144.1 DVD of interview with Minneapolis Firefighter Byron Todd

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

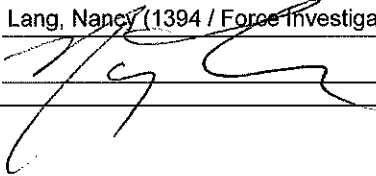
City/State

Telephone

Released By

Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	07/15/2021 @ 09:12 hrs	BCA CASE #:	2021-399
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Byron Todd (BT)	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA Nichole Remme
REVIEWED BY:	SSA Nancy Lang		

NL Case number 2021-399. Today's date is 7-15 and the current time is 09:12 hours. I am on the phone with Minneapolis Fire Fighter um, Byron Todd. Oh, this is Agent Nancy Lang and also present is on the phone is Agent Nikki Remme. Um, let's see. So, Byron do you wanna go ahead and spell your first and last name?

BT Uh, B-Y-R-O-N is my first name and the last names Todd, T-O-D-D.

NL T-O-D-D. And which department do you work for?

BT Uh, City of Minneapolis.

NL Okay.

BT Fire Department.

NL Okay. And what is your rank?

BT Um. Fire Motor Operator. I'm a driver.

NL Okay. So, Fire Motor Operator.

BT Um-hm.

NL And do you have a badge number?

BT Uh... hang on I'll get it. I think it's 1-8-7 but I'll have to double check.

NL Okay.

BT Yeah, hold on, my rooms right here. I can go look.

NL Okay.

BT Alright.

(pause)

BT Yep. 1-8-7.

NL Okay. And how many years have you um, been employed with the City of Minneapolis as a fire fighter?

BT Hmm... 24, 25.

NL Okay. 25 years. And what is your current assignment?

BT Engine 22.

NL Okay. And do you have any specialized um, assignments? Anything thing else...

BT No.

NL Okay.

BT Nope.

NL And what's your level of medical training? (sniffs).

BT EMT Basic.

NL And are you current in all your training and certification?

BT Oh, yeah.

NL Alright. Were you working on June 3rd, 2021, when the call came out for a critical incident?

BT Yep.

NL Do you know what hours you were working that day?

BT What hours I was working?

NL Or what shift you were working?

BT Um, 8 am ta 8 am the follow morning. Is that what you're looking for?

NL That is what I'm looking for. (sniffs). And who was your partner that day?

BT Uh, there was three of us. Uh, Captain Ben Biorn and then in the back was Fire Fighter Nei Havron.

NL Okay. (sniffs). And you responded to that incident in the, um, parking ra, ramp in Minneapolis. Is that correct?

BT Yes.

NL Can you go ahead and just give me a narrative of your role in that incident? Um, what you observed, what actions you took.

BT Um, well we pulled up and I positioned the rig and there were you know, they're already several squads down there on the Lake Street side and on the 31st Street side and then a police officer met us I, don't know his name or anything or his badge number. And walked us up the stairs that were closest to Lake Street and over to the incident and um, about ten seconds after we got there, before we could do anything um, the paramedics pronounced the guy deceased and stopped working on him.

NL Okay.

BT And, and then I just kinda looked around at the, you know all these people and they all look like cops and then I um, I noticed the uh, you know all undercover vehicles with the little LED lights blinking in them. And um, hold up. One second.

NL 'Kay.
(phone ring).

BT Oh, I can't.
(phone ring).

BT And then um, oh, what else was there, I think we only stayed up there five or ten minutes. It just I, I just kinda looked around and uh, I just remember looking down at the guy goin', this

guy is either black or Hispanic and this is gonna go bad. Really fast in this current environment that we're living in. And that's unfortunate because nobody knows what happened. Yet.

NL Okay. Um, when you said that you looked around and you can see cops and undercover vehicles. How were, how did you identify those um, law enforcement officers?

BT Um, oh...

NL Were they...

BT ... some of them were wear, almost all of them were wearing a vest.

NL Okay. And did you see anything else identifying them or just the vest or you know sometimes they'll have like a placard on the back of the vest indicating...

BT Right.

NL ... who they are. Did you see anything else ta help describe them?

BT I think I saw one that said sheriff, at least one. I don't recall if I saw anything that said US Marshalls on it or not.

NL Okay. And then you also said there were um, oh, let me ask you this about how many people did you see when you got to the top of the ramp there?

BT Oh. 8 or, 10 or 12. Something like that. I think.

NL Okay. And you said that paramedics were working on the patient at the time?

BT Yeah.

NL Okay. What did you observe them doing?

BT It looked like they were doing CPR but I, you know. By the time I literally got up there, and walked over they stopped.

NL Okay. Did you know the patient?

BT No.

NL Did you know um, any of the officers involved?

BT No.

NL Okay. Did you have contact with any other patients that day the, in reference to that incident?

BT Um, the female that supposedly was in the car with him. They uh, they took us back down and then um, some law enforcement official, I don't know if Minneapolis Police or whatever I can't recall, walked her over to near a Minneapolis squad who had been waiting for her with another paramedic.

NL So, did you provide her treatment as well?

BT Um, we really didn't have too. I mean, there was blood on her and she was...

NL (coughs).

BT ...(inaudible) saying stuff like, am I gonna die. Have I been shot? And uh, you know the cop there and the medic were you know trying to calm her down and say hey, let's calm down.

Let us take a look and they did and said no, you haven't been shot, it just looks like some glass shrapnel. You just have to go and get cleaned up. So you need to go to the hospital.

NL Did you hear that patient say anything else in reference to the incident um, or just anything else that was heard when you were in her presence?

BT What I heard her say and I'll, I'll never forget this was I've only been talking to this guy for three weeks. Boys are bad and maybe I should just date girls. And the reason I remember is I'm sorry, I apologize but it struck me funny and I started smiling and turned away.

NL 'Kay. Anything else that you can recall? From that...

BT Uh, no.

NL ... interaction.

BT Nope. Not right now.

NL Okay. So, specifically you heard her say you know I've only been talking to this guy for three weeks um, and then what you had said the rest of that and then also she was asking if am I going to die and have I been shot, is that correct?

BT Right.

NL Okay. Did you take any photos, recordings, or video while you were at the call?

BT No. No, no, no, no.

NL Okay.

BT Oh, wait, I stand corrected. After it was all done, and the crowd was gathering because when they took us down to wait for her ta, ta, to have her brought down to us.

NL Um-hm.

BT There's already a crowd gathering and somebody was out there with a bullhorn yelling and trying to stir things up. So I was on the roof top and I take a picture of that.

NL Okay.

BT That was it. And I don't even know if I still have it cause I got it a new phone.

NL Okay. And what, if you do have it would we be able to get that picture.

BT Yeah. Sure.

NL Okay. Um, so Agent Remme, do you have any other questions?

NR I do not have any other questions, thank you.

NL Okay. So, Byron do you, is there anything else that you think, would, that maybe I didn't ask you that would be helpful in our investigation?

BT I can't recall anything right now.

NL Okay. Okay. Alright well then I'm gonna else this statement current is 09:23 hours.
(recorder turned back on)

NL Okay. I'm turning the tape recorder back on. It is um, 09:24 hours. And Byron, can you just go ahead and tell me what you had just said when I, after we were finishing up our conversation.

BT What I mentioned that I had taken a picture, I took the picture, eh uh, near dusk when we got called back there after they removed the body and uh, they called us back to um, washed down

the floor of the parking garage and, and get rid of the blood and so, that's when I looked over the side and saw all the people and that's when I um, took the picture.

NL Okay. Do you know how um, long after the um, initial response that was?

BT Oh, it had to be several hours cause I, I don't remember exactly the time that call came in but I remember the sun was high so it was you know, I don't know lunch time or earlier, I'm not sure.

NL Okay. And then you...

BT But, when we went back to clean the blood, it was just starting to get dark.

NL Okay.

BT When the sun was starting to set.

NL Okay. Got it. Alright, now that will be the end of this statement.

BT Okay.

NL And the current time is 09:25.

END OF RECORDING

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/145

Report Date: 07/26/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Minneapolis Firefighter Captain Benjamin Biorn
Occurrence From:	07/23/2021 10:12
Occurrence To:	07/23/2021 10:21
Reporting LEO:	Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/26/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/23/2021, at 1012 hours, SSA Lang conducted a phone interview with Minneapolis Firefighter Captain Benjamin Biorn. Recorded interview saved to DVD, resulting in the acquisition of evidence item 2021-399/145.1. Interview transcript and evidence transfer receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - Firefighter #1 - Biorn, Benjamin	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Biorn, Benjamin
Record Type:	Firefighter
Bio:	Unknown, Male
Telephones / E-Addresses	
Relationship	Number/E-Address
BUSINESS	(612) 922-7109 (BUSINESS)

Subject #2 - Firefighter #2 - Havron, Neil	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Havron, Neil
Record Type:	Firefighter
Bio:	Unknown, Male
Juvenile:	NO

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/145

Report Date: 07/26/2021

Subject #2 - Firefighter #2 - Havron, Neil - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3025 MARKET PLZ, Minneapolis, Minnesota 55416 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(612) 922-7109 (BUSINESS)

Subject #3 - Firefighter #3 - Todd, Byron

Primary Information

Exempt From Disclosure:	YES
Subject Name:	Todd, Byron
Record Type:	Firefighter
Juvenile:	NO

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
EMPLOYER	(612) 922-7109 (BUSINESS)

Property #1 - Item 145.1 DVD of Interview with Minneapolis Firefighter Captain Benjamin Biorn

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Item 145.1 DVD of Interview with Minneapolis Firefighter Captain Benjamin Biorn
Property Status:	BCA / HQ
Status Date:	07/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/145.1)
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Lang, Nancy
Collected Date/Time:	07/23/2021 00:00

Narrative begins on the following page.

On 07/23/2021, at 1012 hours, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Nancy Lang conducted a recorded phone interview with Minneapolis Firefighter, Captain Benjamin Biorn. SSA Petersen was also present for the interview. The interview was in reference to Biorn's role in the response to the officer-involved shooting on June 3rd 2021, in Minneapolis, MN.

The following is a synopsis of the statement with Biorn:

He is a Captain for the Minneapolis Fire Department and has worked for the department since 2005. His badge number is 871. He is an EMT and his certification and training is up to date. His current assignment is Engine 22, A-Shift, in which he works 24 hour rotating shifts.

He was working a 24 hours shift on 06/03/2021 with Byron Todd as his driver and Neil Havron as his firefighter. His team responded to the critical incident in Uptown Minneapolis that day. They were called to a shooting and staged until they received a Code-Four, in which the scene was secure for them to enter.

When he and his team arrived at the scene, Minneapolis Police were securing the street level and had it taped off. They were ushered in by police and walked to the south stairwell of the parking ramp. They arrived at the same time as the Hennepin County Paramedics, who have a higher level of medical training, and they defered to them at the scene. He saw multiple officers in uniforms and also undercover. He observed a Hennepin County Sheriff performing CPR on a patient who had been shot. The paramedics stepped in and pronounced the patient dead. He had no hands on contact with the patient.

He did not know the patient or any of the officers involved, nor did he hear any of them talk about the incident. As he got into the elevator with his team, they were notified there was possibly another patient. They took the stairwell down and located the female patient in the back of a squad car. The female got out of the squad and wasn't sure if she had been shot. She had been cut by glass and was bleeding in a couple areas. He went to the ambulance and got Kerlix and a bandage and then bandaged her leg.

While bandaging her leg, she was talking about how men were horrible and that she should be a lesbian. She was scared and he reassured her that she wasn't shot. He bandaged the cuts and the paramedics took her to an ambulance. He and his team were released from the scene.

Exhibit 2021-399/145.1, a DVD of the statement with Biorn, was acquired by virtue of this activity and report. Interview transcript and evidence transfer receipt, respectively, attached.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/145

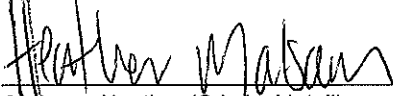
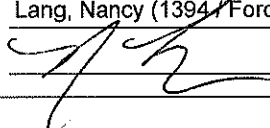
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Item 145.1 DVD of Interview with Minneapolis Firefighter Captain Benjamin Bjorn

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  **Date Received** 7/23/2021
Name Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) **Owner/For Owner** _____
Address _____
City/State _____
Telephone _____
Released By Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By 

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	July 23, 2021	BCA CASE #:	2021-399
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Capt. Benjamin Biorn (BB)	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA Brent Petersen (BP)
REVIEWED BY:	SSA Nancy Lang		

NL Case number 2021-399. This is Senior Special Agent Nancy Lang. Also present is Senior Special Agent Brent Petersen. Uh this will be a taped uh phone call interview to um Benjamin Biorn and Benjamin can you go ahead and spell your first and last name please?

BB Yeah it's uh B-E-N-J-A-M-I-N. Last name Bjorn, B-I-O-R-N.

NL Okay and what department do you work for?

BB Minneapolis Fire Department.

NL Okay and how long have you worked there?

BB Since 2005.

NL And your rank?

BB Captain.

NL Okay do you have a badge number?

BB Uh yes I, gosh, I don't even know what it is actually (laughs).

NL That's okay um...

BB I'm sorry about that.

NL Okay so you've worked there since 2-...

BB I can look that up, I can look that up.

NL Okay we can get back to that later.

BB Okay.

NL And what's your current assignment?

BB Uh engine 22 on the A shift.

NL Okay and A shift is what?

BB Uh there's three shifts with the f- uh Minneapolis Fire Department. Uh we work a 24 hour schedule.

NL Okay and so your days rotate?

BB Correct, yep.

NL Okay alright and then what is your level of medical training?

BB EMT.

NL Okay and are you current in all your training, certifications?

BB Yes.

NL Okay were you working on June 3rd 2021?

BB Yes.

NL Okay and what were you working that day, do you remember the hours you were working with or who you were working with?

BB 24 hour shift I had um my driver was Byron Todd as an FMO and uh my firefighter was Neil Havron.

NL Um did you respond to a critical incident that afternoon in Minneapolis in downtown?

BB Uh it was in the Uptown.

NL Uptown sorry, thank you.

BB Yep.

NL Um can you go ahead and give me a narrative of what your role was in that incident, basically what you observed, what you, what actions you took?

BB Sure yeah, we were called to a shooting um and we staged for it well they call it staging for a code four basically um, ya know, from police.

NL Um-hm.

BB And by the way, badge number do you want that real quick?

NL Sure.

BB 871.

NL Okay thank you.

BB Yep so we were staging for a code four from police which is just ya know they're securing the scene uh we were ushered in by police. We walked up the it w- woulda' been the south stairwell of the parking ramp and we were, we arrived with Hennepin County medics and they're trained to a higher level obviously. We usually hand- ya know we show up a lot of times first and then hand off to the paramedics and uh they were there on scene uh an officer I believe it was a Hennepin County uh sheriff was doing CPR on the person that was, the individual that was shot and um medics stepped in and and uh, pronounced him dead. We really, DOA, dead on arrival. We really didn't have uh any hands on contact with the, with the patient.

NL Okay so when you arrived um and I understand it was on the fifth floor of the parking ramp is that correct?

BB Yeah the top level of the parking ramp yes.

NL Okay when you arrived there about how many people did you see or um who was present when you got off the, out of the stairwell?

BB Uh well Minneapolis Police were already securing the, on the street level. They had it taped off and uh we, when we arrived it, it was multiple officers and some undercover.

NL Okay and then you said um you saw who you believed to be a Hennepin County sheriff doing CPR?

BB I believe, yeah I believe it was a Hennepin County sheriff uh that was performing CPR on the, on the individual that was shot.

NL Okay and that, was that based on something they were wearing or something...

BB yeah..

NL ...you were told?

BB ...the, the uniform, the uniform.

NL Okay so he was in uniform is that correct?

BB Correct.

NL Okay and about how many other people were providing medical aid at that time do you recall?

BB Um basically that was it. He was doing CPR, there wasn't much else like they didn't have any ya know airway equipment. I believe there was an AED present but um I-I can't rememb- I think that was attached to the patient but usually don't typically shock a patient with uh trauma anyways.

NL Okay um did you write a report then, is that correct?

BB I did yes.

NL Okay, um, just looking at additional questions here. About how many people and I may have asked this already and I-I know I asked about medical aid but about how many people did you see present when you um were on that level of the parking?

BB I-I wanna say around ten.

NL Okay and you identified them as...

BB There was some, some were in uniform and then there was also um I believe undercover officers.

NL Okay and how did you identify them as undercover officers?

BB Well they just, they weren't in uh regular uniform.

NL Okay were they wearing something else that would indicate they were officers?

BB Uh I, ya know no but I mean I, no one else woulda' been able to get that close to the patient if they weren't, didn't have something to do with the scene 'cuz it was already being cleared of any ya know of any bystanders so I just assumed they were officers.

NL Okay um did you know the subject, the patient?

BB No.

NL Okay did you know any of the officers that were involved in the incident?

BB No.

NL Okay did um, did you hear anything being said, anybody talking about the incident when you were there?

BB No.

NL Okay, um, was there a second patient involved?

BB Yes um so when we were cleared uh the paramedics pronounced the patient DOA uh they got in the, into the elevator with my firefighter, myself and my driver were notified by and I believe it was a Minneapolis uh police officer that there was possibly another patient and so we took the stairwell down and that patient was, uh the female was um in the back of the squad car and they got her out. At first we weren't sure if she, she was bleeding. She had, was cut in a couple spots. It ended up just being from the glass, we weren't sure if she was shot also uh but I was there with a H- um it was a Hennepin County supervisor for ya know the, the hospital and he kinda, he w- looked over the patient and confirmed that she wasn't

shot and it was a couple uh it was a couple cuts from glass and he had me go to the ambulance and get some Kerlix and a bandage and I-I bandaged her leg.

NL Okay well...

BB And then she was walked off into the ambulance.

NL Okay while you were bandaging her leg and providing um assistance did she say anything or do you recall anything being said during that time?

BB She, if I remember right she was talking about how she, how men are horrible and that she should be a lesbian, I believe that's exactly what she uh what she was saying something along those, along that line.

NL Okay do you recall anything else being said?

BB No, no. She was just scared. She was scared she was at, at first she wasn't sure if she was shot and so they were, we just reassured her that ya know it was, she was cut it wa- she wasn't shot and bandaged her up and then the medics took her to the ambulance.

NL Okay.

BB And we were released.

NL Okay and so let's see, did you take any photos or recordings or video while you were on scene?

BB No.

NL Okay and um I'm gonna ask my partner here um Agent Petersen, do you have any additional questions?

BP Uh I think we've got it covered, thank you Captain.

BB Sure.

NL Okay is there anything else relevant to our investigation that I didn't ask you that you think I should...

(Phone ringing).

NL ...I may want to know?

BB I-I don't believe so or yeah I, that's, that was pretty much our, the extent of, of what we did.

NL Okay, great.

BB I mean yeah, I think we covered it.

NL Okay, that'll be the end of this statement uh the current date is 7/23/21 and the current time is 10:21 hours.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/146

Report Date: 07/26/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Minneapolis Police Sergeant Christopher Pickhardt
Occurrence From:	07/23/2021 10:30
Occurrence To:	07/23/2021 10:41
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/26/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/23/2021, SSA Petersen interviewed Minneapolis Police Sergeant Christopher Pickhardt regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/146.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - WITNESS #1 - Pickhardt, Christopher	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Pickhardt, Christopher
Record Type:	Law Enforcement Official
Juvenile:	NO

Property #1 - Recorded Interview Saved to Disc - Sgt Chris Pickhardt	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Sgt Chris Pickhardt
Property Status:	BCA / HQ
Status Date:	07/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/146.1)
Collected By:	Petersen, Brent
Collected Date/Time:	07/23/2021 10:41

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/146

Report Date: 07/26/2021

Narrative begins on the following page.

On 07/23/2021 at approximately 1030 hours, Senior Special Agent (SSA) Brent Petersen interviewed Minneapolis Police Sergeant (Sgt.) Christopher Pickhardt regarding this investigation. SSA Petersen recorded the voluntary interview with Sgt. Pickhardt. Refer to the interview transcript for complete details.

The following is a synopsis of Sgt. Pickhardt's statement:

Sgt. Pickhardt stated that on 06/03/2021 he was on duty as a day shift patrol sergeant in the Fifth Precinct. Sgt. Pickhardt stated that at some time in the early afternoon he learned from dispatch that members of the US Marshal's Taskforce were in Uptown conducting surveillance. Approximately an hour later, he heard over the police radio that taskforce members needed assistance at a scene in which shots were fired. Sgt. Pickhardt stated he responded from the precinct station to the parking ramp and went up to the top level.

Sgt. Pickhardt stated that when he arrived on the fifth level of the ramp, he observed numerous law enforcement personnel in plain clothes and wearing tactical vests that clearly identified them as law enforcement. Additionally, Sgt. Pickhardt saw several unmarked vehicles, some with emergency lights activated, surrounding another vehicle parked in the ramp. Sgt. Pickhardt saw members of the taskforce performing CPR on a male who appeared to be deceased.

Sgt. Pickhardt spoke with one of the members of the taskforce, but does not know who specifically it was. This person told Sgt. Pickhardt that shots had been fired by law enforcement in the direction of the vehicle they had surrounded. Sgt. Pickhardt stated that this interaction was captured by his body-worn camera. Sgt. Pickhardt did not identify who from the taskforce shot and did not make any additional inquiries. Sgt. Pickhardt stated that his role at that time was to secure the scene for investigators, which he did with the assistance of other Minneapolis officers.

Sgt. Pickhardt remained at the scene on the top level of the parking ramp until the crime scene processing was complete. Sgt. Pickhardt has not spoken with any of the taskforce members about this incident. Sgt. Pickhardt completed a police report documenting his actions and observations from 06/03/2021.

