



Madison Police Department

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madisonpolice.com

June 19, 2020

City of Madison Common Council
Attn: Alders Kemble, Rummel, Moreland, Prestigiacomo, Martin, Evers, and Foster
210 Martin Luther King Jr. Blvd.
Room 417
Madison, WI 53703

Alders,

This letter and the attached are reply to your public records request for Madison Police Department case reports associated with cases from "last night". Because of the date of your request I interpreted "last night" to be 5pm-5am 5.31.2020-6.01.2020. MPD 20-191347 is an event case report meaning reports from officers from multiple days are included in this case report. I have included the case reports only that reply to your request for MPD 20-191347; where an officer did one report that included multiple days, some within the scope of your request, I included the full officer reports. MPD cases included in your request are 20-191347, 20-194093(o), 20-194120, 20-194168(o), 20-194186(o), 20-194221(o), 20-194235(o), 20-194259(o), 20-194273(o), 20-194286(o), 20-194331(o), 20-194338, 20-194339(o-e-referred criminal), 20-194542(o), 20-195416(o), 20-195798, 20-195847(o), 20-902302(o), 20-902303, 20-902303(o), 20-902306(o), 20-902232. As you see above, some case numbers have "(o)" behind them; these case are open and active according to the investigator in charge of these cases. I am denying you access to MPD cases that are open and active as release at this time would hamper investigation and potential for prosecution. Because I am sure you will be curious, case numbers that begin with a 900 case report are self-report. For the reports I am providing, I have redacted personally identifiable information of subjects in the case reports. I have also redacted the identity of a juvenile and the adults that could identify said juvenile as required in the law. I have redacted a reporter of information as I believe it is a safety concern to release her name. I am redacting the names of two individuals where unsubstantiated allegations have been made but where MPD was unable to connect with the individuals or establish probable cause for arrest. These redactions are explained further below. If you have questions please reach out via email at jlaundrie@cityofmadison.com

Under the Wisconsin Public Records Laws, records custodians must carefully weigh the competing public interests involved when deciding to release any record in their possession. Custodians begin with a presumption of complete public access to such records. However, custodians must consider whether inspection of the record could result in harm to the public interest that would outweigh the benefits of such inspection. When such harm substantially outweighs the benefits of public inspection, such records or portions thereof, must remain confidential.

I have redacted information in this report due to the fact that it contains confidential juvenile material. Wis. Stats. 48.396 and 938.396 relating to peace officers records of juveniles prohibit the release of such records except in certain circumstances.

I have redacted information from this report under Wis. Stats. 19.35(1)(am)2.a. which states that the right to inspect does not extend to records where release could endanger the life or safety of an individual.

I have redacted information in these records because the content would reveal highly personal and private information concerning a sensitive investigation including the identity of individuals where unsubstantiated allegations have been made where MPD could not contact them or establish probable cause, the disclosure of which would likely have a

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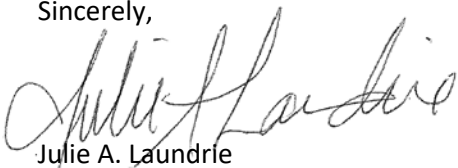
substantial adverse effect on important public interests without any counterbalancing benefit for the public. Release of this information would deter persons from reporting allegations and cooperating in investigations and prosecutions.

I have redacted personally identifiable information composed of birth dates, home addresses and private telephone numbers relating to cooperating contacts. Release of this information would facilitate identity theft crime and thus would be contrary to the well-established public interests in crime prevention and reduction (19.36(13) Wis. Stats.). Additionally, releasing this information would be contrary to the public interests in crime detection and crime fighting in that witnesses may be reluctant to report what they know to the police if they have the fear that this personal and sensitive information is subject to release upon a public records request.

Your request for reports marked with (o) is denied because the records you have requested are part and parcel of an ongoing investigation. Although the investigation into the instant allegations may be complete, in cases such as these, the MPD continues to monitor the situation and conduct additional enforcement/investigative activity as warranted. Providing copies of these reports during this period of monitoring could compromise the effectiveness of these activities. The public interests in protecting the integrity of ongoing investigations is an explicit exception to the general rule of access to public records, see secs. 19.35(1)(am)1., 19.36(10)(b), Wis. Stats. These same considerations are embodied in the well-recognized exception to the Open Meetings Laws that permits public bodies to meet in closed sessions to discuss strategies for crime prevention and detection. The records of this investigation must be kept confidential at this time in order to protect the public interests in conducting this investigation, in promoting crime detection and in promoting crime prevention.