Recorded interview saved to a disc and acquired as exhibit 2021-399/146.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/146

Case Agent: Petersen, Brent

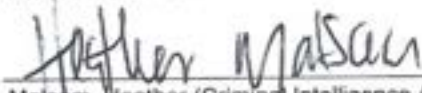
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Sgt Chris Pickhardt

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 23, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/146.1
INTERVIEW OF:	Sgt. Chris Pickardt (CP)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 07/26/2021		

BP All right, Sarge, so my recorder is going. And um today's date is July 23rd, 2021. And it's 10:30 a.m. And the BCA case number uh is 2021-399. Uh and this is um Brent Petersen with the BCA. And I'm speaking with uh Sergeant uh Christopher Pickardt. Um Sarge could I just start out with a badge number from you?

CP Yeah my badge number is 5716.

BP And are you a licensed peace officer in the State of Minnesota?

CP I am with the Minneapolis Police Department.

BP All right and um what's your POST number, if you know it?

CP 10524.

BP How long have you been a peace officer in Minneapolis?

CP Uh 32 years.

BP 32 years. All right and uh you're a Sergeant. Do I have that correct?

CP Correct.

BP And how long have you held that rank?

CP Uh let's see since 2001, 20 years now.

BP 20 years. And uh as a Sergeant what's your current assignment with the police department?

CP Uh 5th precinct patrol supervisor for the day watch shift.

BP All right. Um what hours do you typically work?

CP My hours are usually 6:00 in the morning 'til 4:00 in the afternoon.

BP 6:00 a.m. 'til 4:00 p.m. Okay and then um uh do you wear a, a full Minneapolis police uniform?

CP I do.

BP And then do you have a, a marked squad car that you typically drive?

CP Yes I do.

BP And how about a body worn camera? Are you issued a body worn camera?

CP Yes I am.

BP All right. Um I'll just direct your attention back to um the afternoon of June 3rd, 2021. Were you on duty that day?

CP I was.

BP Working 6:00 a.m. to 4:00 p.m.?

CP Yeah.

BP Um at about 1400 hours or so um did you respond to the uh parking ramp there near what used to be called Calhoun Square. I'm not sure if it's still called that but uh there (inaudible)

CP Nope it's no longer called that. It's I think uh seven points properties now.

BP Seven points, there you go.

CP Yeah.

BP Did you go to the, the ramp?

CP I did.

BP Can you just tell me about that? Tell me um like how you became aware of what was going on and, and things that you observed and things that you did at there at scene.

CP Well just shortly before that I know, receiving information I believe was just a message sent out over our MDC's that there was a task force that was doing some surveillance in the area, of that property. Um I can't remember the exact address they gave us. I think it was somewhere around 1400 West Lake Street, which is right by there.

BP Um-hm.

CP And that they were gonna be doing surveillance in the area. And then I'd say, I can't say for sure maybe a half hour, forty-five minutes later I heard um same task force, at least that's what my opinion was, it was the same task force called out that there had been shots fired. And they needed help at that location.

BP Okay. Um so when you heard that what, what did you do?

CP I was currently at the 5th precinct which is about a mile and a half, two miles away from that location. I responded from that location to the scene. I believe myself and another squad were the first two squatted to arrive there.

BP All right now did you, did you drive up to the 5th floor or did you walk up?

CP I walked up.

BP All right what did you observe when you first got there?

CP Uh when I first got up to the 5th floor I saw numerous vehicles surrounding another vehicle that was up on the 5th floor. Uh I saw numerous um police officers that were up there. I saw that all of them appeared to be identified by wearing uh tactical vests that had Sheriffs on the back. And um Marshals on the back. I believe were the, those were the only two designations I saw but everybody I saw up there was easily identified to me as a police officer up there. And um there was kind of a little bit of a chaotic scene...

BP Um-hm.

CP ...with people moving around and that. I got over to more the south side of near where the elevators are and I noticed there were several people that were doing, working on a person medically.

BP Okay.

CP Uh doing CPR. And trying to do life saving measures on an individual that ended up being deceased up there.

BP All right.

CP So when I got up there I tried to make contact with anybody I could at that point. And I didn't even get names right away. I, my main concern was...

BP Right.

CP ...making sure that, did we need, who we needed for medical up there. Were any officers injured.

BP Um-hm.

CP Um were there any other suspects at large. And were there any rounds that had been fired where I have a concern from that ramp where I may have to send other officers (inaudible) to check the perimeter area for any stray bullets that may have um gone from that location.

BP Did you get answers to those questions?

CP I did. Um I learned that officers had fired shots and the one individual was down. Um and they believed all of the rounds at least some, what they thought went towards the vehicle that was there. The suspect vehicle. And that none of 'em would have been stray. That there were no other suspects. There um was information to me at some point that there was a female that was also in the vehicle.

BP Um-hm.

CP And that they had her secured in another vehicle a short distance away. But still up on the 5th floor of that ramp.

BP Okay. Um do, do you have any idea who it was that kind of told you like about (inaudible)

CP Eh you know I don't and I haven't had a chance to go through my body...

BP Sure.

CP It will be on body worn camera...

BP Okay.

CP ...who I talked to.

BP Okay.

CP Or in the, the person I talked to and I don't even know if I got their name. Originally.

BP All right.

CP When we were up there.

BP Um so these, these, these uh task force people that were up there they had tactical vests that clearly identified them as what you said. Um...

CP Yes I could clearly identify everybody that was up there was wearing...

BP Okay.

CP ...um outer vests with badges on the front. And plates, name plates across the back that clearly identified them as officers.

BP Other than that though were they in a, in any sort of uniform that you could tell?

CP Uh I don't believe any of 'em were in any type of formal uniform. Other than the tactical vests that had the...

BP Okay.

CP ...that had the designations on it. Otherwise they were wearing plain clothes.

BP Okay. And the vehicles that you saw surrounding the other vehicle. Were those, marked (inaudible)

CP Uh mostly, most, no unmarked vehicles. Mostly SUV type vehicles.

BP Okay.

CP Uh some of 'em did have I know emergency lights activated in them.

BP Okay.

CP That were clearly visible as well.

BP Okay. All right great. So um what happens then from that point of, uh (inaudible)

CP At that point when we finally determined there was no other immediate safety...

BP Yeah.

CP ...concern there um I turned into the point that since it was in Minneapolis happened up there that our, our function as Minneapolis that responded to this was just to lock down the scene.

BP Okay.

CP So I requested other officers that were responding to make sure to lock down the block area...

BP Um-hm.

CP ...around the ramp. So we had nobody entering or exiting. Or at least if people exiting we have them identified.

BP Um-hm.

CP If anybody exits the ramp. And then locking down around the perimeter of the ramp itself.

BP Okay. Um did you have any contact with the, the female that was (inaudible)

CP I did not. I never even saw her. I know at one point they requested some of our officers to be with her cuz she needed medical care.

BP Yeah.

CP So I assigned one of our squads, 520.

BP Um-hm.

CP Officers Milner and Diedrich.

BP Um-hm.

CP To um track down where they had that female at and to make sure she gets the medical care she needs and to stay with her, if need be.

BP Okay. Did you kind of primarily just stay up there on the 5th level?

CP I did. Almost my entire time was up on the 5th level. And then once their crime lab showed up I went down like one level.

BP Okay.

CP Um so they could do, complete their tasks up on the 5th floor.

BP Did, did you have any indication there who specifically from law enforcement fired?

CP I do not.

BP Okay. All right. Um, did you make any observations of the actual scene itself like did you ever look inside the vehicle that, the other vehicles were surrounding. Or anything like that?

CP I briefly saw in through the door but I never, I wasn't probably more than two or three maybe five feet from the vehicle. So I never, cuz I wasn't searching for anything.

BP Right.

CP Or looking for anything. I never noticed anything out of the ordinary. I just saw a door, the passenger door, open to what was the suspect vehicle.

BP Okay. Did you have any conversations up there on the 5th floor with anybody that kinda gave you a rundown of what happened?

CP No just brief, just...

BP Yeah.

CP ...the quick stuff of are we looking for somebody else. Um not a what happened at the scene it was you know who shot, what shot or anything like that.

BP Okay.

CP I never had that type of conversation.

BP All right I mean is that even, necessarily stuff you want to know?

CP No it wasn't, eh my thing was to...

BP Yeah.

CP ...lock down the scene. And then find out from them who is going to be the investigating agency.

BP Right.

CP On that cuz I learned fairly quick that it was an officer involved shooting.

BP Yeah.

CP So we really lock our scene down and then hold it to find out who is, who is going to be investigating this. There was a little confusion on that because there, were multiple agencies...

BP Right.

CP ...involved within that task force. So it just took a little time for them to make information that was it the BCA that was going to come out and do the investigation and um it wasn't gonna be us so...

BP Yeah.

CP ...I didn't have to do anything further there. And, and then I just had to make sure that um we kept the scene secure for the agency that's coming in to investigate.

BP Very good. All right. Uh you mentioned your body worn camera was being, was activated. As far as you know that, that remained on for as long as it...

CP Yeah it...

BP ...needed to be on?

CP ...it, it remained on until it died. And it was on for I'd say approximately four hours. I think around 6:30 that night it died.

BP Okay.

CP The battery died on it.

BP And you were still on scene?

CP I was still on scene. But the scene was fairly well wrapped up at that point.

BP Sure.

CP I think at by that time um the BCA's crime lab uh evidence technicians were getting pretty close to finishing up.

BP Gotcha.

CP So there was nothing really further from that, that I did after that had died.

BP All right. Um I just gonna ask, we just kinda always ask these questions. Um did, did you take any photographs with any other sort of devices while you were on scene?

CP I did not.

BP Any, any uh statements from any citizens?

CP Nope I never saw any citizens up on, that I can recall up on the 5th floor or that I had contact with.

BP Great.

CP Other than, the protestors we dealt with after the...

BP Sure. Okay.

CP The aftermath.

BP Um and then I, I guess maybe lastly did you end up writing a report a supplement for you guys' case file?

CP I did wrote a report.

BP Okay.

CP Yes.

BP All right. Um since this incident have you had any conversations with anybody from that task force, about...

CP I have not.

BP ...what happened or who, who fired or anything like that?

CP No I have not talked to anybody from that task force since that day.

BP Perfect. All right is there anything else Sarge that you can think of that might be important for me to know?

CP No.

BP All right. Um I, again appreciate you taking time. Uh I'm gonna turn off my recorder. The time is 10:41.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/147

Report Date: 07/26/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Hennepin County Sheriff's Deputy John Cramble
Occurrence From:	07/23/2021 10:44
Occurrence To:	07/23/2021 10:51
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/26/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis
On 07/23/2021, SSA Petersen interviewed Hennepin County Sheriff's Deputy John Cramble regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/147.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - LAW ENFORCEMENT OFFICER #1 - Cramble, John	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Cramble, John
Record Type:	Law Enforcement Official
Bio:	White, Male
Rank/Position:	Deputy/Patrol Division
Juvenile:	NO
LEO ID:	535

Property #1 - Recorded Interview Saved to Disc - Dep John Cramble	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Dep John Cramble
Property Status:	BCA / HQ
Status Date:	07/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/147.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/147

Report Date: 07/26/2021

Property #1 - Recorded Interview Saved to Disc - Dep John Cramble - Continued

Primary Information - Continued

Collected By: **Petersen, Brent**
Collected Date/Time: **07/23/2021 10:51**

Narrative begins on the following page.

On 07/23/2021 at approximately 1044 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Deputy John Cramble regarding this investigation. SSA Petersen recorded the voluntary interview with Deputy Cramble. Refer to the interview transcript for complete details.

The following is a synopsis of Deputy Cramble's statement:

Deputy Cramble stated that on 06/03/2021 he was on duty as a patrol deputy for the sheriff's office. Deputy Cramble received direction from a supervisor to retrieve his riot gear from the patrol station and respond to Uptown to assist with the crime scene. Deputy Cramble stated he went to Minneapolis and positioned himself on the northeast side of the parking ramp, street level, and assisted with scene security.

Deputy Cramble indicated he arrived on the scene well after-the-fact and never went up to the top level of the ramp. Deputy Cramble has not had interaction with any of the US Marshal's Taskforce members. Deputy Cramble remained on the perimeter until instructed by a supervisor to clear from the scene.

Recorded interview saved to a disc and acquired as exhibit 2021-399/147.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/147

Case Agent: Petersen, Brent

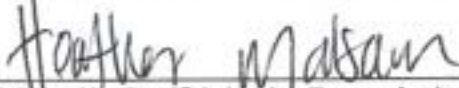
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Dep John Cramble

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 23, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/147.1
INTERVIEW OF:	Deputy John Cramble (JC)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 7/26/2021		

- BP All right sir so my recorder is on. Um the date today is July 23rd, 2021. And it's 10:44 a.m. Uh and this is regarding BCA case number 2021-399. Uh and this is Brent Petersen with the BCA. And I'm with Hennepin County Sheriff's Deputy John Cramble. Um Deputy Cramble before we get too far into this could I just get a badge number from you to start?
- JC Yeah my badge number is 535.
- BP And um are you, are you licensed?
- JC I am licensed.
- BP Do you know what your POST number is?
- JC 17792.
- BP And how long have you been a licensed peace officer?
- JC You had to ask that. Let me think (laugh)
- BP (inaudible)
- JC It's been since 2004. Actually...
- BP 04, okay.
- JC ...7-24 yeah so we're coming up on what is it 17 years now.
- BP That sounds about right. All right and has that all been with Hennepin County Sheriff?
- JC Yes it has.
- BP All right. Um so what do you do currently for the sheriff's office?
- JC I am out at our patrol division as a licensed police officer responding to calls.
- BP All right and what, what uh shift are you working?
- JC I work day shift.
- BP Day shift, what hours are uh are the day shift for you?
- JC Uh the hours are 6:00 to 6:00. 6:00 a.m. to 6:00 p.m.
- BP All right. And then uh in that position uh do you wear a full deputy or sheriff's deputy uniform?
- JC Yeah the, the position I'm in or where I currently work it's a fully marked squad and I wear a full uniform.
- BP Great. Um are you also issued a body worn camera?
- JC I am.

BP Okay. Um so I'm calling about uh the, the, the critical incident from June 3rd in Uptown in Minneapolis. Um were you on duty that day?

JC Yes I was.

BP Did you at some point respond to uh the, the scene or the area around the scene in Uptown?

JC Yeah I responded to the area around the scene.

BP Can you just tell me about that? How you got notif--, how you learned about it, what your role was. When you got there approximately and what you did.

JC Uh got notified by supervisors that we needed to grab our riot gear and stuff like that to help out with a perimeter position. We end up going down there and we ended up being on its, the incident happened on the parking ramp we were on the east and north side of the parking ramp. Kinda in the open field area. I think it's Girard or something.

BP Okay

JC And that's where we posted to set up a perimeter.

BP All right. So were you there in your, in your riot or your mobile field force gear? Or were you there in your just your patrol uniform?

JC Well when we got there everything kinda seemed to be the, the agitated people were in one area. And where we were at we just stayed in our regular uniforms.

BP Okay. And so you, you're saying we, was somebody with you?

JC Uh, I'm sorry what'd you say? You broke up I'm sorry (inaudible)

BP Oh I'm sorry yeah you, you're saying that you, you're saying we, we got there. Were there other people with you?

JC Oh, yeah. Yeah I had like a, a when I got there, there was like a Lieutenant there a watch commander...

BP Gotcha.

JC ...Dan (inaudible) uh I believe Tara (inaudible). There was um Greg Granson who's one of our K9's.

BP Yeah.

JC Uh I believe Ethan Winesro (sp?) he was another K9. And (inaudible)

BP Okay so uh just other...

JC (inaudible)

BP ...other Deputies...

JC Yeah.

BP ...and staff and...

JC Yeah.

BP ...supervisors. Okay.

JC And then there was like Minneapolis cops.

BP Sure.

JC And there was ATF.

BP Okay.

JC Yeah.

BP Um all right and so the, you're there at the northeast side of the ramp. Um what, what is it that you kinda do?

JC We just stood there because there was a lot of investigators there from both your department and...

BP Yeah.

JC ...ATF and other agencies. And we kinda kept a perimeter line of so people wouldn't come in.

BP Gotcha.

JC And then just (inaudible) security issue. Watching all the patrol or all the vehicles there.

BP Okay. Um and do you know about what time it was when you got there?

JC (sigh) I wish I could give you a time. I don't know.

BP Was it af...

JC I don't know.

BP After like...

JC It was (inaudible) significantly after the...

BP Okay.

JC ...the incident.

BP All right. Um did you have any...

JC It was not an...

BP Did you have any contact with um any of the task force members that night?

JC No. No.

BP Or that afternoon?

JC No I, no.

BP Um are you, do you know Deputy [REDACTED]

JC I do, I do know him. We're not like friends where we talk every day.

BP Okay.

JC But I know who he is and I mean if we seen each other, we're in a, we're, we'd be cordial towards each other. We could talk and...

BP Okay. Ha...

JC And, yeah.

BP Have you had any conversations with him recently regarding this incident?

JC No. I have not.

BP All right. Um when you were at the ramp that day um was your body worn camera activated um at any point?

JC I'm gonna say no to it but I don't remember.

BP Sure.

JC Cuz when we got there, there was nothing really going on.

BP Yeah.

JC There was nothing (inaudible)

BP Okay.

JC Um but it doesn't mean I didn't turn it on like if somebody came up and started talking to us.

BP Okay.

JC I, I don't remember.

BP All right. Um do you remember did you take any photographs with any other devices or anything like that?

JC No.

BP Okay. And speak to any uh civilians or citizens that maybe witnessed what happened?

JC Uh there was one guy and I don't remember his name.

BP Um-hm.

JC That was sitting there talking and, and then he one of my partners gave my cell phone to him as a kinda joke and then I get a phone call from some lady that said she was wondering about a white car or something on top of the ramp. She knew who it was and, and I, I was like well you need to talk to these investigators here. And I just, didn't think nothing of it. I thought maybe like they were blowing steam. But I didn't get into any (inaudible) with it because my partner thought it'd be funny to give my phone to somebody on the scene.

BP Oh.

JC That was not all there and then he gave that phone number to some lady that...

BP Oh okay, but it wasn't...

JC (inaudible) and I don't think it has anything to do with the thing.

BP Yeah.

JC But,

BP Okay.

JC I want to put that out there.

BP All right. No problem. All right um...

JC (laughs)

BP Uh is there anything else that you can think of that might be important for me to know, about your role there?

JC No.

BP That's about it.

JC We just stood outside I didn't even get to see what was going on upstairs.

BP Sounds good. All right. Well I appreciate...

JC Yeah.

BP ...you taking just a few minutes to talk to me uh about that. Um I'm gonna...

JC Yeah absolutely.

BP ...turn off, turn off my recorder. Uh the time is...

JC Okay.

BP ...10:51.
RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/148

Report Date: 07/28/2021

Warning
Contains entities exempt from disclosure

Primary Information	
Description:	Interview of Hennepin County Sheriff's Lieutenant Barbara Lusignan
Occurrence From:	07/23/2021 10:52
Occurrence To:	07/23/2021 10:59
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis	
On 07/23/2021, SSA Petersen interviewed Hennepin County Sheriff's Lieutenant Barbara Lusignan regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/148.1. Interview transcript and ACISS receipt, respectively, attached.	

Address #1 - Occurred #1 - 1430 MARYLAND AVE E	
Primary Information	
Address:	1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description:	BCA HQ

Subject #1 - WITNESS #1 - Lusignan, Barb	
Primary Information	
Exempt From Disclosure:	YES
Subject Name:	Lusignan, Barb
Record Type:	Law Enforcement Official
Bio:	White, Female
Rank/Position:	Sergeant, Crime Scene Investigator
Juvenile:	NO

Property #1 - Recorded Interview Saved to Disc - Lt Barb Lusignan	
Primary Information	
Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Lt Barb Lusignan
Property Status:	BCA / HQ
Status Date:	07/23/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/148.1)
Collected By:	Petersen, Brent

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/148

Report Date: 07/28/2021

Property #1 - Recorded Interview Saved to Disc - Lt Barb Lusignan - Continued

Primary Information - Continued

Collected Date/Time: 07/23/2021 10:59

Narrative begins on the following page.

On 07/23/2021 at approximately 1052 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Lieutenant (Lt.) Barbara Lusignan regarding this investigation. SSA Petersen recorded the voluntary interview with Lt. Lusignan. Refer to the interview transcript for complete details.

The following is a synopsis of Lt. Lusignan's statement:

Lt. Lusignan stated that on 06/03/2021 she was off duty and driving home when she heard over her police scanner about the shooting in Uptown involving a deputy from Hennepin County. Lt. Lusignan stated she went back into service and responded to the parking ramp in Minneapolis.

Lt. Lusignan stated that she went up to the top level of the parking ramp and met with other supervisors from Hennepin County. Lt. Lusignan assisted with securing access to the top level of the ramp. Lt. Lusignan stated that when she arrived, the taskforce members were not on scene and she had brief contact with responding deputies who provided emergency aid to the now deceased male. Those deputies went to the Fifth Precinct station. Lt. Lusignan did not have any contact with any of the taskforce members directly involved in the incident, to include Deputy [REDACTED] from Hennepin County.

Lt. Lusignan remained on scene for the duration of the investigation and assisted with security.

Recorded interview saved to a disc and acquired as exhibit 2021-399/148.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/148

Case Agent: Petersen, Brent

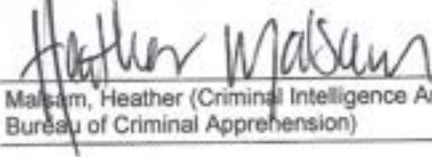
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Lt Barb Lusignan

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malcom, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 23, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/148.1
INTERVIEW OF:	Lt. Barb Lusignan (BL)	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 7/28/2021		

- BP All right so Lieutenant uh um the recorder is going here. And the date is July 23rd, 2021 and it's 10:53 a.m. And this is regarding BCA case number 2021-399. And uh this is Brent Petersen with the BCA with Lieutenant Barbara Lusignan. Okay Lieutenant could I just for, to begin get a, a badge number from you?
- BL Sure it's 478.
- BP All right and are you a licensed peace officer?
- BL I am.
- BP Do you know what your POST number is?
- BL Yes it's 16963.
- BP Thank you. And how long have you been a peace officer?
- BL Um it's coming up on so 18 and ½ years. Almost 19 years.
- BP 18 ½, 19 years okay. And uh you are a Lieutenant?
- BL I am.
- BP How long have you held that rank?
- BL 6 months.
- BP 6 months. All right well congratulations.
- BL Thank you.
- BP Uh what are you doing as a Lieutenant for the Sheriff's Office?
- BL So I work for the enforcement services division and I am currently in charge of our transper-- , excuse me transport unit and our hospital guard unit.
- BP Okay. Um in that position do you, are you typically in uniform or is that a plain clothes assignment?
- BL A full uniform.
- BP Okay. Um and then are there typically hours that you are working consistently or (inaudible)
- BL Yes I work from, yeah it's Monday through Friday from 6:00 to 2:00.
- BP 6:00 uh all right thank you. Um...
- BL Um-hm.
- BP ...all right so June 3rd, 2021. Um were you on duty that day?
- BL I was.

BP Um did you respond at some point to either the scene or the area around the scene there in Uptown um near the uh parking ramp where the shooting occurred?

BL I did.

BP Can you just tell me um how you were notified of the incident and kind of what, what you did, what your role was there at the scene.

BL Sure so I heard the incident come out on the radio. When I was actually on my way home from work. Um so it was sometime around 1400 or after 1400 when I would have been driving home. Um and then I notified my commander that I would be responding just because I believed it was maybe Hennepin County involved.

BP Um-hm.

BL And you know I realized it was uh the caliber of the scene it was an OIS. So I turned the car around and I um started heading towards the scene. And by the time I got there um you know there was crowds that were forming and um you know I just kind of learned about what happened. And so my role there was um crowd security. And um just to preserve the scene.

BP Um-hm.

BL For while we awaited the BCA to arrive.

BP Okay did you ever go up to the top level?

BL I did.

BP You did?

BL Yes.

BP What, what did you see when you got up there?

BL Um honestly I stayed back to like towards the ex-- or the entrance...

BP Um-hm.

BL ...up the parking ramp. Um I just, I was up there to talk with uh the commanders that were on scene. And we were kind of (inaudible) plan of what we needed to do.

BP Yeah.

BL So really I ended up kind of being in that um that kind of the hallway, the stairwell area if you may just to kind of secure that area to make sure no one um was going up there.

BP Um-hm.

BL (inaudible) need to go up there.

BP Um-hm. Did anybody try to go up there?

BL Um it was all just command staff...

BP Yeah.

BL ...with BCA.

BP Okay so just...

BL (inaudible)

BP ...law enforcement generally was up there?

BL Correct.

BP Um so when you got there was the scene kind of was it still I mean were, what were people doing?

BL Um so people were leaving that I believe there was some people that had rendered aid.

BP Yeah.

BL And those were the people that leaving at that point. Um I think I (inaudible) one last deputy that was um maybe rendering aid.

BP Um-hm.

BL Um and like I said it was in passing right when I pulled up they were leaving.

BP Okay.

BL And um everybody else involved was already gone.

BP Okay so did you learn at that point who had shot?

BL No I did not.

BP Did you know it was one of your um deputies?

BL Um eventually through, throughout the you know scene...

BP Yeah.

BL ...of being there throughout that whole day cuz it was a long that evening...

BP (inaudible)

BL ...night um you know I had learned that it was um one of our deputies involved.

BP Okay but when you got there on the scene was that deputy, Deputy [REDACTED] was he there?

BL No, no...

BP No he was...

BL ...not at all.

BP ...gone? Okay. All right.

BL (inaudible)

BP All right. Um did you have any conversations with any other, other than your coworkers or super, co or other supervisors um any conversations with any of the other like task force members or marshal service or anything like that-that, that might be important for me to know?

BL No um the only thing is like I said when I first rolled up one of the deputies um was just leaving.

BP Yeah.

BL So he was just telling us that he wasn't involved in the actual incident. Um that he was just, he was assisting with rendering aid.

BP (inaudible)

BL And then he was, he said he was leaving the location to debrief wherever that location was (inaudible)

BP Who was that?

BL Uh [REDACTED]

BP [REDACTED] Okay.

BL Um-hm.

BP All right. Um are you issued a body worn camera?

BL I am.

BP All right. Um as far as you know um was your camera activated if, if it, if it needed to be activated?

BL Yes.

BP Okay. Um did you take any photographs with any other devices while you were on scene?

BL No not at all. No photographs.

BP Um did you speak to any citizens uh that maybe heard or saw anything?

BL I did not.

BP Did not. Okay. Um since this incident have you had any conversations with either Deputy [REDACTED] or anybody else on that task force uh where details of the incident had been shared with you?

BL No actually not at all.

BP Not at all. Okay. Great.

BL Nope.

BP Appreciate that. Is there anything else you can think of uh Lieutenant that would be important for me to know that maybe we haven't talked about?

BL No I think that was it.

BP All right. So were you there kind of for the duration then?

BL Yes I just...

BP Yeah.

BL ...you know I (inaudible) stood by. I assisted and when I needed to go down below to where the crowd um at times were getting kind of out of control.

BP Um-hm.

BL You know I would be more in the front line there with the peop--, with Minneapolis and our deputies. And then like I said I was just kind of monitoring back and forth the scene safety.

BP Okay. Great. All right um well I appreciate your time. Uh I'm gonna turn off my recorder. And it is 10:59 it looks like.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/149

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Sheriff's Deputy [REDACTED]
Occurrence From: 07/23/2021 11:02
Occurrence To: 07/23/2021 11:11
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/28/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/23/2021, SSA Petersen interviewed Hennepin County Sheriff's Deputy [REDACTED] regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/149.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO

Property #1 - Recorded Interview Saved to Disc - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Audio Recording
Description: Recorded Interview Saved to Disc - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 07/23/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/149.1)
Collected By: Petersen, Brent

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/149

Report Date: 07/28/2021

Property #1 - Recorded Interview Saved to Disc - Dep [REDACTED] - Continued

Primary Information - Continued

Collected Date/Time: 07/23/2021 11:11

Narrative begins on the following page.

On 07/23/2021 at approximately 1102 hours, Senior Special Agent (SSA) Brent Petersen interviewed Hennepin County Sheriff's Deputy ██████ regarding this investigation. SSA Petersen recorded the voluntary interview with Deputy ██████. Refer to the interview transcript for complete details.

The following is a synopsis of Deputy ██████ statement:

Deputy ██████ stated that on 06/03/2021 he was on duty as a member of the Violent Offender Taskforce, conducting surveillance in south Minneapolis. Deputy ██████ heard over the police scanner that members of the US Marshal Taskforce were asking for assistance at the scene of a shooting in Uptown. Deputy ██████ responded to the parking ramp and went to the top floor.

Deputy ██████ stated that when he arrived at the ramp he observed a US Marshal performing CPR on a black male. Deputy ██████ took over chest compressions from the US Marshal. After several minutes of chest compressions another deputy, Deputy ██████ took over performing CPR until paramedics arrived and told him to stop. The medics pronounced the male as deceased.

Deputy ██████ stated that he remained on scene and looked into the front passenger window of the Maserati SUV on the scene. Deputy ██████ observed a discharged shell casing on or near the center console, which suggested to him that someone had fired a gun from inside the vehicle. No one at the scene told him that shots had come from inside the Maserati.

Deputy ██████ denies speaking with any of the taskforce members about what happened. Deputy ██████ left the scene and went to the Fifth Precinct station where he learned that the two Marshal Taskforce members who had fired were also there. Deputy ██████ then learned that Deputy ██████ with Hennepin County had been involved in the shooting. Deputy ██████ stated he briefly spoke to Deputy ██████ at the Fifth Precinct station and asked him if he was ok and if there was anything that he (██████) could do for ██████ Deputy ██████ denies that he spoke with Deputy ██████ about the incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/149.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/149

Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Dep [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/23/2021

Name

Malham, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 23, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/149.1
INTERVIEW OF:	Deputy [REDACTED]	INTERVIEWED BY:	SSA Brent Petersen (BP)
REVIEWED BY:	SSA Petersen 7/28/2021		

BP Okay so the recorder is on and uh the date today is July 23rd, 2021. And it is 11:02 a.m. And the BCA case number is 2021-399. And uh this is Brent Petersen with the BCA. And I am on the phone with Deputy [REDACTED] with Hennepin County. Um Deputy [REDACTED] could I just get a badge number from you please?

[REDACTED]

BP And uh are you a licensed peace officer?

[REDACTED] I am.

BP Do you know your POST number?

[REDACTED]

BP And uh how long have you been a licensed peace officer?

[REDACTED] just coming up on my uh let's see um just coming up on [REDACTED] years.

BP [REDACTED] years. Okay.

[REDACTED] Yeah

BP Uh and what is it that you're doing for the Sheriff's Office at the moment?

[REDACTED] I am assigned to the [REDACTED].

BP How long have you been on that?

[REDACTED] A little over [REDACTED] years.

BP Okay. Is that a uniform or plain-clothes position?

[REDACTED]

BP [REDACTED] okay. Are you issued a body worn camera as part of your membership there in VOTF?

[REDACTED] I am now.

BP You are now. Okay. Um here to talk about a incident that occurred June 3rd. Were you working that day?

[REDACTED] I was.

BP Did you respond to the parking ramp in Uptown?

[REDACTED] I did.

BP Can you just tell me about that? Tell me how you became aware of it and uh also kind of what, what you did. Things you observed when you were there.

■ We were doing surveillance in South Minneapolis. Someone called over the radio that uh Deputies needed help.

BP Um-hm.

■ Uh over by Uptown. Our whole group responded. Uh when I got to the scene I heard many different things. Uh we ended up figuring out they were on the top floor of the parking ramp.

BP Um-hm.

■ We ran up there. I ran up there. I saw I believe four Marshals around a young black male that was laying on the ground.

BP Um-hm.

■ They were doing CPR. Helping him breathe with a breathing pump.

BP Um-hm.

■ A manual pump. Um I watched for a minute. Uh I saw that the, didn't know how long they'd been doing it so I felt that the guy doing the CPR looked like he could be fatiguing.

BP Um-hm.

■ So I asked him if he wanted a replacement. And I donned some gloves and uh took over for him.

BP Okay.

■ So I started doing CPR.

BP When you started CPR what I mean what did you observe from the, the, the male that was injured?

■ Uh to me he looked like he'd already passed.

BP Yeah? Okay. Um could you, could you see uh trauma to him?

■ I really couldn't. He still had his clothes on.

BP Oh, okay.

■ And I was more concerned about keeping the rhythm of uh pumping...

BP Yeah.

■ ...on his chest in case it was a chance of saving him.

BP Okay. Do you know who you took over CPR from?

■ I don't know his name.

BP It's a Marshal?

■ He's a, one of the Marshals.

BP Oh okay.

■ And I, I'm not familiar with him.

BP Sure. Um at the time of this incident when you went up to the ramp there did you have a body worn camera?

■ I don't believe I had it on.

BP Okay. All right.

■ But we weren't required to have 'em on all the time at that point.

BP Okay. Sounds like that's maybe changed?

■ Uh at this yeah as of today uh if it the same thing happened I would have it on.

BP Yeah. Sure. Understood.

■ And I might have had it on. I'm not positive.

BP Okay. Uh you haven't seen any video?

■ Sometimes they go on when other people turn, other people turn theirs on.

BP Okay. You haven't seen any video that you would have taken though?

■ I, I have not.

BP Okay. Got it. Um so uh your performing CPR. Um kind of at some point I assume you stopped CPR. Can you just tell me about that? When, when is it that you stopped?

■ Ambulance driver, paramedics came.

BP Yeah.

■ On to the scene.

BP Um-hm.

■ Uh checked the person that was laying in front of me.

BP Yeah.

■ Said that I could stop CPR. That he was gone.

BP Okay. All right what happened from then?

■ Uh basically I just kinda kept security around the area where I was.

BP Um-hm.

■ Around that, body and around the car.

BP Um-hm.

■ Just kind of stood there until I was told I could uh be uh to leave the scene and go over to the 5th precinct.

BP 5th precinct. Okay what did you when you were there at the ramp what did you learn happened?

■ Well I didn't learn a whole lot.

BP Okay.

■ At the, at the ramp. But what I did, did see was I did look in the car. Uh that he was in. The uh the suspect was in.

BP Okay.

■ And uh I, eh it at the center console.

BP Um-hm.

■ I could see that there was a round uh that was lodged in the center console. A spent round.

BP Like a, a casing? Is that what you talking...

■ Yeah.

BP Okay.

■ Yeah.

BP What was the significance of that to you?

■ Well to me it showed that uh someone had shot from the car.

BP Okay. Did anybody tell you that at the scene that somebody had shot from inside the car?

■ No I didn't know anything about what had happened.

BP All right.

■ I knew that one of our deputies might be involved but I wasn't even positive of that at that time.

BP Was that deputy there when you got there?

■ Yes.

BP Deputy ■ we're talking about?

■ Correct.

BP Did you have any discussion with him?

■ Uh he said hello to me.

BP Um-hm.

■ And I never talked to him uh at that scene after that.

BP Gotcha. Okay. All right. Um (clears throat) and then when you say you looked in the, in the, the vehicle. Are we talking about that Maserati SUV?

■ Correct.

BP Okay did you, how did you...

■ And uh and I looked in through the passenger window.

BP Okay that was my question. I didn't know if you meant like you went in the car or you just, you looked through the window.

■ No.

BP Okay.

■ I just could see through the window it was right there. I could see a round. It looked like the center console had popped up a little bit.

BP Okay.

■ And the round was, was lodged in there.

BP Okay. Um did you have any contact with the passenger that had been in that vehicle? The female?

■ No I never e-even saw that person.

BP Okay. Great.

■ I think she was being taken away as I was arriving.

BP Gotcha. Okay. All right um so you, you mentioned then you stayed there and kind of provided some security. How long do you think you were up there on the ramp?

■ Uh it would have been probably about an hour.

BP About an hour. Okay.

■ Yeah.

BP All right and then what happened at the, after about that hour? You went to the 5th precinct?

■ I was told to go to the 5th precinct in case someone wanted to talk to me.

BP Okay. Um so what happened at the 5th precinct?

■ Nothing.

BP (inaudible)

■ I stood there. We were there for a couple hours. Uh me and another guy that had helped me with the CPR. Two guys actually.

BP Yeah.

■ Two of the deputies that were with me. Um they helped with the breathing and then...

BP Yeah.

■ ...one of them took over for CPR before the, oh yeah. That, that's right. So uh Deputy ■

BP Uh-huh.

■ Relieved me on CPR.

BP Okay.

■ And then the ambulance driver said we could stop and he stopped.

BP Gotcha. Okay so...

■ Yeah I got relieved by Deputy ■ Yeah sorry about that.

BP That's okay.

■ It's been a while.

BP That, that's hey that's why we talk it through right things come back...

■ Yeah.

BP ...to memory. So you, you relieved the Marshal. And then Deputy ■ and what's his first name?

■ Uh ■

BP He relieved you and then the paramedics told him, the guy is...

■ Yeah.

BP ...deceased. Okay.

■ Yeah.

BP Got it.

■ He relieved me for no more than two minutes and the paramedics were up there. And I was still standing right there when the paramedic said that he's gone we can stop.

BP Um were the ddd, the, the, the deputies that were involved in the shooting at the 5th precinct with you?

■ Uh, yes they were. Yeah they were in separate rooms.

BP Okay.

■ Uh and I'd see 'em on and off.

BP All right.

■ Yes.

BP And again did you, did you discuss with either of them details about what happened?
█ Not at all. I don't even know the one person. I don't think I could pick him out of a lineup.
BP Okay. The, the other...
█ But I did talk with Deputy █ but nothing regarding this case at all.
BP Okay.
█ Just asked basically how is he doing is there anything I can do for you.
BP Sounds...
█ That was it.
BP ...that sounds reasonable. Okay. Um so you, hung around the 5th precinct and then at some point did you, were you told you could leave?
█ Yes.
BP And what did you do from there?
█ I just went home.
BP Went home. Okay. Perfect. Um I do have some photographs from the crime lab. Were you photographed?
█ I don't know I have never heard.
BP Okay.
█ In fact I've never been talked to until just now.
BP Right. Right.
█ By, except for this Kim Sobieck for some reason keeps emailing me.
BP The attorney? Yeah.
█ Yeah.
BP Um,
█ But I didn't you know I don't feel like I need an attorney or any help this was just a, all I did was try to assist.
BP Yeah I appreciate that. I mean its um there's no um no secrets or tricks here. Um...
█ Right.
BP Okay, great. Anything else you can think of uh that might be important for me to know?
█ Not at all.
BP Okay.
█ That was my entire involvement.
BP All right I appreciate...
█ And the only important thing I saw was that one round.
BP Yeah. In, in the SUV there?
█ Yeah.
BP Okay.
█ Yeah.

BP All right well I appreciate it sir. Um the time is...11:

■ Yeah.

BP ...11 and I'm gonna turn off my recorder.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Crime Scene Supplement 2021-399/150

Report Date: 07/26/2021

Primary Information

Description: **Production of Crime Scene LGS file**
Occurrence From: **07/07/2021 00:00**
Occurrence To: **07/07/2021 00:00**
Reporting LEO: **Murphy, Joe (1350 / Cyber Crime Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Response Information

Weather Upon Arrival: **N/A**
Work Status: **COMPLETE**
Call Received By: **FOLLOW-UP**
Investigator: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Investigator Status: **NOT AT SCENE**

Property #1 - One (1) white in color BCA disc

Primary Information

Property Class: **Evidence**
Property Type: **CD, DVD, DISC, TAPE**
Description: **One (1) white in color BCA disc**
Quantity: **1**
Control Number: **150.1**
Submitted To: **Property & Evidence (2021-399/150.1)**
Collected By: **Murphy, Joe**
Collected Date/Time: **07/26/2021 11:09**

Narrative begins on the following page.

On 07/07/2021, Special Agent (SA)Murphy uploaded the scanner data created by the Crime Scene Technician into Leica Cyclone Register 360 and produced an LGS file related to the Crime Scene at Calhoun Parking Garage, 3001 Hennepin Ave, Minneapolis, MN 55408.

SA Murphy transferred the finalized LGS file onto a disc that was labeled as item 150.1. SA Murphy entered item 150.1 into evidence and has attached a copy of the evidence receipt to this report. Crime Scene Team Leader Ross Thomas approved the LGS.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/150

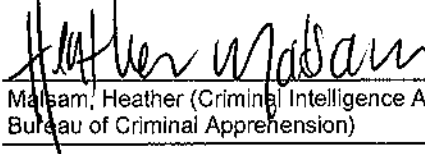
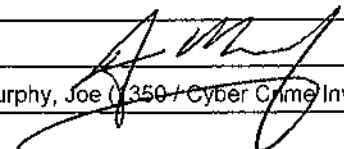
Case Agent: Petersen, Brent

Item	Quantity	Description
1	1.00	One (1) white in color BCA disc

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature  Date Received 7/28/2021
Name Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension) Owner/For Owner _____
Address _____
City/State _____
Telephone _____
Released By  Murphy, Joe (3507 Cyber Crime Investigations / Minnesota Bureau of Criminal Apprehension)
Verified By _____

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/151

Report Date: 07/26/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Attempt to Interview Hennepin County Paramedics Money & Grant**
Occurrence From: **07/26/2021 00:00**
Occurrence To: **07/26/2021 00:00**
Reporting LEO: **Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Backup LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/26/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On July 26th 2021, SSAs James █ Reyerson and Brent Petersen attempted to interview Hennepin County Paramedics Dillon Grant and Peter Money. No evidence items were acquired by virtue of this report.

Address #1 - Occurred #1 - 701 PARK AVE S

Primary Information

Address: **701 PARK AVE S HCMC, Minneapolis, Minnesota 55401 United States**
Description: **HCMC HOSPITAL**

Subject #1 - EMERGENCY MEDICAL SERVICE #1 - Grant, Dillon

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Grant, Dillon**
Record Type: **EMS**
Juvenile: **NO**

Subject #2 - EMERGENCY MEDICAL SERVICE #2 - Money, Peter

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Money, Peter**
Record Type: **EMS**
Juvenile: **NO**

Subject #3 - ATTORNEY #1 - KELLY, Joseph

Primary Information

Subject Name: **KELLY, Joseph**
Record Type: **Person**

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/151

Report Date: 07/26/2021

Subject #3 - ATTORNEY #1 - KELLY, Joseph - Continued

Primary Information - Continued

Bio: **White, Male**

Juvenile: **NO**

Subject #4 - EMERGENCY MEDICAL SERVICE #1 - Scheerer, Martin

Primary Information

Subject Name: **Scheerer, Martin**

Record Type: **Person**

Bio: **White, Male**

Juvenile: **NO**

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	701 PARK AVE S HCMC, Minneapolis, Minnesota 55401 United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
BUSINESS	(952) 292-6555 (BUSINESS)

Narrative begins on the following page.

On July 26th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) James [REDACTED] Reyerson and SSA Brent Petersen attempted to interview Hennepin County Paramedics Dillon Grant and Peter Money.

SSA Reyerson and SSA Petersen met with Union Legal Defense Attorney Joe Kelly at the EMT training facility located at 701 Park Ave in Minneapolis, Minnesota.

Agents were informed by EMS chief Martin Scheerer that the aforementioned paramedics were prohibited to provide a statement without the agency Hennepin County Attorney representative.

Therefore, no interviews were conducted.

No evidence items were acquired by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Attachment 2021-399/152

Report Date: 07/27/2021

Primary Information

Description:	Crime Scene Log - Minneapolis Police Department
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

Crime scene log from the Minneapolis Police Department is attached to this supplement. No exhibit(s) by virtue of this activity or report.

Narrative begins on the following page.

A copy of the crime scene log was provided by the Minneapolis Police Department to Senior Special Agent Brent Petersen and is attached to this supplement.

No exhibit(s) by virtue of this activity or report.

Minneapolis Police Department

Crime Scene Entry Log

Case #: 11999L Location: 140 E 2nd Ave St Date: 6/3/2021

DATE	*TIME IN	*TIME OUT	OFFICER Name/Badge	REASON
2	6/3/21	1445	Pratt 510	
			2 492	
			HCSO 390	
			Ramsay 007	
			USMars 3096	
			ATF Bryan Leeborg	
			LT LUSIKOVA 478 HCSO	
			Mazalia Smith Bryan Smith	
			7 Nyhof 0091	
			Prindle Patrick King	
			Mpls Of Carter 103659	
			Mpls 6385	
			BCA Captain Mueller	
	1535	1538	Paul Allen Hammes 3/3065 *	
			HCSO 384	
		Mars 2 HCSO Chief		
		ATF 3934		
1540		BCA Rachel Nelson #64		
1545	1548	Andrew Paul Stevens 12291986		
1552		Angel Chao (MPLS) NOV 3087		
		Anna Lucia Chica 9/18/82		
1555		BCA 1324		
1617	1641	BCA 1384		
1650		John Med		
1650		Jesse Lopez Mps		
1730		Justin Santivan		
1645		Mason Proctor		
1645		Michael Erickson		
1715		Nansen 2763		
1715		Moua 4887		

REMARKS

*Times are approximate and are recorded according to the logging officer's watch.

COMPLETED BY:

Patrick Reubel 5969 6/3/2021

Minneapolis Police Department

Crime Scene Entry Log

Case #: 21119996 Location: 1400 W Lake St Date: 6/3/2021

DATE	*TIME IN	*TIME OUT	OFFICER Name/Badge	REASON
6/3/2021	1419		Barnard 10279	Scene Security
	1420		378	
			5355	
			0945	
			1424	
6/3/2021	1420		5969	Scene Security
			Dan Mynick	
			D. Dietrich	
	1430		592 Hen City	
			4408 Spd 504	
			MPCS 112 B 604	
			HE MEDIC 1222	
			Paramedic	
			MPS for Brian	
			Pharmacist 4480	4482
			HCSO FERNZ	
			USMARSUC 5832	
			MPL 0830	
			2611	
			0180	
			2611	
			Pharmacist 448	
	1435		Zimmerman	
			HCSO 459	
			474	
			396	
			MPLS 5546	
			MARSUC 31022	
			ATF Zack Lohm 6363	

REMARKS

*Times are approximate and are recorded according to the logging officer's watch.

COMPLETED BY:

Patrick Reuben 5969 6/3/2021

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/153

Report Date: 07/29/2021

Primary Information

Description: Interview of Jesus Oyervides
Occurrence From: 07/27/2021 13:41
Occurrence To: 07/27/2021 13:52
Reporting LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On July 27th 2021, SSAs Remme and Petersen interviewed Jesus Oyervides regarding the Officer involved shooting on June 3rd 2021.
Evidence item 153.1 (CD of interview) obtained.

Address #1 - RELATED #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - WITNESS #1 - Oyervides, Jesus Lorenzo

Primary Information

Subject Name: Oyervides, Jesus Lorenzo
Record Type: Person
Bio: 55 yr. old, Unknown, Male
Birth Date: 07/17/1966
Juvenile: NO

Addresses

Relationship	Address
BUSINESS LOCATION	2944 GRAND AVE S #1, Minneapolis, Minnesota 55408 United States

Telephones / E-Addresses

Relationship	Number/E-Address
BUSINESS	(952) 855-2190 (CELLULAR)

Property #1 - Item 153.1 - CD of interview with Jesus Oyervides

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Item 153.1 - CD of interview with Jesus Oyervides
Property Status: BCA / HQ
Status Date: 07/27/2021

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/153

Report Date: 07/29/2021

Property #1 - Item 153.1 - CD of interview with Jesus Oyervides - Continued

Primary Information - Continued

Quantity:	1
Submitted To:	Property & Evidence (2021-399/153.1)
Remote Bin:	BCA-HQ
Collected By:	Remme, Nichole
Collected Date/Time:	07/27/2021 13:40

Narrative begins on the following page.

On June 30th 2021, Senior Special Agent (SSA) Nicki Remme spoke briefly with Jesus Oyervides. He stated on June 3rd 2021, he was in the area of the parking garage when the incident occurred. He stated he was on the ground level, heard sirens but did not see the incident.

On July 27th 2021, SSA Remme and Petersen contacted Oyervides to clarify what he observed on June 3rd 2021. Oyervides stated he was sitting in a friend's vehicle that was parked in front of Walgreens. He said the windows were down and he heard sirens. He looked into the parking garage and saw a police car. Shortly after, he heard several commands along the lines of put your hands up, or put your hands on the steering wheel and then heard gun shots.

The above was a summary of the interview with Jesus Oyervides. For exact verbiage, please refer to the audio recording and/or transcription.

The interview was recorded and evidence item 2021-399/153.1 (CD of interview) was obtained.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/153

Case Agent: Petersen, Brent

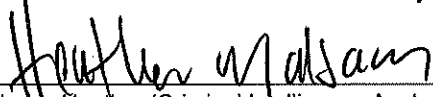
Item	Quantity	Description
1	1.00	Item 153.1 - CD of interview with Jesus Oyervides

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/27/2021

Name

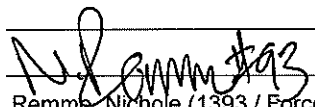
Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone



Released By

Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	July 27, 2021	BCA CASE #:	2021-399
OFFENSE:	OIS- Minneapolis	EXHIBIT #:	153
INTERVIEW OF:	Jesus Lorenzo Oyervides (JO)	INTERVIEWED BY:	SSA Nichole Remme (NR) SSA Brent Petersen (BP)
REVIEWED BY:	N.Remme#93 – 7/29/2021		

NR Alright it is Agent Remme, it is July 27, 2021. Time right now is 13:41. I'm at my office at the BCA headquarters in St. Paul, Special Agent Brent Petersen is with me and we are on the phone with Jesse Oyervides is that how you say your last name Jesse?

JO Yes.

NR Could you spell that for us?

JO O-Y-E-R-V as Victor, I-D as David, E-S.

NR Okay alright Jesse so we're doing some follow up on an incident that happened June 3rd in Minneapolis in the Uptown area and you and I have talked uh briefly about what happened but just wondering if you could tell us again what you heard and saw?

JO Okay I was uh in Uptown um and I went up to Walgreens and I stood in the parking lot at the car and basically I heard uh sirens and then um after or after awhile I call it, I heard I mean the commands like couple seconds after, I mean command or no it was couple minutes after it was a command to the driver to do something to comply with, with officers so who was there and then um (inaudible) couple commands and it was so after um the commands then all of a sudden he um there was some shots fired and then um I heard the shots and then um after when my friend came down they were leaving and I heard some more shots.

NR Okay so when you first start hearing things you heard sirens? Could you tell where the sirens...

JO Yeah.

NR ...were coming from like were they on the street? Were they up in the parking garage or you're not sure?

JO It, it looked like it was uh somewhere, I-I looked at the street I saw no officers squad car. I thought it was probably a chase or something but it was coming from um uh um back up half a block well a little bit I mean from where I was towards (inaudible).

NR Did you actually see the vehicle with lights and sirens on or did you just hear it?

JO Uh I just heard it and then when I look I caught it um there were some, some cars from um uh officers' cars with the lights on.

NR On the main level? Or on the ground?

JO (Inaudible) yeah.

NR Like on the street level?

JO Uh...

NR Okay.

JO ...no when going to the, into the ramp.

NR Okay and then you, you heard that, you saw that maybe a police car, about how long after that did you hear commands?

JO Uh like not that long.

NR And what kind of commands did you hear, what were they saying?

JO I-I th- I th- thought they were saying or put your hands in st- in the steering wheels or some kinda commands saying that ya know put your hands up or put your hands where ya know they could see.

NR Okay.

JO I'm not really clear on it but (inaudible) put your hands on the steering wheel.

NR And you're pretty sure that's what you heard?

JO I think that's what I heard.

NR Okay and...

JO But basically kept, it lasted for awhile, the commands.

NR What's awhile? How long do you think they were?

JO Ok, I was down inside the car and then I went outside, over a minute, two minutes.

NR Okay and then how long after that did you hear the rounds?

JO Oh how long after that? It was, it was about, that was, I think it was a couple commands and then I heard the shots. And then they popped, and then I believe uh (inaudible) okay that's when I heard the last shots.

NR And how many shots do you think you heard?

JO I'm not really sure. I don't, to me it's not that many but not really sure but um some of the people around there say it was over 20 but not really sure how many were they.

NR Okay then just to confirm, did you ever see the officers that were either shooting or yelling the commands or anything like that?

JO No I- it was, heard it, everything was um I heard everything.

NR Okay and...

JO And (inaudible).

NR Okay so you were on the ground level by Walgreens uh were you...

JO Yeah.

NR ...inside the store, inside your car, where were you?

JO No I was, I was downstairs in my friend's car.

BP In your friend's car.

NR You were in your friend's car?

JO Uh.

NR Inside of it or by it?

JO I was inside with the windows down.

NR In front of Walgreens?

JO Uh no I'm sorry, inside the car by Walgreens and then when I heard the ya know sirens start I went and look but I thought it was just a traffic stop.

NR Okay what about your friend? What do you think he heard, do you know? Have you guys talked about it?

JO Uh not really I mean I call it uh she was upstairs, all she just heard the last shots.

NR Would've she...

JO (Inaudible).

NR ...been in a position where she heard commands or not?

JO I'm not really sure.

NR Okay.

JO I don't think so

NR Do you know if she's talked to any Officers?

JO No she, she hasn't.

NR What is her name?

JO Um Barb.

NR Barb?

JO Uh Barb Lutus, Barb Lutus.

NR Do you know how to spell Barb's last name?

JO Uh not really.

NR Okay if we needed to get in touch with Barb do you have her phone number or anything?

JO Yeah but I'd have to write it down and then give it to you.

NR Okay.

JO I don't know it off memory.

NR Oh okay, okay and have you talked to Barb about this since the day of the incident?

JO No just twice. Just that day of the incident and I did tell her go ya know don't, I mean to back up, don't go forward 'cuz where, where you pay that's where the shots were coming from, the last shots. I mean not where you pay but you could hear 'em kinda from that side so I told her to back up ya know but no we just waited and then she paid and then we took off.

NR Okay so were you on the street then or were you in the parking garage?

JO It, I'm sorry, not a parking garage, it just a, it's like, it's like a parking space.

NR Okay so you had to pay to park?

JO Yeah, precisely.

NR Okay.

JO Do you have an idea where I'm, I'm talking about?

NR I don't but the Agent with me knows that area very well.

JO Okay good and yeah 'cuz there's another, its just a dive bar/restaurant (inaudible) dive bar restaurant b- in the bottom an then you got the real small pharmacy in Walgreens up in the top.

NR Okay.

BP I know where the Walgreens is.

JO It's just a parking lot I mean just...

NR Okay, I'm sorry, I misunderstood the first time we, we talked, I didn't unders- I didn't realize that you had heard those commands.

JO Yeah I did heard commands.

NR And you're pretty sure that's what it was?

JO Yeah they were commands and um the way um, the way I talked to you last time, I want to keep myself, my name what I called it private.

NR Yeah.

JO Is that still happening? Yes okay and the next thing I gonna say is that um there were, there were commands and they were really patient where ya know ya have the command and ya have ya know (inaudible) ya know they tried for, for the person that was driving or I mean the people in th- I mean the person, all the people they were doing the command to that they knew that they're asking to do something for the officers.

NR Okay, okay is there anything else that you remember from that day that we haven't talked about?

JO Not really.

NR Okay, Agent Petersen...

JO (Inaudible).

NR ...do you have any questions? Okay.

JO And again um they, it was uh, there were a c-couple commands. I did heard the commands and then I heard the shots after and then when we were going out I heard the bad shots so...

NR Okay, alright...

JO Okay.

NR Well thank you for your time Jesse, I appreciate it.

JO Alright and if and I appreciate you keeping it private too and but my nickname is Jesse, my real name is Jesus.

NR Okay, do you have a...

JO Okay?

NR What do you use for a middle name then?

JO Oh Larry, Lorenzo.

BP Lorenzo.

NR Lorenzo, alright and then just to confirm what is your birthday?

JO 7-17-1966.

NR Okay, alright, sounds good, thanks for your time Jesse.

JO Oh and one more thing is um I'll be um seeing a therapist on Friday and maybe I will mention that, so is that okay which she (inaudible)?

NR Yeah, you, yeah, you can talk about that Jesse.

JO Yeah 'cuz uh after the (inaudible) like I-I have a feeling what really happened and it's not the same thing that other people are thinking's happening and people are getting h-hurt over something that may think and then ya know that just the way it happened so that's the reason I want to see a therapist too ya know? To um help through it 'cuz yes.

NR Okay, no, that's good Jesse.

JO (Inaudible).

NR You take care of yourself.

BP Thank you.

JO Alright, thank you.

NR Alright, bye bye.

JO Bye.

NR Alright, it is July 27, 2021. Time right now is 13:52, end of statement.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/154

Report Date: 07/27/2021

Primary Information

Description: **Contact with Parking Lot Patrons**
Occurrence From: **06/29/2021 13:00**
Occurrence To: **06/29/2021 15:00**
Reporting LEO: **Byron, Daniel (Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On June 29th 2021, Senior Special Agent (SSA) Daniel Byron was tasked with contacting patrons of the Minneapolis parking ramp located at 1405 W. Lake St. A list of vehicles were documented as being present in the ramp on June 3rd 2021 during the time frame of a critical incident that occurred in the parking ramp.

No evidence obtained by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Narrative begins on the following page.

On June 29th 2021, Minnesota Bureau of Criminal Apprehension (BCA) Senior Special Agent (SSA) Daniel Byron was tasked with contacting individuals from a list of vehicles which were present in the parking ramp during the critical incident on June 3rd 2021 in Minneapolis. The list provided names and phone numbers of people who were associated with the vehicles. The information on the list was obtained by officers at the parking ramp who had taken the information prior to the vehicles being released from the area.

On June 29th 2021, SSA Byron attempted to contact people on the vehicle list provided. SSA Byron made contact with the following people all of which denied seeing or hearing anything regarding the critical incident:

Anderson, Riley- Phone number 218-429-1340
Berland, Kenneth- Phone number 612-354-3637
Boller, Laura- Phone number 763-843-8509
Bruske, Brooklyn- Phone number 605-360-6014
Dicker, Joseph- Phone number 612-636-7500
Duran, Jailene- Phone number 732-677-6941

The following people were contacted and did not return calls, had phone numbers that were out of service or voicemails that were full:

Anderson, Samuel- Phone number 218-289-1005
Andrews, Carrie- Phone number 651-755-2446
Andriesen, Briann- Phone number 507-432-9037
Book, Deante- Phone number 612-272-8856
Bowen, Brendon- Phone number 919-912-7441
Brabec, Samantha- Phone number 480-636-0603
Chen, Amanda- Phone number 763-496-9003
Chou, Ilun- Phone number 942-887-6252
Copeland, Ann- Phone number 763-242-6214

Dajani, Rula- Phone number 651-308-9369

One person from the list, Erika Brown provided a statement which was documented under report 2021-399/61.

No evidence obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/155

Report Date: 07/28/2021

Primary Information

Description:	12 - Digital Multimedia Evidence
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

BCA Laboratory report number twelve (12) from the Digital Multimedia Evidence Section is attached to this supplement.

No exhibit(s) by virtue of this activity or report.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul Lab No. S21-09577
1430 Maryland Avenue East
St. Paul, MN 55106

Attention: SA Brent Petersen Report No. 12
REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE
Digital Multimedia Evidence 07/28/2021

Laboratory Number: S21-09577 Requesting Agency: BCA St. Paul
Section Reporting: Digital Multimedia Evidence Agency Case Number: 2021399
Case Type: Officer Involved Shooting/with a Death County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar

Description of Submitted Evidence:

Table with 4 columns: Item, Type and Packaging, Description, Source. Contains 4 rows of evidence details.

Results of Laboratory Examination:

Extraction

Partial Data from Item 45 was successfully extracted.

Data from Items 30 and 31 could not be extracted at this time.

Per Agency Representative request Item 30 was transferred to BCA Special Agent, no further examination will be performed by DME Examiner as part of this Assignment 5 at this time.

All extracted data from the evidence in this assignment has been designated as Item 86 and will be retained within the DME Section.

Processing

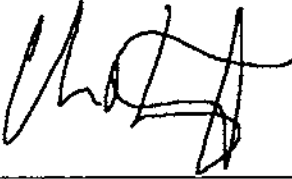
The partial extraction of Item 45 was processed using Cellebrite Physical Analyzer (PA) software. Cellebrite PA assists examiner in parsing data from extractions, such as text messages, call logs, application data etc. Individual Cellebrite Reader Reports were generated for the Date Range 6/2/21-6/4/21 and All Data respectively, which contain a standalone

viewer application that allows the Agency Representative to review the results of processing, as well as tagging any evidentiary items that may be found.

Post-Processing

The generated Cellebrite Reader Reports for Item 45 were copied to portable storage media and were provided to Agency Representative before Lab Tech Review process completed, approved by DME Supervisor.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Christopher Houghton
Digital Forensic Examiner

Disposition Policy:

Please pick up your evidence.

Distribution:

BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/156

Report Date: 07/28/2021

Primary Information

Description:	All BCA Lab Submission Receipts
Reporting LEO:	Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status:	Approved
Report Status Date:	07/28/2021
Approved By:	Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

All of the lab submission receipts to the BCA lab related to this investigation are attached to this supplement.

No exhibit(s) by virtue of this activity or report.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows include Crime Scene Team, Digital Multimedia Evidence, DNA, Firearms, Latent Prints.

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Collected on 6.3.21 at 1830 hrs

Team: Thomas, Granger, Swenson, SA Nelson

Digital Multimedia Evidence received will be examined by the DME Unit located within the Investigations Division of the BCA.

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows for Smith, Jr., Winston and Askar, Norhan Ashraf.

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Rows 1-8 describing evidence items.

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
9		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
10		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
11		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
12		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
13		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
14		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
15		One manila envelope containing evidence classified as cartridge case(s)	"FC 9mm Luger" from exterior passenger side of Maserati	
16		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151 TCA	
17		One brown paper bag containing evidence classified as a magazine	loaded magazine in black plastic glove from front passenger seat of MN license plate EKL 907	
18		One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5	
19		One manila envelope containing evidence classified as a swab of apparent blood	near NW stairwell of level 5	
20		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate 151 TCA	
21		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
22		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
23		One manila envelope containing evidence classified as a swab of apparent blood	near passenger side of MN license plate BAV 840	
24		One manila envelope containing evidence classified as a swab of apparent blood	near rear bumper of MN license plate 281 XGG	
25		One cardboard box containing evidence classified as an item of evidence	handcuffs with apparent blood behind MN license plate 281 XGG	
26		One brown paper bag containing evidence classified as an item of evidence	small black backpack behind MN license plate 281 XGG	
27		One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380, SN: NHD9367, from front driver side of Maserati	
28		One manila envelope containing evidence classified as bullet(s)	from under decedent	
29		One brown paper bag containing evidence classified as an item of evidence	keys near decedent	

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
30		One brown paper bag containing evidence classified as mobile phone	black Samsung phone near decedent	
31		One brown paper bag containing evidence classified as mobile phone	purple iPhone near decedent	
32		One manila envelope containing evidence classified as an item of evidence	\$836 near decedent	
33		One brown paper bag containing evidence classified as an item of evidence	black bag labeled "Ammo Medical" and "Go Bag" near body	
34		One brown paper bag containing evidence classified as clothing	jean shorts with belt and right purple shoe near decedent	
35		One manila envelope containing evidence classified as an item of evidence	lighter and bead near decedent	
36		One brown paper bag containing evidence classified as mobile phone	pink and black iPhone from Item 26	
37		One manila envelope containing evidence classified as bullet(s)	from front driver floor of Maserati	
38		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
39		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front driver seat of Maserati	
40		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from driver side floor of Maserati	
41		One manila envelope containing evidence classified as bullet fragment(s)	from dashboard of Maserati	
42		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
43		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from center console of Maserati	
44		One manila envelope containing evidence classified as cartridge case(s)	"Blazer 380 Auto" from front passenger side of Maserati	
45		One brown paper bag containing evidence classified as mobile phone	black iPhone from front passenger seat of Maserati	

Submitted By

Received By



06/04/2021

8:35

Crime Scene Collection

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number
2021399

Laboratory Number
S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin
TELEPHONE: (651) 793 - 1100
TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows include Alcohol, Firearms, and Toxicology.

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Evidence received from SA Brent Petersen on 06/04/21 at 13:00. Upon delivery, evidence was stored in a secure location until entry into the laboratory information management system.

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Lists Smith, Jr., Winston and Askar, Norhan Ashraf.

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Lists items 46 through 49.

Submitted By

Received By



06/04/2021 14:59

SA Brent Petersen

Jeff Tegdesch

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin
TELEPHONE: (651) 793 - 1100
TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows: Crime Scene Team (07/05/2021), Latent Prints (09/03/2021)

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Ashley Granger
Kristin Kamerud

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows: Smith, Jr., Winston; Askar, Norhan Ashraf; [Redacted]; [Redacted]

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Row: 50, One manila envelope containing evidence classified as known major case prints, Winston Smith Jr.

Submitted By

Received By

Handwritten signature of Ashley Granger

06/05/2021 10:30

Created by CST for Evidence from ME

Ashley Granger

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved

Estimated Completion Date

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

Table with columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows include Smith, Jr., Winston; Askar, Norhan Ashraf; and two redacted entries.

ITEM DESCRIPTION OF EVIDENCE:

Table with columns: Item #, In Container, Packaging and Type, Description, Source. Row 1: 51, a vehicle, Gray Maserati Levante Q4, MN license plate FRB567.

Submitted By

Received By

Handwritten signature of Ross Thomas

06/07/2021 9:12

Hand Delivered with No Sig Cap Pad

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Attn: SA Brent Petersen

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows: Crime Scene Team (07/07/2021), Firearms (10/05/2021)

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Team: RT, AAG, SJS, SA O'Brien

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows: Smith, Jr., Winston; Askar, Norhan Ashraf; [Redacted]; [Redacted]

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Rows: 52 (left purple shoe), 53 (plant material), 54 (tablet(s)), 55 (plant material), 56 (tablet(s)), 57 (magazine)

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
58		One brown paper bag containing evidence classified as plant material	in 3 plastic containers from duffel bag in the backseat of Item 51	
59		One brown paper bag containing evidence classified as an item of evidence	\$228 from duffel bag in backseat of Item 51	
60		One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
61		One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
62		One manila envelope containing evidence classified as bullet fragment(s)	from rear passenger seat of Item 51	
63		One manila envelope containing evidence classified as bullet fragment(s)	from front driver seat of Item 51	
64		One manila envelope containing evidence classified as bullet fragment(s)	from front driver floor of Item 51	
65		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
66		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
67		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	
68		One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51	

Submitted By

Received By



06/07/2021 12:40

Crime Scene Collection

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved

Crime Scene Team

Estimated Completion Date

07/07/2021

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Collected at 1535 on 6.7.21

PRINCIPALS:

Table with columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows include Smith, Jr., Winston; Askar, Norhan Ashraf; and two redacted entries.

ITEM DESCRIPTION OF EVIDENCE:

Table with columns: Item #, In Container, Packaging and Type, Description, Source. Row 1: Item 69, One brown paper bag containing evidence classified as plant material, in baggie, from black string backpack in the backseat of Item 51.

Submitted By

Received By

Handwritten signature of Ross Thomas

06/07/2021 16:38

Crime Scene Collection

Ross Thomas

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

Agency Case Number

2021399

Laboratory Number

S21-09577

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Table with 2 columns: Section Involved, Estimated Completion Date. Rows for DNA and Firearms.

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Evidence dropped off by Brent Peterson at 1201 on 6/11/2021. Upon delivery, evidence was stored in a secure location until entry into the laboratory information management system.

PRINCIPALS:

Table with 7 columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Lists Smith, Jr., Winston and Askar, Norhan Ashraf.

ITEM DESCRIPTION OF EVIDENCE:

Table with 5 columns: Item #, In Container, Packaging and Type, Description, Source. Lists items 70 through 78.

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Description</u>	<u>Source</u>
79		One manila envelope containing evidence classified as bullet(s)	with fabric fragment from 7th thoracic vertebral, agency item 36.10	Winston Smith Jr.
80		One manila envelope containing evidence classified as bullet(s)	from posterior left 7th rib, agency item 36.11	Winston Smith Jr.
81		One manila envelope containing evidence classified as bullet(s)	from mouth, agency item 36.12	Winston Smith Jr.
82		One manila envelope containing evidence classified as bullet(s)	from soft tissue of inferior midline back, agency item 36.13	Winston Smith Jr.
83		One manila envelope containing evidence classified as bullet(s)	from soft tissue of superior midline back, agency item 36.14	Winston Smith Jr.
84		One manila envelope containing evidence classified as bullet fragment(s)	from skin of superolateral left side of chest, agency item 36.15	Winston Smith Jr.

Submitted By

Received By



06/11/2021 13:50

Brent Petersen

Marcala Boney

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Attn: SA Brent Petersen

COUNTY: Hennepin

TELEPHONE: (651) 793 - 1100

TYPE OF CASE: Officer Involved
Shooting/with a Death

Report Distribution: BCA St. Paul

Section Involved

Estimated Completion Date

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

Table with columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows include Smith, Jr., Winston; Askar, Norhan Ashraf; and Smith, Jr., Winston Boogie.

ITEM DESCRIPTION OF EVIDENCE:

Table with columns: Item #, In Container, Packaging and Type, Description, Source. Row 1: 85, DNA1, One plastic bag containing evidence classified as an extract from sample, 27A, 27B, 27C, 27D.

Submitted By

Received By

Handwritten signature of Erik Koeppen

06/15/2021 13:47

Created by Scientist

Erik Koeppen

Submission Date and Time



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

Agency Case Number

2021399

Laboratory Number

S21-09577

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

COUNTY: Hennepin
TELEPHONE: (651) 793 - 1100
TYPE OF CASE: Officer Involved
Shooting/with a Death

Attn: SA Brent Petersen

Report Distribution: BCA St. Paul

Section Involved Estimated Completion Date

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

Table with columns: Name, Date Of Birth, Sex, Type, Race, ID Number, Comments. Rows include Smith, Jr., Winston; Askar, Norhan Ashraf; and Smith, Jr., Winston Boogie.

ITEM DESCRIPTION OF EVIDENCE:

Table with columns: Item #, In Container, Packaging and Type, Description, Source. Row 1: 86, Item created as evidence classified as DME, Forensic Images/Extractions, Forensic Extraction of Item 45.

Submitted By

Received By

07/26/2021 14:48

Created by DME Examiner

Christopher Houghton

Submission Date and Time

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/157

Report Date: 07/28/2021

Primary Information

Description: **Final Autopsy Report - Winston Smith Jr - Hennepin County Medical Examiner**
Occurrence From: **07/28/2021 15:00**
Occurrence To: **07/28/2021 15:00**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/28/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Hennepin County Medical Examiner	21-3816

Synopsis

On 07/28/2021, SSA Petersen acquired the final autopsy report from the Hennepin County Medical Examiner's Office for Winston Smith Jr. Copy of autopsy report and cause-of-death hierarchy report, respectively, attached. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Subject #1 - SUBJECT #1 - Smith, Winston Jr

Primary Information

Subject Name: **Smith, Winston Jr**
Record Type: **Person**
Bio: **32 yr. old, Black, Male**
Birth Date: **04/08/1989**
Juvenile: **NO**

Personal Information

Deceased: **YES**
Date Deceased: **06/03/2021 00:00**

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	847 YORK AVE APARTMENT #1, Saint Paul, Minnesota 55106 United States

Narrative begins on the following page.

On 07/28/2021 at approximately 1500 hours, Senior Special Agent (SSA) Brent Petersen received the final autopsy report and the cause-of-death hierarchy report from the Hennepin County Medical Examiner's Office regarding the autopsy of Winston Smith Jr. Dr. Sarah Meyers authored the final report.

Refer to the autopsy report and cause-of-death hierarchy for details.

Both documents are attached to this supplement.

No exhibit(s) by virtue of this activity or report.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/158

Report Date: 07/28/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Paramedic Dillon Grant
Occurrence From: 07/28/2021 17:31
Occurrence To: 07/28/2021 17:40
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Frascone, Michelle (1381 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/28/2021, SSA Petersen and SSA Frascone interviewed HMC Paramedic Dillon Grant regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/158.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - EMERGENCY MEDICAL SERVICE #1 - Grant, Dillon

Primary Information

Exempt From Disclosure: YES
Subject Name: Grant, Dillon
Record Type: EMS
Juvenile: NO

Subject #2 - ATTORNEY #1 - Kelly, Joseph A

Primary Information

Subject Name: Kelly, Joseph A
Record Type: Person
Bio: White, Male
Juvenile: NO

Employment Information

Employed: YES
Occupation: Attorney-At-Law

Addresses

Relationship	Address
--------------	---------

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/158

Report Date: 07/28/2021

Subject #2 - ATTORNEY #1 - Kelly, Joseph A - Continued

Addresses - Continued

Relationship	Address
BUSINESS LOCATION	2350 WYCLIFF ST, Saint Paul, Minnesota 55114 United States

Property #1 - Recorded Interview Saved to Disc - Medic Dillon Grant

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Medic Dillon Grant
Property Status:	BCA / HQ
Status Date:	07/28/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/158.1)
Collected By:	Petersen, Brent
Collected Date/Time:	07/28/2021 17:40

Narrative begins on the following page.

On 07/28/2021 at approximately 1731 hours, Senior Special Agents (SSA) Brent Petersen and Michelle Frascone interviewed Hennepin County Paramedic Dillon Grant regarding this investigation. Mr. Grant's attorney, Joe Kelly, was present for the interview, which SSA Petersen audio recorded. Refer to the interview transcript for complete details.

The following is a synopsis of Dillon Grant's statement:

Grant stated that on 06/03/2021 he was on-duty as a paramedic for Hennepin Health EMS and responded with his partner, Peter Money, to the scene of the shooting in Uptown. Grant stated that he and Money were the second ambulance to the scene and remained on the street. Grant stated that he observed some police officers escorting a woman to their ambulance. The woman appeared to be upset and had some injuries from glass shards. Grant remembered that the woman's name was "Norhan" or something similar.

Grant stated that he and his partner provided medical care to the woman. During this time together in the ambulance, Grant heard the woman state that she had been on a date with "Winston" and that while they were sitting in the car, the police surrounded them and were pointing guns. The woman stated to Grant that she told Winston to put his hands up, but that Winston stated he was not going to go to jail. The woman stated that Winston asked her if she had a gun, which she did not. The woman stated that police began to shoot at them in the car, which was upsetting to her.

Grant stated that they transported her to the hospital and that at least one Minneapolis police officer was in the ambulance and remained at the hospital after Grant and his partner left. Grant denied returning to the scene in Uptown or having any discussions with any law enforcement about the circumstances of the incident.

Recorded interview saved to a disc and acquired as exhibit 2021-399/158.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/158

Case Agent: Petersen, Brent

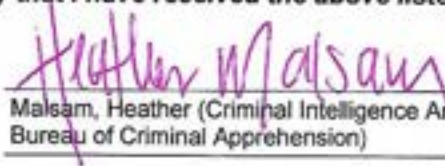
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Medic Dillon Grant

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

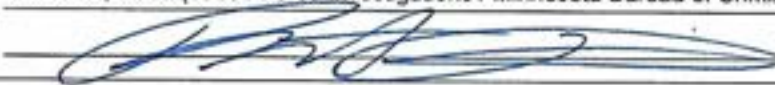
City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

DATE:	July 28, 2021	BCA CASE #:	2021-399
OFFENSE:	Force Investigation	EXHIBIT #:	2021-399/158.1
INTERVIEW OF:	Dillon Grant (DG) Joe Kelly (JK)	INTERVIEWED BY:	SSA Brent Petersen (BP) SSA Michelle Frascone (MF)
REVIEWED BY:	SSA Petersen 7/29/2021		

BP Alright. Uh so today's date is July 28th, 2021. And it is uh 1731 hours. The BCA case number is 2021-399. And this is uh Senior Special Agent Brent Petersen. I also have um Senior Special Agent Michelle Frascone on this call. And uh Mr. Joe Kelly who is representing um Dillon Grant with Hennepin County EMS. Um Dillon, w-what is like your official kinda job title?

DG Uh just a paramedic.

BP Paramedic. Alright.

DG Yep.

BP And um how long have you been a paramedic?

DG Uh seven years now.

BP Seven years. Has that all been with HCMC?

DG Yes.

BP Ok. And um is there like a licensure or certification or some sort of educational requirement to be a paramedic?

DG Uh y-yeah. There's some education required. And then you have to become like a certified paramedic so there's some tests you have to pass and and uh then you're certified. It's not technically a license though.

BP Ok. Alright do you have to like renew your certification every so often?

DG Uh every two years.

BP Alright are you up to date and current on all your certifications as a medic?

DG Yes.

BP Ok. Um and then uh just high level, what do you what do you do as a paramedic for HCMC?

DG Uh so as a paramedic for HCMC, we ride around in an ambulance responding to 911 calls and we uh we give medical aid to whoever needs it, or whoever calls and then we transport then to the hospital if needed.

BP Alright. Is there a a certain set of hours that you normally work?

DG Uh this year, I'm working 6:30 a.m. to 4:30 p.m.

BP Ok. And then um as a paramedic is that i- do you have a-a specific uniform that you wear?

DG Uh yes, we have a brown uniform that we wear.

BP Ok. Alright. Um that brown uniform kinda looks similar to a sheriff's uh uniform?

DG Correct.

BP Do you have any affiliation with the Hennepin County Sheriff's Office?

DG Negative.

BP None at all? Ok.

DG None.

BP Alright um. So uh Dillon um if you could just I guess I'll just redir-redirect you to the afternoon of June 3rd. Were you on duty working as a paramedic?

DG Yes.

BP Um did you respond to the Uptown neighborhood? Um to the scene of of a shooting?

DG Uh yes I did.

BP Who who was with you in the ambulance?

DG Um Pete Money is my partner and he was driving and then Pete had a student with him who would have been riding in the back. And I uh I don't know that student's last name.

BP Like a like a paramedic student or something?

DG Yep.

BP Ok.

DG Yep.

BP And Money, M-O-N-E-Y?

DG Yep.

BP Ok. Um can you just tell us uh what y- what you observed, what you did, um just any that you can think of uh about your response to that call.

DG Uh yeah, so we uh we got the call. We were over at Methodist Hospital and so we drove to Uptown and we knew we were the second truck in. So we assumed that we wouldn't be there for the uh shooting victim, but for somebody else. And when we got there um there was a crowd and lots of police officers and cars and we uh we pulled up and I see my supervisor and a cop walking this girl to our ambulance,

BP Mhm.

DG so we got out and I kind of helped her into the ambulance. And then I sat her down on the ambulance bench and it was me, another cop, and my student, I believe there may have been two cops in there for a while.

BP Mhm.

DG And um and I was just you knida asking her what was going on and she has some glass shards in her left side of her like her arm and her leg so I was having ju- or Pete's student was kinda of tending to those glass shards as I was kind of interviewing her and asking her questions. And uh and then eventually we brought her to the hospital.

BP Ok. Um did she desc- what did she describe to you about, as the as far as how she sustained those injuries?

DG Um well she said she started off my saying she was on a date with the man she'd known for a couple of weeks

BP Mhm.

DG and uh the date went really well and then she went to his car because he was gonna drop her off at her car and she had to go to work in a, in a little bit

BP Mhm.

DG and so as they got into his car, they were surrounded by police officers and um eventually the police officers shot through the window she said and the the glass shards were bullets coming through the windows.

BP Ok. Did she actually say to you that that they were police officers?

DG Um I cannot recall how she described them.

BP Ok. Do you happen to remember the that woman's name? First name? Anything like that?

DG I I do not remember.

BP It's been a while I know.

DG Yeah. I think her last name might have been Norhan or something.

BP Ok.

DG But yeah, no I don't, I don't remember her name.

BP Have you since seen that woman on the news?

DG No I have not.

BP No, ok. Alright. Um and so uh she had some injuries from glass did you transport did you guys transport her to the hospital?

DG Yes. We transported to HCMC.

BP Um anything of significance uh during the transport down? Anything that she said that stick out in your mind?

DG Uh well she said a couple things that stick out to me. She said, she said that um Winston, I think his name is, was refusing to put his hands up and that she was screaming at him to put his hands up. She said that he told her he didn't want to go to jail and she told us that he asked her if she had a gun.

BP Mhm.

DG And um and she also said that he asked the police officers if she could get out of the car.

BP Ok.

DG And um and that's that's those are the main things I remember of what she said.

BP Like were you were you asking her questions about this? Or like how was this information coming out?

DG You know it was a it was a combination between me asking questions, the police officer asking questions

BP Yep.

DG and her just venting information out, because she was distressed and angry and scared.

BP Oh ok. Um yeah, regarding her kind of demeanor you just said angry, frustrated and scared. Can you just describe w- some examples of what you were seeing?

DG Um well she um she I forget what she said, but she was upset that the officers would put her life in risk and she was upset that this

BP Mhm.

DG this man would also put her life at risk

BP Mhm.

DG and she was upset with the situation and she felt like people weren't like um didn't really have a a respect for her life.

BP Ok. Um when you guys got to the hospital, what what happened from there?

DG Uh we got to the hospital. The charge nurse told us to go to triage

BP Mhm.

DG I told the charge nurse that she was not appropriate for triage and asked if there any open rooms we could have and um eventually the nurse did find us the uh the dental rooms so it's not like a normal hospital room but it was a room that she didn't have to be out in public with.

BP Ok.

DG And and I dropped her off in that room. The police officers stayed with her and I gave report to the nurse and left.

BP Ok. Um did you ever go back to the scene for any reason?

DG Uh no.

BP Alright. Um the police officer that was with you, do you happen to, did you happen to know who that was or do you know who that is?

DG I don't know his name, but I've seen him on calls many times.

BP Seen him on calls, ok. And just so it's clear he's a Minneapolis police officer?

DG Yes.

BP Ok. Alright. Um do you happen to know any of the law enforcement that were maybe involved in this shooting?

DG I do not.

BP (inaudible) any conversations with anybody? Ok.

DG No. Nope. None.

BP Alright. Out-Outside of the media do you have any maybe and media that you follow do you have any specific knowledge about what happened?

DG Uh no. No, just what was on the news the first couple days. But I haven't even followed it since then.

BP Ok. Alright. Great. Um and th-the student uh that was with you you don't know who that person's name?

DG Uh I know his name is Jeff. I forget his last name though.

BP Ok. But it was a male?

DG Yep it was a male.

BP Jeff. Ok. Alright. Um Michelle, anything that I'm um missing here?

MF Nope. Nothing that I can think of. Thank you for your time.

DG Yeah no problem.

BP (inaudible) Um Joe anything you wanna correct on the record or?

JK No. I don't think so at this time. Thanks.

BP K. Um Dillon um before we go is there anything uh, let me ask you this, did you did you take any photographs or any video of of anything on the call?

DG No.

BP Ok.

DG No.

BP Um is there anything that you can think of that might be important for us to know that we haven't maybe talked about?

DG Um.

BP Anything that stands out in your mind that maybe is important?

DG I I don- no I don't think so. I think those things I said were about as much as I know.

BP Ok. Perfect. Alright. Um well if there's nothing else I'm gonna uh turn off the recorder. The time is 1740.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/159

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Training and Personnel Records - Hennepin Co SO Deputy [REDACTED]
Occurrence From: 07/29/2021 11:10
Occurrence To: 07/29/2021 13:40
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/29/2021, SSA Petersen acquired the training records and personnel information for Deputy [REDACTED] from the Hennepin County Sheriff's Office. Records saved to a disc and acquired as exhibits 2021-399/159.1 and 2021-399/159.2, respectively. ACISS receipt attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - SUBJECT #1 - [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: [REDACTED]
Record Type: Law Enforcement Official
Bio: [REDACTED]
Rank/Position: [REDACTED]
Juvenile: NO
LEO ID: [REDACTED]

Property #1 - Training Records - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Documents
Description: Training Records - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 07/29/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/159.1)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/159

Report Date: 07/29/2021

Property #1 - Training Records - Dep [REDACTED] - Continued

Primary Information - Continued

Collected By: Petersen, Brent
Collected Date/Time: 07/29/2021 11:10

Property #2 - Personnel Documents - Dep [REDACTED]

Primary Information

Property Class: Evidence
Property Type: Documents
Description: Personnel Documents - Dep [REDACTED]
Property Status: BCA / HQ
Status Date: 07/29/2021
Quantity: 1
Submitted To: Property & Evidence (2021-399/159.2)
Collected By: Petersen, Brent
Collected Date/Time: 07/29/2021 11:10

Officers

LEO
Johnson, Jennifer (Lieutenant/Professional Standards / Hennepin County Sheriff)

Narrative begins on the following page.

On 07/29/2021 at approximately 1110 hours, Senior Special Agent (SSA) Brent Petersen received the training records for Deputy [REDACTED] from Lieutenant Jennifer Johnson with the Hennepin County Sheriff's Office.

At approximately 1340 hours, SSA Petersen received additional records from Lt. Johnson with the sheriff's office related to Deputy [REDACTED] employment.

Training records saved to a disc and acquired as exhibit 2021-339/159.1.

Additional personnel records saved to a disc and acquired as exhibit 2021-339/159.2

ACISS receipt attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/159

Case Agent: Petersen, Brent


Item	Quantity	Description
1	1.00	Training Records - [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/159

Case Agent: Petersen, Brent

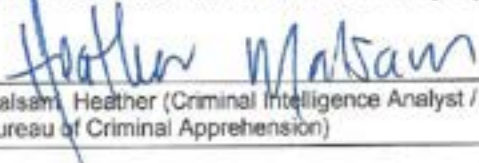
Item	Quantity	Description
2	1.00	Personnel Documents - Dep [REDACTED]

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

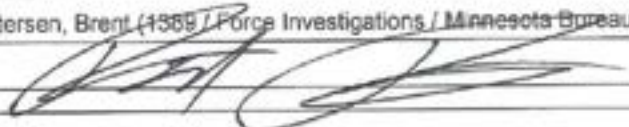
City/State

Telephone

Released By

Petersen, Brent (1369 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/160

Report Date: 07/29/2021

Primary Information

Description: **13 - Crime Scene Team - Vehicle Processing**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **07/29/2021**
Approved By: **Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

BCA Laboratory report number thirteen (13) from BCA Crime Scene Team is attached to this supplement. Crime Scene Team Leader Ross Thomas authored the report, which documents the forensic processing of the Maserati SUV from the scene in Minneapolis.

Lab report 13 attached.

No exhibit(s) by virtue of this activity or report.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S21-09577

Attention: SA Brent Petersen

Report No. 13

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Crime Scene Team 07/29/2021

Laboratory Number: S21-09577
Section Reporting: Crime Scene Team
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2021399
County: Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [REDACTED] Winston
Boogie Smith, Jr.

Description of Submitted Evidence:

Item	Type and Packaging	Description	Source
51	Item submitted as evidence classified as a vehicle	Gray Maserati Levante Q4, MN license plate FRB657	
52	One brown paper bag containing evidence classified as a left shoe	left purple shoe from Item 51	
53	One brown paper bag containing evidence classified as plant material	in baggie, w/ other baggies from black string backpack in the backseat of Item 51	
54	One brown paper bag containing evidence classified as tablet(s)	in Rx bottle from black string backpack in the backseat of Item 51	
55	One brown paper bag containing evidence classified as plant material	in 2 plastic containers from plastic bag in black string backpack in the backseat of Item 51	
56	One brown paper bag containing evidence classified as tablet(s)	in Rx bottle from plastic bag in black string backpack in the backseat of Item 51	
57	One brown paper bag containing evidence classified as a magazine	Smith and Wesson M&P 380, loaded w/ 7 "Blazer 380 Auto" cartridges from duffel from Item 51	
58	One brown paper bag containing evidence classified as plant material	in 3 plastic containers from duffel bag in the backseat of Item 51	
59	One brown paper bag containing evidence classified as an item of evidence	\$228 from duffel bag in backseat of Item 51	
60	One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
61	One manila envelope containing evidence classified as bullet fragment(s)	from front passenger seat of Item 51	
62	One manila envelope containing evidence classified as bullet fragment(s)	from rear passenger seat of Item 51	
63	One manila envelope containing evidence classified as bullet fragment(s)	from front driver seat of Item 51	

64	One manila envelope containing evidence classified as bullet fragment(s)	from front driver floor of Item 51
65	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
66	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
67	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
68	One manila envelope containing evidence classified as bullet fragment(s)	from inside front driver door of Item 51
69	One brown paper bag containing evidence classified as plant material	in baggie, from black string backpack in the backseat of Item 51

BCA Inv. Case #: 2021399
BCA Case Agent: SA Brent Petersen
BCA Crime Scene Team:
Team Leader - FS Ross Thomas
Team Member - FS Ashley Granger
Technician - FS Steve Swenson
Team Photographer - SA Joe O'Brien

Address/Location:
BCA Processing Garage, St. Paul, MN

Date/Time Processed:
06/07/2021 09:00 to 06/07/2021 13:00

Vehicle Information:
Gray Maserati Levante Q4 (Item 51)
MN license plate FRB657
VIN: ZN661XUS1KX337376

Items:
60-64, 69
52-59, 65-68

Collected By:
Ashley Granger
Ross Thomas

Scene Synopsis:

Reported bloodstains were visually consistent with blood.

The BCA Crime Scene Team (CST) was requested to process a vehicle from an officer involved shooting on June 3, 2021 that resulted in the death of Winston Smith, Jr.

Most windows on the Maserati were either cracked or broken. The exterior front driver door did have one small circular outward facing dent with paint missing. The body had minimal scratches to the front and rear bumper but otherwise had no body damage. There were bloodstains throughout the front compartment including on the interior of the windshield.

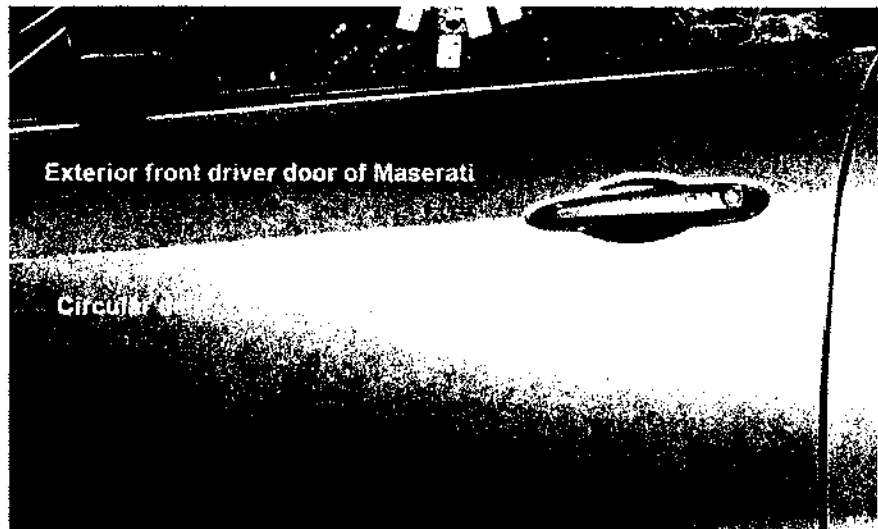
To the right, a picture of the exterior front driver door with a dent below the door handle.

In the middle of the rear seats was a black and gray Adidas duffel bag. From one end compartment of the duffel bag a Smith and Wesson M&P 380 Auto Magazine (Item 57) loaded with seven "Blazer 380 Auto" cartridges was located. Additional items were collected from the duffel bag including Items 58 and 59.

Several small bullet fragments (Items 60 through 64) were collected from the interior cabin compartment of the vehicle.

To the right, Item 57, loaded with seven cartridges.

Four larger bullet fragments (Items 65 through 68) were collected from inside the front driver door.



Results of Processing/Enhancement:

Lead

Examination and chemical testing of the following indicated the presence of lead, consistent with the passage of a bullet:

- One defect near the top left corner of the glove box
- Six defects on the interior of the front driver door

Examination and chemical testing of the following failed to detect the presence of lead:

- Defect in the interior plastic portion of the rear passenger window
- Defect in the cloth trunk liner on the passenger side

Trajectory Analysis:

The following observations and conclusions are based upon the information provided to date.

Specific linear trajectories could not be established, however, bullet hole characteristics and/or locations of the following areas were used to determine a general path of travel:

Glove box

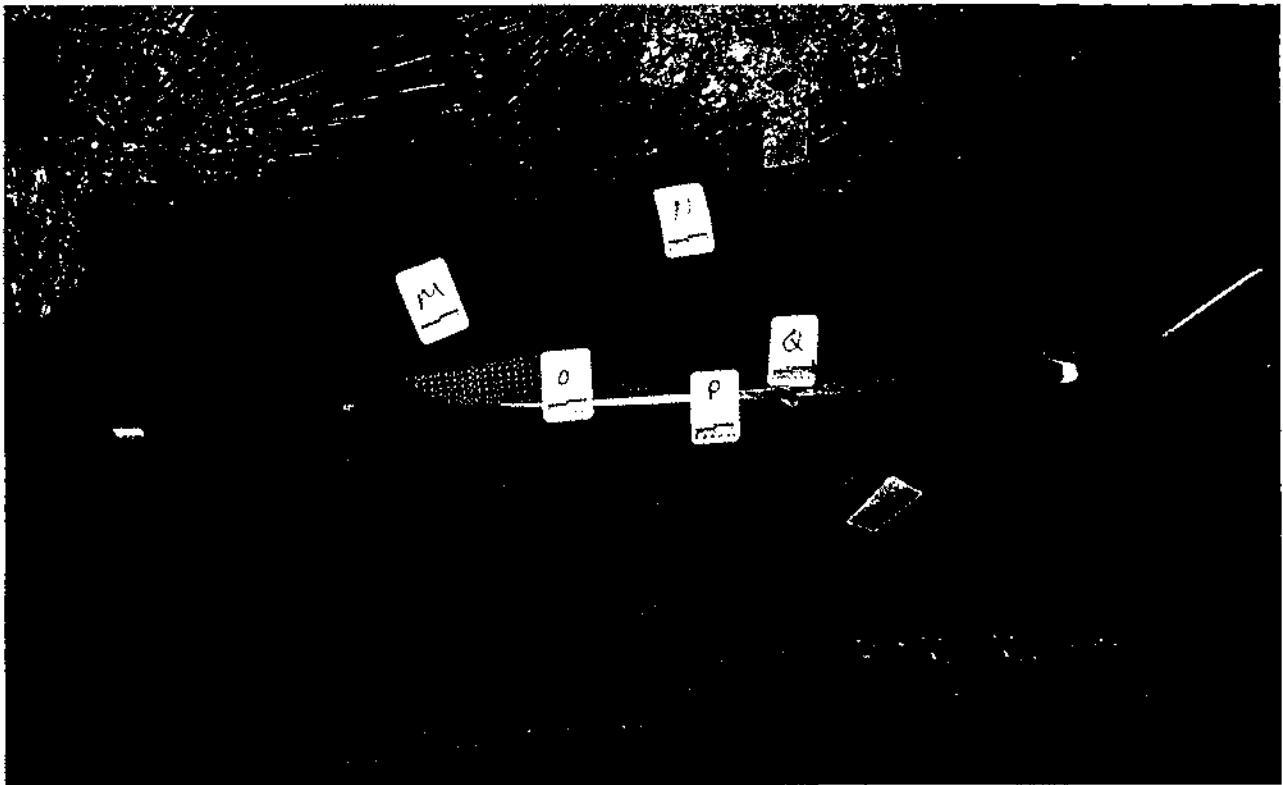
One defect near the top left corner of the glove box indicated that the projectile originated from the driver side of the vehicle, perforated the dashboard/glove box traveling from the back towards the front at a downward angle.

Front driver door interior

Four defects (**M through P**) between the bottom of the window and the door armrest indicated that the projectiles originated from the interior of the vehicle, traveling towards the exterior driver side of the vehicle.



Two photographs of the front driver door interior; (above) door prior to labeling, (below) door with six defects labeled.



Two defects (**Q and R**) between the bottom of the window and the door armrest indicated that the projectiles originated from the interior of the vehicle, traveling towards the front exterior driver side of the vehicle at a downward angle.

Items of Interest

- Piney firearm accessory from front passenger floor area

The vehicle was photographed and diagrammed. The Crime Scene Team Leader, listed as the author of this field report, will act as the point of contact for all laboratory matters regarding this crime scene response.

Not all evidence items collected by the Crime Scene Team will be forwarded on for testing in the Laboratory. Please contact the author of this report for more information on testing plans.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Ross Thomas
Forensic Scientist

Disposition Policy:

Please pick up your evidence.

Distribution:
BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/161

Report Date: 07/29/2021

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Hennepin County Paramedic Pete Money
Occurrence From: 07/29/2021 12:31
Occurrence To: 07/29/2021 12:51
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Remme, Nichole (1393 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 07/29/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/29/2021, SSA Petersen and SSA Remme interviewed Hennepin Health EMS Paramedic Pete Money regarding this investigation. Recorded interview saved to a disc and acquired as exhibit 2021-399/161.1. Interview transcript and ACISS receipt, respectively, attached.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Subject #1 - EMERGENCY MEDICAL SERVICE #1 - Money, Peter

Primary Information

Exempt From Disclosure: YES
Subject Name: Money, Peter
Record Type: EMS
Juvenile: NO

Subject #2 - ATTORNEY #1 - Kelly, Joseph A

Primary Information

Subject Name: Kelly, Joseph A
Record Type: Person
Bio: White, Male
Juvenile: NO

Employment Information

Employed: YES
Occupation: Attorney-At-Law

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/161

Report Date: 07/29/2021

Subject #2 - ATTORNEY #1 - Kelly, Joseph A - Continued

Addresses

Relationship	Address
BUSINESS LOCATION	2350 WYCLIFF ST, Saint Paul, Minnesota 55114 United States

Property #1 - Recorded Interview Saved to Disc - Medic Peter Money

Primary Information

Property Class:	Evidence
Property Type:	Audio Recording
Description:	Recorded Interview Saved to Disc - Medic Peter Money
Property Status:	BCA / HQ
Status Date:	07/29/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/161.1)
Collected By:	Petersen, Brent
Collected Date/Time:	07/29/2021 12:51

Narrative begins on the following page.

On 07/29/2021 at approximately 1230 hours, Senior Special Agents (SSA) Brent Petersen and Nichole Remme interviewed Hennepin Health EMS Paramedic Pete Money regarding this investigation. Money's attorney, Mr. Joe Kelly, was present for the voluntary interview, which SSA Petersen audio recorded. Refer to the interview transcript for complete details.

The following is a synopsis of Pete Money's statement:

Money stated that on 06/03/2021 he was on-duty as a paramedic for Hennepin Health EMS and was with his partner, Dillon Grant. Money stated that they were dispatched as the second ambulance to the scene in Uptown. Money stated he was the driver. Money stated that he and Grant provided care to the female passenger of the car in which Winston Smith had been shot. Money described the female as being "upset and distraught" with some minor injuries to one of her legs.

Money stated that while treating the female, he overheard her speaking with the Minneapolis police officer in the ambulance. Money overheard the female describing how she had been at Stella's (Fish Café) on a date and that when they returned to the car, it was surrounded by police. Money stated that the woman said that her male friend (Winston) asked her at one point if she had a gun, which she denied she had. The woman was also upset about the amount of danger she was subjected to. Money stated that he and Grant ultimately transported the woman to HCMC emergency department.

Money stated that care was transferred to HCMC nursing staff and he and Grant left the hospital. Money denied having any knowing conversations with any of the officers/agents directly involved in the incident and does not know any additional details regarding what occurred.

Recorded interview saved to a disc and acquired as exhibit 2021-399/161.1.

Interview transcript and ACISS receipt, respectively, attached to this supplement.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/161

Case Agent: Petersen, Brent

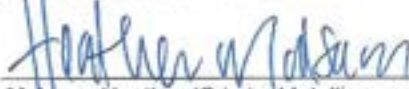
Item	Quantity	Description
1	1.00	Recorded Interview Saved to Disc - Medic Peter Money

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

7/29/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Petersen, Brent (1389) Force Investigations / Minnesota Bureau of Criminal Apprehension

Verified By



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

BUREAU OF CRIMINAL APPREHENSION

INVESTIGATIVE INTERVIEW

BCA Case Number:	2021-399	Person(s) Interviewed:	PM Pete Money
Date/Time of Interview:	July 29, 2021	Item:	2021-399/160.1
Interviewed By:	BP Senior Special Agent Brent Petersen, NR Senior Special Agent Nichole Remme		
Others Present:	JK Attorney Joe Kelly		
Reviewed By/Date:	SSA Petersen 07/29/2021		

BP: Alright. So the recorder's on. And uh, today's date is July 29th, 2021, and it's 12:31 p.m. Uh, the BCA Case Number is 2021-399. And uh, on the call is Senior Special Agent Brent Petersen with Senior Special Agent Nichole Remme. And then we also have Attorney Joe Kelly and we're here to speak with uh, Hennepin County Paramedic Pete Money. And it is paramedic, is that correct?

PM: Yes sir, it is.

BP: Ok. Um. How long have you been a paramedic?

PM: Uh, I've been a paramedic since uh, December of 2012. I've been with Hennepin EMS since March of 2013.

BP: Ok. Where were you, uh, that short time prior to HCMC?

PM: Uh, there was a short period of time there where I was um, offered a job, which was then withdrawn –

BP: Oh.

PM: Which kind of left me – um, I graduated school in December there –

BP: Oh, I gotcha –

PM: I worked part time for the Chippewa Fire District, over by Eau Claire.

BP: Yep.

PM: During that time.

BP: So, been with HCMC since March of 2013. Um. What, what's kind of required of you to become a paramedic?

PM: Uh, in order to become a paramedic, you start with uh, EMT certification, which is a semester long –

BP: Mm-hm (*affirmative.*)

PM: Training and then depending on the program you enter, some programs want you to have a year of experience as a EMT working on an ambulance, some will just pass you straight through on paramedic school.

BP: Mm-hm (*affirmative.*)

PM: Um, and that's program dependent but anything other, usually between one year to two years depending on whether it's a certificate or degree earning program, um, to complete your paramedic education. And that includes um, all of your clinical time, outside of classroom time, as well as a some sort of internship done riding on an ambulance as a student.

BP: Ok. Um, so, do you have like a certification or license or something like that that you have to maintain?

PM: Yes, there is. At the end of the program you pass, uh, you have to pass *inaudible* EMTs

BP: Mm-hm (*affirmative.*)

PM: Is generally the um, the most accepted way to get through the end of paramedic school is to – there's two segments of that, there's a written and a practical, uh, section of that exam. And once you complete that, you are nationally registered and certified as a paramedic.

BP: Ok.

PM: And then from there, um, you take that certification and pass that along to whatever state you're going to be working in or states, if you may be working across state borders –

BP: Sure.

PM: And then that – those states will look at your education history, um, international registry, make sure everything is in order and then grant state licensure from there.

BP: Ok. So do you have licensure, then, in the State of Minnesota?

PM: Yes, sir.

BP: Alright, and are you current and up to date on all your training and everything to maintain your license?

PM: Yes sir, we have continuing education requirements every two years, as well as some other certifications that are job dependent. Um. Some of it is, some is dependent on state licensure to complete like ACLS – Advanced Cardiac Life Support –

BP: Mm-hm (*affirmative.*)

PM: And then some things, um, are, uh, mandated by an employer as well.

BP: Ok.

PM: So all my continuing education is up to date.

BP: Great. Um. As a paramedic, do you, do you wear a specific uniform?

PM: Yes, sir. I wear uh, a brown, tan or light brown or tan, uh, top with darker brown pocket covers and necklets and then dark brown pants.

BP: Those uniforms kind of look similar to like Hennepin County Sheriff's Deputy uniforms?

PM: Yes sir, they do.

BP: Are you at all affiliated with the Hennepin County Sheriff's Office?

PM: No, sir.

BP: Ok. So back on um, June 3rd. Um. First of all, let me ask you this. What hours do you – are you typically working?

PM: Uh, this year my schedule is 6:30 a.m. to 4:30 p.m.

BP: Ok. Is that the shift you were working on June 3rd?

PM: Yes.

BP: And who was your partner that day?

PM: Dillon Grant.

BP: Ok. Um. Was there a third person on the ambulance rig with you that day?

PM: Yes, sir, there was.

BP: Who was that?

PM: That third person was Jeff Melville, uh, last name is M-E-L-V-I-L-L-E. He's a student of mine who is currently going through paramedic education or at that time was. He has since completed his uh, education requirement and is working on passing his exams to be fully certified.

BP: Ok. All right. Um. So, on June 3rd, um, did you and um, Dillon and I guess also Jeff, uh, respond to Uptown?

PM: Yes, sir.

BP: Can you just tell us about that um, you know, what, why you went there, where you were, and kind of what you did and things you observed?

PM: Sure. Um. We responded, so, I don't remember where we responded from, where we were stationed when the call came in.

BP: Sure.

PM: Um, but I do remember that there was a shooting on our board so – we have *inaudible* on our, uh, through our CAD –

BP: Mm-hm (*affirmative.*)

PM: That describe the incident nature of various different calls. And one of the – one of the CAD designators that we use is a shooting, uh, and that had been up on our board like as dispatched as a, as a run for some period of time, I don't remember how long. Um. Indicating, and we can see the CAD notes in that and that, you know, indicate kind of a general idea of what's going on or at least what uh, what folks are putting into their, uh, mobile data computers –

BP: Mm-hm (*affirmative.*)

PM: Mobile data journals. Um. On their squad car or in their ambulance or in dispatch center. So we had a little bit of notes so we could see what's going on and then we got dispatched as the second rig into that call, um. And notes indicated that there was a second person, uh, in the vehicle, uh, that was a female that needed an evaluation also, and that the first rig was tied up with uh, caring for the first patient.

BP: Ok. Um. So, who was driving the ambulance?

PM: I was driving the ambulance.

BP: Alright. So when you got to the scene, do you remember approximately where you positioned yourself?

PM: Yes, I do. I parked the ambulance um, I kind of found a way into – there was a lot of squad cars in that area, and also a fire engine and *inaudible* and I kept to the, I kept our ambulance on Lake Street, kinda tuck it up behind an ambulance – actually behind a fire truck I was, east bound on Lake Street –

BP: Mm-hm (*affirmative.*)

PM: And I would have been just east of the driveway into the parking ramp which I believe is also Girard.

BP: Ok. Um. So what happened then, when you got on scene?

PM: Well as we got on scene, um, we kind of noted that um, we noted that there was a fe – like a female being escorted towards us and notes from our call indicated that we were coming to the scene to see a female, so we kind of, at that time assumed that the female being escorted by one of our supervisors as well as it looked like some Minneapolis Officers, um, bringing her towards us, um, we just kind of decided to wait at the ambulance and get things set up for her so that we were prepared for her arrival rather than trying to go to her. Um. My partner stayed outside because he was the attending paramedic. I was inside the back of the ambulance kind of getting prepped. Um, and then as they arrived, my – or as the supervisor arrived to our ambulance kind of gave my partner and I a little bit of a rundown on what happened. And passed care to my partner, Dillon, patient and Jeff stepped into the back of the ambulance and Dillon noted to me at that time that the, uh our duty chief had wanted to say something to me –

BP: Mm-hm (*affirmative.*)

PM: like – talk to me about something.

BP: Mm-hm (*affirmative.*)

PM: So I stepped out of the ambulance. The duty chief kind of pulled me aside, his name is Mike Drellinger, he was the chief on duty that day –

BP: Mm-hm (*affirmative.*)

PM: He pulled me inside and informed me that this was an officer involved shooting, um, and informed me at that time that the other party was deceased.

BP: K.

PM: Um. And, so he told me about that kind of away from the patient and outside the ambulance so nobody else could hear us, just to give me a little bit of uh, background on what's going on. I ended up, when I stepped back into the back of the ambulance, I believe there was – it was kind of intermittent. Sometimes there were two Minneapolis Police Officers and sometimes they were one *inaudible* times, one of the officers stepped out of the the back of the ambulance I think.

BP: Mm-hm (*affirmative.*)

PM: But throughout, pretty much throughout our time on scene of the case, before we transported the patient to the hospital, um, we had one or two officers in the back of the ambulance with us.

BP: Ok.

PM: So, I've already began assessing the patient, um, working on trying to get, you know, figure out what her wounds were, figure out if anything serious was going on. Just the fact that she was able to walk to the ambulance told us that, you know, life threats are probably um, a lower likelihood, but still trying to do a thorough assessment, make sure that we don't miss anything. Um. She had some wounds, just kind of scratches and it looked like glass in her arm –

BP: Mm-hm (*affirmative.*)

PM: I'm not 100% clear on which side – I believe it was the left side of her body, but I'm not 100% on that for sure.

BP: Ok.

PM: Um, the, the patient, at that time, was very upset.

BP: Mm-hm (*affirmative.*)

PM: Very distraught and we were trying to uh, do what we could to at least center her enough to answer questions and uh, bring her back to a more like, reasonable uh, place, state of mind, so she was able to chat with us and tell us what's going on. Because without good information from her about like, her injuries, kind of working in the dark.

BP: Ok.

PM: So. Um. And then also just trying to get her in a state of mind where she feels safe – I – we just – trying to – I didn't know exactly what had happened, um. I still don't know exactly what happened during everything –

BP: Mm-hm (*affirmative.*)

PM: But just – it doesn't – it didn't take a long for me to figure out that she would be very distressed and like, something very, very traumatic just happened to her, so we were trying to work to make sure she knew that she was safe, that she was in a safe place, nobody was going to hurt her, um, all of those things. Trying to keep her in a good state of mind.

BP: What were some things that she was telling you? Uh, or that you overheard her saying?

PM: So she was very upset, obviously, about everything that had just happened. She was screaming a lot to us, the one thing that I remember is her yelling a lot like what did he do? What did he do? What caus – like – trying to ask why did this happen?

BP: Mm-hm (*affirmative.*)

PM: That was the kind of sense I got was, you know, what did he do that was so bad that this happened, that the police, you know, tried to arrest him in his car and ended up shooting him, um –

BP: Did she say that?

PM: She did not.

BP: That the police tried to arrest – oh -

PM: That was the sense I was getting. She did not say anything like that.

BP: Oh, ok.

PM: The sense that I was getting from her was that she was like what's going on that is so – like – what caused this situation?

BP: Yeah.

PM: Um. And so we, we, again, trying to calm her and keep out of – we were trying to stay out of the idea of like we don't know what happened –

BP: Mm-hm (*affirmative.*)

PM: We don't know. We have no way of knowing any of those things and we don't really want to talk to her about those things –

BP: Mm-hm (*affirmative.*)

PM: Because, again, we're more focused on the medical standpoint of things.

BP: Right, right.

PM: She did tell us that her and um, the other male were out on a date –

BP: Mm-hm (*affirmative.*)

PM: That they had gone to Stella's to have lunch – and they walked back from Stella's to his car and then inside the car, she said, that's when kind of everything happened. Um. I don't remember exactly how she phrased but she said that was – and things happened very quickly after they got into the car. Um. She – she mentioned to us that her friend, this was a friend of a friend, the male in question was a friend of a friend. So a friend of the patient's – our patient – had set her up.

BP: Mm-hm (*affirmative.*)

PM: Um, on a date. To go out with this, to go out with this man. Um. She said she didn't know much about him.

BP: Mm-hm (*affirmative.*)

PM: She said, uh, I don't recall if she said this was a first date or not, I don't recall if she said she'd ever met him before that day.

BP: Mm-hm (*affirmative.*)

PM: Um, she did, she did say to us something about that she had told him, prior to going out on a date, that she didn't want any trouble. She didn't want to be involved in any trouble.

BP: Mm-hm (*affirmative.*)

PM: She didn't want to um, have any kind of, have any kind of problems in her life because I guess she had, I think he had told her that he was, um, gosh, I don't remember exactly how she phrased this –

BP: Mm-hm (*affirmative.*)

PM: But, she had some reason to suspect that he may have – he may be in trouble with the law.

BP: Mm.

PM: And she would make, she told us that she had made it clear to him that she did not want to be involved with any kind of trouble with the law.

BP: Ok. So is this all in response to questions that are being asked or is she just kind of – discussing –

PM: Um, we have – I mean, we tried to ask her what happened –

BP: Sure.

PM: Um, generally but we did not ask her specific questions about him, um, that I recall.

BP: Ok.

PM: We, we kind of, and some of this also is like once we recognized, uh, once we recognized that there weren't any immediate life threats, my partner went to work on kind of bandaging, making sure that her wounds weren't bleeding –

BP: Mm-hm (*affirmative.*)

PM: My student was taking vitals and I was doing documentation for uh, for our medical end of things.

BP: Mm-hm (*affirmative.*)

PM: Oh, excuse me. And a lot of these answers, a lot of these things that she said were in response to questions that the police department, the Minneapolis police officers were asking her. So a lot of these were not *inaudible* off our questions.

BP: I understand. Ok. Alright. Um. So, ultimately, she was transported to the hospital, was my understanding?

PM: Yes, sir.

BP: Um, what happened at – when she got to the hospital?

PM: Um, once she was at the hospital, I don't remember anything out of the ordinary.

BP: Mm-hm (*affirmative.*)

PM: I don't remember, I – I – I frankly don't remember what room we brought her to. Um, I know that she did go to a, to a room in the emergency department. Um, there was nothing remarkable about the transfer of care.

BP: Mm-hm (*affirmative.*)

PM: That I remember.

BP: Ok.

PM: Generally, the way, so generally the way we do transfer of care, uh, is because my partner was the attending paramedic –

BP: Yep.

PM: He would have had much more involvement in the transfer of care to nursing staff because at – once, once we get the patient into a room or into the hospital, I kind of break off and go back to clean the ambulance and prepare for the next patient.

BP: Ok.

PM: That's just kind of the division of labor that uh, we run with –

BP: Sure –

PM: So –

BP: That makes sense. Um. Did you, did you guys ever go back to the scene for any reason?

PM: Mm, no.

BP: Ok.

PM: Not, not back to that scene. Not – not back to that scene. Not – I mean I've driven by there a few times –

BP: Well, sure. I know. But I mean like after you were at the am – the hospital, did you – were you asked to go back for any other reason?

PM: No, sir. We were asked after the hospital, we were told to go to the 5th precinct, Minneapolis Police 5th Precinct and wait to speak with BCA.

BP: Ok. And then. And who directed that? Was that your boss?

PM: Um. Yeah, my boss, Mike Drellinger.

BP: Ok. Um. When you were at the scene, did you ever have an opportunity to go up to the top level of the parking ramp?

PM: No, sir. We never left Lake Street.

BP: Great. Alright. And that's both you and Dillon?

PM: That's correct. Nobody on our ambulance ever went more than probably – I don't think we went anywhere more than 25 feet from our ambulance *inaudible*.

BP: Great. Ok. Um, during this time on this ambulance with this woman – by the way. Do you happen to remember a name for her or anything like that?

PM: I don't.

BP: That's fine. Um. Did you hear her mention anything about a gun?

PM: So I remember her saying that during – like – as events were unfolding on top of the parking ramp, I remember her saying that, when the police first made themselves like known to them –

BP: Mm-hm (*affirmative.*)

PM: That he asked her at that time if she had a gun.

BP: Ok.

PM: And she – to which she replied she didn't *inaudible* – her state of mind, in my re – estimation, was she was confused by – she seem like she was confused why he would ask her that question.

BP: K.

PM: Um, and – so I do remember her saying that he asked her do you have a gun? Um. And then I don't remember any other statements from her about the presence of a gun other than she said she did not have one.

BP: Ok. Since this incident, have you, have you happened to see or hear any, any news reports regarding this woman?

PM: Um, I've seen headlines, I have very intentionally stayed away from many of them.

BP: Ok, great.

PM: I have not read any of the articles –

BP: Yep.

PM: Yeah, I'm aware when headlines come out –

BP: Sure.

PM: You know, people *inaudible* talk about it generally, but I haven't read anything –

BP: Ok.

PM: News articles or anything like that.

BP: Alright, thank you. Um. Would you have had any reason to take any photographs or take any video, uh, of your time on this incident?

PM: No, sir. I don't have any – I have no photographs or video or audio recordings.

BP: Alright, great. Um. Since the – or – since this incident – or maybe when you were there – did you talk to any law enforcement who were like, directly involved in the incident on the ramp?

PM: Um, not to my knowledge.

BP: Not to your knowledge, ok.

PM: Not to my knowledge. I – I talked to a lot of law enforcement officers but I – none that I've talked to about this incident, none that I've known to have been present in the actual initial incident.

BP: Ok. Alright. Um. Nicki, do you have any questions for um, Mr. Money?

NR: I do not, thank you.

BP: Alright, Joe, anything you'd like to clarify?

JK: Not at this time, thanks Brent.

BP: Ok. Um, Pete. Before we go, is there anything else that you can think of that uh, might be important for us to know, that maybe we just – we haven't asked you about or we haven't talked about?

PM: Um, I'm trying to think. I – I don't think so. Our care of the patient in the back of the ambulance was pretty straight forward.

BP: Sure.

PM: And, like I say, most of the questions, most of the answers that she gave to us were really related to police questions and mostly what we did was stay in, in the realm of medical questions for, basically because we don't – I mean – you know, we don't want to know much more than that.

BP: Right. Understood. Staying in your lane kinda thing?

PM: Yep.

BP: Ok. Alright, well I appreciate you taking some time um, to talk to us on your day off, thank you so much.

PM: Of course. Hey, I'm sorry it didn't work out the first time. I felt bad it uh, about the way things played out and I'm glad we're uh –

BP: Don't worry about it, it's not your fault. We, we got through it. Um. Let me just turn off my recorder, Pete. Um. The time is 12:51.

END OF RECORDING

Minnesota Bureau of Criminal Apprehension

Lab Result Attachment 2021-399/162

Report Date: 08/12/2021

Primary Information

Description: **14 - NIBIN Entry**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **08/12/2021**
Approved By: **Petersen, Brent (1389 / Minnesota Bureau of Criminal Apprehension)**

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
MN BCA Forensic Laboratory-St Paul	S21-09577

Narrative begins on the following page.

On 08/12/2021, BCA laboratory report number fourteen (14) was received and documents the entry of images into the NIBIN database from cartridge casings test fired from the recovered firearm forensically linked to Winston Smith Jr.

Lab report number 14 is attached to this supplement.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY
 Bureau of Criminal Apprehension
 Forensic Science Laboratory - St. Paul
 1430 Maryland Avenue East
 St. Paul, MN 55106
 TEL: 651-793-2900 TTY: 651-242-6555 FAX: 651-793-2901

AN ANAB ACCREDITED TESTING LABORATORY - ISO/IEC 17025

To: BCA St. Paul **Lab No.** S21-09577
 1430 Maryland Avenue East
 St. Paul, MN 55106

Attention: SA Brent Petersen **Report No.** 14
REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE
NIBIN 08/12/2021

Laboratory Number: S21-09577 **Requesting Agency:** BCA St. Paul
Section Reporting: NIBIN **Agency Case Number:** 2021399
Case Type: Officer Involved Shooting/with a Death **County:** Hennepin

Principals: Winston Smith, Jr.; Norhan Ashraf Askar; [REDACTED] [REDACTED] Winston Boogie Smith, Jr.

Description of Submitted Evidence:

Item	Type and Packaging	Description/Source
27	One cardboard box containing evidence classified as a pistol	Smith and Wesson M&P 380 M2.0 Shield EZ, SN: NHD9367, from front driver side of Maserati
27F	One manila envelope containing evidence classified as test specimens	Test fired cartridge cases and bullets from Item 27.

Results of Laboratory Examination:

Images of a cartridge case from Item 27F (test specimens from Item 27) were entered into the Minnesota firearms database. If your agency is notified of a NIBIN lead, please (re)submit the (original and linked) evidence for confirmation by microscopic comparison if the confirmation will aid in your investigation or if there is a trial date.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Emily Kearns
 Forensic Scientist

Disposition Policy:

Please pick up your evidence. Item 27F will be retained by the Laboratory.

Lab No. S21-09577
Report No. 14

Distribution:
BCA St. Paul

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/163

Report Date: 09/01/2021

Primary Information

Description: Interview with Aaron Shoop
Occurrence From: 08/27/2021 17:06
Occurrence To: 08/27/2021 17:14
Reporting LEO: Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Reyerson, James (1385 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 09/01/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 08/27/2021, at 1706 hours, Senior Special Agents, Nancy Lang and James Reyerson, conducted a phone interview with Aaron Shoop. The interview was in reference to what he witnessed regarding a critical incident in a parking ramp in Uptown Minneapolis on June 4th.

Acquisition of Item 163.1 (DVD with interview of Aaron Shoop) obtained by virtue of this report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 United States
Description: Bureau of Criminal Apprehension

Subject #1 - WITNESS #1 - Shoop, Aaron Wesley

Primary Information

Subject Name: Shoop, Aaron Wesley
Record Type: Person
Bio: 40 yr. old, White, Male
Birth Date: 10/19/1980
Juvenile: NO

Personal Information

Height: 511
Weight: 245
Eye Color: Hazel
Hair Color: Brown

Addresses

Relationship	Address
BUSINESS LOCATION	2832 EMERSON AVE S #224, minneapolis, Minnesota 55408 United States

Property #1 - Item 163.1 DVD Interview with Aaron Shoop

Primary Information

Property Class: Evidence

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/163

Report Date: 09/01/2021

Property #1 - Item 163.1 DVD Interview with Aaron Shoop - Continued

Primary Information - Continued

Property Type:	Audio Recording
Description:	Item 163.1 DVD Interview with Aaron Shoop
Property Status:	BCA / HQ
Status Date:	08/30/2021
Quantity:	1
Submitted To:	Property & Evidence (2021-399/163.1)
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected By:	Lang, Nancy
Collected Date/Time:	08/27/2021 17:06

Narrative begins on the following page.

On Friday, 08/27/2021, at 1706 hours, Senior Special Agents, Nancy Lang and James Reyerson, conducted a phone interview with Aaron Shoop. The interview was in reference to what he witnessed regarding a critical incident in a parking ramp in Uptown Minneapolis on 06/04/2021.

The following is a synopsis of the interview with Shoop:

He was working at Stella's Fish Café on 06/04/2021 and at approximately 1400 hours, he heard about 11 rounds fired in about 3-4 seconds. He could tell the rounds were coming from behind him and he turned around and observed several cars on the top level of the parking area.

The parking ramp was close and from his view he was almost eye level with the structure. He saw a male who appeared to be beating in the back or the passenger window of a car with the butt of his rifle. He saw a woman pulled out of the vehicle and escorted to another car.

He assumed most of the people were undercover officers. Most were wearing gloves, bulletproof vests and had firearms, mostly rifles. He did not see any lights or markings on the vehicles. It appeared, with so many people involved, to be a police situation. Following the shooting, which he found very alarming, he observed several police and ambulances arrive in the area. See statement with Aaron Shoop for further information.

On 09/01/2021, SSA Lang received and reviewed a transcript of the phone interview and saved it as a PDF. The transcript and evidence transfer receipt, respectively, attached.

Acquisition of Item 163.1 (DVD with interview of Aaron Shoop) obtained by virtue of this report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2021-399/163

Case Agent: Petersen, Brent

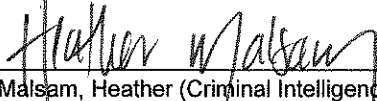
Item	Quantity	Description
1	1.00	Item 163.1 DVD Interview with Aaron Shoop

State authority to release or manner of disposition:

Transfer to Evidence Storage

I hereby certify that I have received the above listed property

Signature



Date Received

8/31/2021

Name

Malsam, Heather (Criminal Intelligence Analyst / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

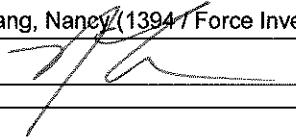
City/State

Telephone

Released By

Lang, Nancy (1394 / Force Investigations / Minnesota Bureau of Criminal Apprehension)

Verified By



BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	08/27/2021 @ 1706 hours	BCA CASE #:	2021-399
OFFENSE:	OIS – Minneapolis	EXHIBIT #:	169
INTERVIEW OF:	Aaron Shoop (AS)	INTERVIEWED BY:	SSA Nancy Lang (NL) SSA James Reyerson (JR)
REVIEWED BY:	SSA Nancy Lang 09/01/2021		

AS Okay.

NL Okay this is Agent Nancy Lang. And also present on the phone is Agent James Reyerson. And Aaron Shoop. And Aaron can you go ahead and spell your name um including your middle name?

AS Aaron, A-A-R-O-N. Wesley, W-E-S-L-E-Y. Shoop, S-H-O-O-P.

NL Okay and what's your date of birth Aaron?

AS 10-19-1980.

NL Okay and your current address? (clears throat)

AS I'm sorry?

NL Your current address?

AS Uh 2832 Emerson Avenue uhhhh Apartment 224, Minneapolis, Minnesota 55408.

NL 55408?

AS Yeah.

NL Okay so Aaron I understand that you were working at Stella's Fish Café on June 4th around 2:00 p.m. when there was a critical incident in the ramp in Uptown. Are you familiar with...

AS Correct.

NL ...that date?

AS Yeah very familiar.

NL Okay. Can you go ahead and just tell me what you recall from that day?

AS Um I just remember working lunch. And all of a sudden I heard like a whole bunch of uh gunshots. Like I, I feel like I heard about 11 rounds. In real quick, three or four seconds. And I could tell they were behind me. And I turned and looked and saw um a lot of cars on the top level of the parking lot. And then I saw like a guy um it looked like he was like beating at the window of a car with the butt of his rifle. And then I saw a lady get pulled out. And she was escorted into another car. You could tell that like all the guys they were like un, at-at that point I'm like those must be like unmarked cops or something you know. Cuz none of the cops had no, there were no lights. You could just see the guys had like backward hats, gloves, bullet proof vests, sun glasses, rifles. And um yeah it was very abrupt. And then lots of sirens. Lot of cops. Lots of ambulances. And it was, it was, it was crazy. It was very um alarming to be, working and you know it's a restaurant. People are having lunch and then all

of a sudden that happens. It's, it's pretty close it's right across the street and it's pretty much eye level with the, with the structure.

NL Okay. When you said that you saw who you believed were officers and you said that they had like um tactical vests or bullet proof vests and stuff. Was it clear to you they were officers?

AS Clear what?

NL Was it clear to you that they were officers or law enforcement? Was there anything marked or could you tell by any other means?

AS Um I mean I, I guess there was nothing that I could tell maybe you know I, I just what I thought was they were undercover cops or unmarked cops or I mean it definitely felt like a, a police situation with that many people. And one of my customers said he saw just all of a sudden a bunch of cars surrounding two other cars. And then you know (inaudible) I only heard the shots and turned around when I heard the shots.

NL Okay. And then you said that um and correct me if I'm wrong, that you believe that it was an officer and he used the um like the butt of his rifle to break a window?

AS That's what it looked like from where I was. I, I, I know I saw a man holding the, butt of his rifle and it looked like he was trying to like knock out a window or something. And then shortly after you saw the woman pulled out of the car. And put into the backseat of another car.

NL So do you remember which window of the vehicle that would have been?

AS Do I remember what?

NL Which window of the vehicle?

AS It looked like it was either the back window or the passenger side. It wasn't the driver's side from what I could tell.

NL Okay. (clears throat) James do you have any additional questions?

JR Yeah just one Aaron. Um, so you said you believed they were law enforcement. It appeared that they were law enforcement. What gave you the impression that these individuals or the majority of them, not all of them, were law enforcement?

AS Just how comfortable they were behaving after so many shots fired. Like I couldn't imagine like street people would you know be that...

JR Okay.

AS ...relaxed.

JR Did these individuals have firearms in their hands

AS They, they seemed like...

JR ...hands?

AS Did the, say that again?

JR Did these individuals have firearms in their hands?

AS Yeah all of 'em. They were all (inaudible)

JR (inaudible)

AS It looked like it.

JR Were they handguns or long guns?

AS When I, I, I, I can't like say specifically what rifle or gun per person but I saw a lot of like what looked like you know (inaudible) whatever AR15 or some kind of, like...

JR (inaudible)

AS ...(inaudible) type of weapon.

JR Okay. And just, I think you already mentioned it but did they have what appeared to be uh ballistic or bullet proof vests on? To the best of your knowledge.

AS Yeah it looked like everyone had vests on them.

JR Okay and did you observe any writing on the vests?

AS No.

JR Okay. Um were there any marked police cars in that vicinity?

AS Not until after the shots. That you know I would say, I would say I heard sirens within two minutes of the shots.

JR Okay. Did any of the vehicles...

AS And then...

JR ...before or during the shots have emergency lights?

AS No.

JR Okay. That's all I have Nancy.

NL Okay. Um...

AS All right.

NL ...Aaron is there anything else you can think of that maybe I didn't ask you or James didn't ask you that would be helpful?

AS Um I mean I only I, I only found out after the fact that the guy actually dined on the patio. And I had no idea until later. But um it was all just like really you know confusing and I didn't really know what was going on and then the next thing I knew, when I'm leaving work is like you know protestors are like show uh showing up. So I, I just made assumptions at that point. But I, I don't really have anything else to say about it.

NL Okay. The current date is August 27th. And the time is 1714. That'll be the end of this statement.

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/164

Report Date: 08/27/2021

Primary Information

Description: **Opening and Sealing of Vehicle BCA LAB Item #15**
Reporting LEO: **Mueller, Scott (1305 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **09/01/2021**
Approved By: **Mueller, Scott (1305 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 8/27/2021, SAIC Mueller met with the Crow Wing County Attorney Don Ryan. SAIC Mueller and Mr. Ryan viewed the vehicle, BCA Lab Item #51, which was resealed by SAIC Mueller. Mr. Ryan and SAIC Mueller also met with the BCA CST Leader Ross Thomas as well as walked through the location this incident occurred. (No evidence acquired by virtue of this report)

Address #1 - Occurred #1 - 2741 Geneva Ave N

Primary Information

Address: **2741 Geneva Ave N, Oakdale, Minnesota 55128 United States**
Description: **Twin City Transport and Recovery**

Narrative begins on the following page.

On 8/27/2021, SAIC Mueller met with the Crow Wing County Attorney Don Ryan. SAIC Mueller and Mr. Ryan viewed the vehicle, BCA Lab Item #51, which was resealed by SAIC Mueller. Mr. Ryan and SAIC Mueller also met with the BCA CST Leader Ross Thomas as well as walked through the location this incident occurred. (No evidence acquired by virtue of this report)

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/165

Report Date: 09/07/2021

Primary Information

Description: Acquisition of Data from USMS by Request of Crow Wing County Attorney's Office
Occurrence From: 07/30/2021 10:00
Occurrence To: 09/03/2021 10:00
Reporting LEO: Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)
Report Status: Approved
Report Status Date: 09/08/2021
Approved By: Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 09/03/2021, SSA Petersen received data from the US Marshal's Service that was requested by the Crow Wing County Attorney's Office. A document from the USMS is attached to this supplement. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: 1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States
Description: BCA HQ

Officers

LEO
Ryan, Don (County Attorney / Crow Wing County Attorney)
Roque, Steve (Associate General Counsel/USMS / US Marshals)

Narrative begins on the following page.

On 07/30/2021, Senior Special Agent (SSA) Brent Petersen met with the Crow Wing County Attorney, Don Ryan, at BCA headquarters in Saint Paul and received a request from Ryan for additional data from the United States Marshal Service (USMS). Mr. Ryan requested that SSA Petersen try to obtain any data or statistics maintained by the USMS regarding uses-of-force by the North Star Fugitive Taskforce as it applies to a vehicle "box-in" tactic; and the number of times that tactic resulted in death or significant bodily harm to the subject being arrested.

On 08/03/2021, SSA Petersen received instruction from the USMS to make the data request to Steve Roque with the Office of General Counsel for the USMS in Washington, DC. SSA Petersen made the request to Mr. Roque directly on 08/03/2021. Mr. Roque confirmed receipt of the request on 08/05/2021 and stated he would attempt to acquire the requested data, if it exists.

On 09/03/2021, SSA Petersen received a memorandum from Mr. Roque pursuant to the data request from 08/03/2021. According to the memorandum, a review of use-of-force and shooting incidents from October of 2018 to present found eleven total reports by the USMS. Of those eleven incidents, only one use-of-force/shooting incident by Deputy US Marshals and/or Taskforce Officers resulted from a "vehicle containment during arrest." That one incident is the shooting of Winston Smith Jr on 06/02/2021 in Minneapolis.

SSA Petersen attached a copy of the USMS memorandum to this supplement.

A copy will be provided to the Crown Wing County Attorney's Office.

No exhibit(s) by virtue of this activity or report.



U.S. Department of Justice
United States Marshals Service
Office of Professional Responsibility

Washington, DC 20530-0001

September 1, 2021

MEMORANDUM TO: Steve Roque
Office of General Counsel

FROM: David Crandall
Senior Inspector
Office of Professional Responsibility - Force Review Branch

THROUGH: Kevin A. Riley
Chief
Office of Professional Responsibility – Force Review Branch

SUBJECT: D/MN Task Force Vehicle Containment Uses of Force

This is in response to your e-mail request on August 5, 2021 for:

1. The North Star Fugitive Task Force number of arrests where vehicle box-in method/technique was used
2. How many of the arrests in number 1 resulted in a significant use of force/deadly force by the agents [Deputy U.S. Marshals and Task Force Officers].

The Office of Professional Responsibility – Force Review Branch (OPR-FRB) does not maintain statistics on arrest records or vehicle containments. The United States Marshals Service (USMS), through the Investigations Operations Division (IOD), does maintain arrest statistics. At present, the USMS does not have structured data on vehicle containments during arrest endeavors.

A review of use of force and shooting incident records in the USMS Mission Enterprise System beginning in October 2018, found eleven total incident reports. A manual review of those records determined only one involved a vehicle containment during an arrest endeavor. This was the shooting in Minneapolis on June 3, 2021.

USMS Policy 2.10 requires use of force reports be submitted to OPR-FRB through the USMS Mission Enterprise System within 24 hours of the incident. OPR-FRB used this system to research the requested data. All uses of force since February 1, 2021, undergo a review process by OPR-FRB, which allows for data reliability. Data entered in the USMS Mission Enterprise System, legacy systems, and arrest reports (Form USM-11) prior to February 1, 2021 had no such review by OPR-FRB. The data contained in the legacy system and USM-11s was not researched, though the USMS Mission Enterprise System was researched.

Minnesota Bureau of Criminal Apprehension

Investigative Supplement 2021-399/166

Report Date: 10/11/2021

Primary Information

Description: **Declination of Criminal Charges - Crow Wing County Attorney's Office**
Occurrence From: **10/11/2021 09:30**
Occurrence To: **10/11/2021 09:30**
Reporting LEO: **Petersen, Brent (1389 / Force Investigations / Minnesota Bureau of Criminal Apprehension)**
Report Status: **Approved**
Report Status Date: **10/11/2021**
Approved By: **Phill, Charles (1324 / Minnesota Bureau of Criminal Apprehension)**

Synopsis

On 10/11/2021, SSA Petersen received two documents from the Crow Wing County Attorney's Office that formally decline criminal charges in the death of Winston Smith Jr on 06/03/2021 in the city of Minneapolis. Both memos attached to this supplement. No exhibit(s) by virtue of this activity or report.

Address #1 - Occurred #1 - 1430 MARYLAND AVE E

Primary Information

Address: **1430 MARYLAND AVE E Bureau of Criminal Apprehension, Saint Paul, Minnesota 55106 United States**
Description: **BCA HQ**

Officers

LEO
Ryan, Don (County Attorney / Crow Wing County Attorney)

Narrative begins on the following page.

On 10/11/2021 at approximately 0930 hours, Senior Special Agent Brent Petersen received two (2) documents from Crow Wing County Attorney Don Ryan. The documents are memorandum addressed to Hennepin County Attorney Mike Freeman that decline criminal charges against the taskforce members who shot and killed Winston Smith Jr on 06/03/2021 during an arrest in Minneapolis.

Both documents are attached to this supplement.

No exhibit(s) by virtue of this activity or report.



Donald F. Ryan, County Attorney
Crow Wing County Attorney's Office
213 Laurel Street, Suite 31
Brainerd, MN 56401
attorney.office@crowwing.us
Phone: 218.824.1025 Fax: 218.824.1026

October 6, 2021

Mike Freeman
Hennepin County Attorney
300 South 6th Street
Minneapolis, Minnesota 55487

Re: Use of Deadly Force Investigation arising out of 6/3/2021 US Marshal Task Force attempt to apprehend Winston Smith.

County Attorney Freeman,

I have concluded my review of the above entitled matter. Based upon the facts and circumstances in this case, I find that the US Marshal Task Force (TF) was properly exercising its lawful authority to apprehend Winston Smith (Smith) on the Ramsey County felony warrant. The TF was readily identifiable when informing Smith he was under arrest and ordering him to exit his vehicle (as well as other commands). Smith failed to comply with the lawful orders. As the TF was attempting to gain entrance into his vehicle, Smith initiated a deadly force confrontation with the TF by drawing his handgun and firing at the TF. This resulted in the TF using deadly force in response. Though I am unable to determine who fired first, it is irrelevant in this case. Once an individual initiates a deadly force confrontation, a law enforcement officer does not have to wait to be shot/shot at before reacting. The reaction and reasoning of the two Task Force Members in this case was reasonable and justified. Their conduct was clearly in response to an apparent threat of death or great bodily harm. They also clearly articulate with specificity a threat of death or great bodily harm that was reasonably likely to occur unless addressed by them without unreasonable delay. Hence both the pre and post March 1, 2021 standards laid out by Minnesota Statute 609.066 are met. As a result, the use of deadly force was authorized under Minnesota Law in this case and no criminal prosecution is warranted.

Included herewith is a second letter which provides the basis for my decision. These two letters form my entire report concerning my review of this case. I will not be holding a press conference and will not be available for comment beyond what is contained in this submittal.

Having concluded my review, I herewith am providing to you my entire file concerning this matter. The only thing I have maintained is a copy of this letter. All other materials (paper and digital) are being provided to you. I have also deleted everything out of our system on this matter as well. I will forward all requests for data to your attention.

Very truly yours,

Donald F. Ryan, County Attorney
Crow Wing County Attorney's Office

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future.



Donald F. Ryan, County Attorney
Crow Wing County Attorney's Office
213 Laurel Street, Suite 31
Brainerd, MN 56401
attorney.office@crowwing.us
Phone: 218.824.1025 Fax: 218.824.1026

October 6, 2021

Mike Freeman
Hennepin County Attorney
300 South 6th Street
Minneapolis, Minnesota 55487

Re: Use of Deadly Force Investigation arising out of 6/3/2021 US Marshal Task Force attempt to apprehend Winston Smith.

County Attorney Freeman,

I have accepted review of the above matter on a conflict-of-interest basis. I have reviewed the investigative materials, met with the BCA, and made site visits in the process of completing my review of this matter. Given that the law concerning the use of deadly force by law enforcement officers is currently in flux in Minnesota, I have analyzed this under both the pre (apparent threat of death or great bodily harm) and post (articulated with specificity) March 1, 2021, standards. It is my opinion that the use of deadly force by the US Marshals Task Force on June 3, 2021 was authorized under Minnesota Law using either standard. Therefore, no criminal prosecution should be sought in this matter. I provide the basis for my decision below.

On November 30, 2019, Winston Boogie Smith (Smith) was arrested in Ramsey County on a Hennepin County warrant arising out of an Aggravated Robbery in the 1st degree conviction. Smith was driving a vehicle bearing Missouri license plates. Search of the vehicle produced a loaded Taurus 9mm handgun from beneath the driver's seat. Smith was charged with possession of a firearm by an ineligible person in Ramsey County (60-CR-19-9010). On May 19, 2021, Smith failed to appear for sentencing in the Ramsey County case. Smith was facing a 48-month commitment to the Commissioner of Corrections (a downward durational departure by agreement) concurrent with a 48-month commit in the Hennepin County matter. On May 20, 2021, a body only bench warrant was issued for Smith's arrest on the Ramsey County case. As a result of this warrant, the U.S. Marshall's North Star Fugitive Task Force (Task Force) opened an investigation of Smith.

On June 3, 2021 the Task Force developed information that Smith and an unknown female acquaintance (later identified as N.A.) were eating at Stella's Fish House on West Lake Street, in the City of Minneapolis, Hennepin County. The Task Force responded to the area. At approximately 1:30 p.m.

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certain members of the Task Force observed Smith and N.A. at Stella's on the rooftop. At approximately the same time, another member of the Task Force found the vehicle Smith had been driving in videos, on the top level of the parking lot across the street from Stella's. Smith's vehicle was the only vehicle on the top level and clearly visible from Stella's rooftop. The front of the vehicle was up to the cables at the head of the parking stalls. This prevented the vehicle from going forward. The identity of Smith, and the connection to the vehicle, were confirmed with recent social media videos. Some of these videos, and other posts, contained content of Smith pulling a handgun out of his pants; and Smith stating that he possessed guns and drugs for sale.

It was determined that arresting Smith on the top level of the parking lot would be the safest approach in order to mitigate the risk to the general public. Consequently, a plan to do so was formulated. One Task Force Member (TFM) was assigned to maintain surveillance on Stella's and advise when Smith and N.A. left their table. Another TFM took up a position in order to advise when Smith and N.A. left Stella's, crossed the street, and entered into the parking ramp. This individual would also advise if Smith and N.A. used the stairs or the elevator. The remaining TFMs were in their squad vehicles and positioned themselves at various locations in the parking ramp. Two of these TFMs were assigned to stay on the fourth level to cover the stairwells in case Smith got out on foot and ran. The remaining TFMs would participate in boxing in Smith's vehicle once Smith and N.A. were inside. One TFM maintained visual contact of Smith's vehicle and would give the order to the team to move in. Three TFMs had a specific location they were to drive to (driver's door, passenger door, rear of vehicle) in performance of a standard vehicle box technique. Once Smith's vehicle was boxed in, TFMs would form a stack approach of Smith's vehicle, and take him into custody.

At approximately 2:00 p.m. the TFM maintaining surveillance of Stella's radioed Smith and N.A. were leaving their table. The TFM surveilling the street and parking ramp then radioed Smith and N.A. were walking toward the parking ramp. They then entered the elevator on Level 1. Shortly thereafter, Smith and N.A. are observed on Level 5 walking to the vehicle. Once they were inside the vehicle the command to move in and arrest Smith was given. TFM squad emergency lights and sirens were activated, the TFMs fell into their pre-planned positions, and boxed Smith's vehicle in. After about 10 seconds, the sirens were turned off, but the lights remained on. TFMs identified themselves as L.E. both over the P.A. of the squads and by verbally shouting once outside their squad. All TFMs wore tactical vests that clearly identified them as L.E. officers. Smith was told he was under arrest, to put up his hands and exit the vehicle. He did not. Loud verbal commands to show TFMs their hands continued. N.A. complied. Smith did not. For several minutes P.A. commands to show your hands/put your hands on the steering wheel continued. Smith did not comply.

The decision that Smith would have to be physically removed from the vehicle was made. One TFM retrieved and raised a ballistic shield (with US Marshals markings on the front), drew a handgun, and took up a tactically sound position on the rear driver's side passenger area. Other TFMs then stacked behind to form the arrest team. As this was occurring, loud commands for Smith to keep his hands visible continued by the TFM sitting in the squad blocking the driver's door. The lead stack TFM could clearly see Smith's hands through the window. At times the left hand would fall out of view. Once the stack was complete, the squad blocking the driver's door was backed away to allow the door to open. This TFM then exited the squad and joined the stack in the second position while continuing to give loud verbal commands to Smith to keep his hands up. Smith was again ordered to open the driver's door and exit the vehicle. Smith could be seen looking at the TFM giving the commands to open the door.

Smith failed to comply and did not open the door. Smith appeared to be alert and made eye contact with the TFM giving the commands.

After approximately three minutes of non-compliance, the arrest team moved slowly forward to the driver's door with the shield up and gun pointed at Smith. In doing so Smith is observed with his hands down doing something on his phone. N.A. is observed with her hands up. She was crying hysterically and shaking. TFMs saw N.A.'s lips moving, and it appeared she was yelling at Smith. Smith appeared to be talking to N.A. as well. Upon reaching the door, the lead stack TFM moved past the door to the front driver's quarter panel near the A pillar (shield up/gun pointed at Smith) (clearly visible to Smith). This was done so those behind could extract Smith from the car. Smith is observed ignoring TFMs at this point and focused on his phone. One of the TFMs then tried to open the door from the outside, but it was locked. Smith was ordered to unlock the door or the TFMs would break out the window. Smith looked at the TFM and again scanned left to right consistent with someone looking for an escape option. Smith did not unlock the door. A window break tool was then retrieved. The second TFM in the stack then struck the front driver's side window with the break tool. The window did not break. Rather it spider webbed and stayed intact. The TFM struck the window a second time and it still did not break. After several attempts, small holes in the window began to develop with each strike.

While the attempt to break the window was occurring, the lead stack TFM was observing Smith. Smith was looking at the TFMs at his driver's door with a look of annoyance/disgust on his face. Smith dropped his phone, twisted his body, and leaned over to the vehicle's center console (between driver and passenger seat), pushed himself up with his feet/legs and appeared to be reaching for something in the back seat. Smith is told to stop reaching. Smith then recoiled back into the driver's seat. The lead stack TFM who is providing cover is heard yelling, don't do it, then gun, gun, gun, he's reaching for/he's got a gun. This TFM then begins firing his handgun at Smith. This causes the TFM attempting to break the window to drop the break tool, pull his handgun, and fire at Smith as well. Smith is seen slumping but is still moving with his hands out of view. The task force is ordered to fall back. After the TFMs had fallen back, the rear window is busted out by a TFM using the butt of his rifle to get a clear view into the vehicle. At this same time, N.A. exits out the front passenger door of the vehicle, is detained and escorted to a squad vehicle. The task force regroups and goes to the open passenger door and assists Smith out of the vehicle. He is placed on his back on the parking ramp. TFMs then begin life saving measures until paramedics arrive approximately 15 minutes later and take over. Paramedics pronounce Smith dead at the scene.

The Minnesota BCA was called in to investigate. Upon (examination/search) of Smith's vehicle a Smith & Wesson M&P 380 M2.0 Shield EZ .380 caliber handgun was recovered. It was located on the driver side floor between the seat and door area. There was a live cartridge in the chamber with the magazine being empty. The cartridge in the chamber was a Blazer 380 auto. DNA testing of the handgun produced four locations containing Smith's DNA (grips, slide, left side grip, magazine base). Also recovered in the front seat area were six fired Blazer 380 auto cartridge cases (2 driver's seat, 1 driver's floor, 3 center console). Testing of the six fired cartridges determined they were fired from the recovered handgun. A second M&P 380 auto magazine loaded with seven Blazer 380 auto cartridges was recovered from a duffel bag in the back seat. The owner of the vehicle Smith was driving was questioned by the BCA. Said vehicle was on a loan to Smith to use. The owner denied any knowledge of the firearm or ammunition recovered from the vehicle. The vehicle owner further denied it was his.

Six defects were discovered in the driver's door. Each tested positive for lead. Each of these originated from the inside of the vehicle traveling to the exterior of the vehicle. One nearly penetrated the door. All six were traveling in the general direction of TFM's. Four bullet fragments were recovered from the interior of the driver's door. Two of these were suitable for testing. Both were fired from the recovered handgun.

There were twelve defects in the driver's side front door window. Nine of these tested positive for lead. All of these traveled from the exterior to the interior of the vehicle. There was also damage to the lower rear portion of this window consistent with where a break tool would be used. There were two defects in the rear driver's side passenger window which originated outside the vehicle traveling to the interior. These both tested positive for lead. A defect was also described in the top left corner of the glove box which tested positive for lead. Comparison of the injuries noted in the autopsy report to the defects in the windows appear to be consistent with one another.

A citizen who was waiting outside of Walgreens, across the street from the parking ramp, informed the BCA that the citizen heard sirens. The citizen looked thinking it was a traffic stop. The citizen saw a police car in the parking ramp. This individual heard commands of "Put your hands up" or "put your hands on the steering wheel." These commands lasted for more than two minutes. This individual described the individuals giving the commands as being really patient. The commands given made it clear the person/people were being instructed to do something for the police.

An employee of Stella's working on the roof top on 6/3/21 told the BCA the employee heard shots from the direction of the parking ramp. The person looked towards the ramp and observed vehicles clustered on the top level of the ramp. The individual also observed an officer breaking out the back window of a vehicle; as well as a woman taken out of the pinned in vehicle and escorted to another vehicle. Minneapolis Police Department sirens could be heard within 2 minutes of the shooting.

N.A. is observed in body cam footage immediately after the incident. In the body cam footage N.A. is observed explaining that N.A. and Smith were having a lunch date at Stella's. When they were done eating the two proceeded to Smith's vehicle. Once seated inside, the police came to the vehicle. It happened really fast where a bunch of officers came out of nowhere. Saying put your hands up, put your hands up. N.A. put her hands up right away. Smith would not put his hands up. N.A. kept telling/pleading with Smith to put his hands up, to cooperate, to give himself up. Smith would not do so. Smith made comments to N.A. that he did not want to go back to jail; and that, he was going to die. N.A. stated Smith attempted to go live on Facebook and continued to refuse to cooperate. The police started breaking the glass, then shot through the glass. One of the officers then grabbed N.A. and escorted her to another vehicle. She is not sure what happened. N.A. also gave a statement to the BCA, in which she did not remember seeing a gun in Smith's vehicle.

There were two TFM's who fired their handguns. They were the first and second TFM's in the stack. The first was by the A pillar and the second was near the B pillar of Smith's vehicle. The TFM by the A pillar was providing cover and observing Smith while the TFM by the B pillar was attempting to break the window to gain entry. Both provided a written statement.

The TFM by the A pillar witnessed Smith draw his handgun. This TFM states:

Knew the only reason Smith doing so was to kill the TFM trying to break the window or another TFM. Believed Smith was about to shoot a TFM. Yelled gun and discharged weapon.

The TFM by the B pillar did not see the gun. This TFM believed the TFM was reacting to a violent threat based upon:

Own training and experience; past experience with TFM announcing gun and inflection in voice; shots being fired and glass breaking; Smith's non-compliance/history of weapons cases/furtive gestures/scanning movements and announcement of gun.

This created belief Smith presented a serious violent threat to self, other TFMs and public. Believed Smith had fired at TFMs or TFMs fired after Smith threatened TFM with a gun. This created fear for safety of everyone in area by Smith's vehicle (TFMs and self).

Based upon the facts and circumstances in this case, I find that the TF was properly exercising its lawful authority to apprehend Smith on the Ramsey County felony warrant. The TF was readily identifiable when informing Smith he was under arrest and ordering him to exit his vehicle (as well as other commands). Smith failed to comply with the lawful orders. As the TF was attempting to gain entrance into his vehicle, Smith initiated a deadly force confrontation with the TF by drawing his handgun and firing at the TF. This resulted in the TF using deadly force in response. Though I am unable to determine who fired first, it is irrelevant in this case. Once an individual initiates a deadly force confrontation, a law enforcement officer does not have to wait to be shot/shot at before reacting. The reaction and reasoning of the two TFMs in this case was reasonable and justified. Their conduct was clearly in response to an apparent threat of death or great bodily harm. They also clearly articulate with specificity a threat of death or great bodily harm that was reasonably likely to occur unless addressed by them without unreasonable delay. Hence both the pre and post March 1, 2021 standards laid out by Minnesota Statute 609.066 are met. As a result, the use of deadly force was authorized under Minnesota Law in this case and no criminal prosecution is warranted.

Having concluded my review, I herewith am providing to you my entire file concerning this matter. The only thing I have maintained is a copy of this letter. All other materials (paper and digital) are being provided to you. I have also deleted everything out of our system on this matter as well. I will forward all requests for data to your attention.

Should you have any questions or concerns, please feel free to give me a call.

Very truly yours,



Donald F. Ryan, County Attorney
Crow Wing County Attorney's Office