I have reached the above conclusions after weighing the reasons for nondisclosure against the public interest in disclosure and taking into consideration laws which either require or prohibit the release of certain records or information. For the reason(s) set forth above, I have concluded that the public interest in nondisclosure of the redacted information outweighs the public interest in disclosure. Pursuant to Sec. 19.35(4)(b) Wis. Stats., I advise you that this determination not to disclose the information described above is subject to review by Mandamus under Sec. 19.37(1) Wis. Stats., or upon application to the Wisconsin Attorney General or the Dane County District Attorney. I have consulted with the City Attorney regarding the denial of access for a portion of this record per 3.70(6) MGO.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Landrie".

Julie A. Landrie

Madison Police Department Records Custodian



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT

DETAIL	REPORTED DATE/TIME 06/01/2020 01:01	OCCURRED INCIDENT TYPE Disturbance	LOCATION OF OCCURRENCE STATE ST GILMAN ST
	OCCURRED FROM DATE/TIME 06/01/2020 01:01	OCCURRED THRU DATE/TIME 06/01/2020 01:01	
REPORTING OFFICER STEVEN CLENNON			

NARRATIVE

ROUTING: Self, Sgt. Straka

Initial Dispatch

On 6/1/2020 at 1:01AM, I was assigned as a traffic control/arrest transport officer assisting our SET team during a protest. On the above date and time, I was wearing full MPD military style uniform and I was partnered with Officer E. Miller from the Fitchburg Police Department. We were operating a fully marked city of Fitchburg squad car at this time. At the time stated above, Officer Miller and I were following the SET team as they were walking down State St., clearing people from the State St. corridor. At this time multiple announcements had been made that everyone on State St. was in violation of the city of Madison curfew order and that they would be subject to arrest if they did not comply with our orders to vacate State St.

Contact with Daniel J. O'Connell

After these orders to vacate State St. or be subject to arrest were given, O'Connell did not vacate State St. As SET team members approached O'Connell, they placed him under arrest and he was handcuffed and I was given instructions to transport him to the CCB and make him post on a resist/obstruct charge. At this time, Officer Miller and I placed O'Connell into the back of Officer Miller's squad car and transported him to the Public Safety Building. Once at the PSB, custody of O'Connell was transferred over to the Dane County intake deputies.

At the Public Safety Building, the appropriate paperwork being a probable cause affidavit, a booking sheet, and a municipal citation, were all filled out for O'Connell. I placed O'Connell's copy of his citation with his property and explained to him the court date and time as well as the offense and the cost of the citation he was receiving.

NFA
PO Clennon 5771
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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER
KELLY DOUGHERTY

REPORT DATE
06/02/2020

SUPPLEMENTAL NARRATIVE

BACKGROUND INFORMATION:

On June 1, 2020, I was working for the City of Madison as a detective. I was assigned to work the arrest processing center at the East District. I was wearing full traditional police uniform.

CONTACT WITH KELLI A. MULROONEY:

On June 2, 2020, at about 12:15a.m. I made telephone contact with [REDACTED]. She is the grandmother and guardian of [REDACTED]

[REDACTED] is a juvenile and had been arrested during the protests/riots in the State Street area.

I called [REDACTED] and explained to her that [REDACTED] had been arrested and asked her to come and pick her up, as we did not want to take her to JRC. [REDACTED] had me speak with [REDACTED] grandfather [REDACTED], where I explained the same thing.

They both arrived to the East District to pick up [REDACTED]. I verbally identified [REDACTED]. I again explained the situation. Detective Dyhr brought [REDACTED] to [REDACTED] and explained the citations which [REDACTED] was receiving to both of them.

[REDACTED] was released to the custody of [REDACTED] 12:37a.m.

This concluded my contact with [REDACTED]

NO FURTHER INFORMATION

Detective Kelly Dougherty 4193



MADISON POLICE DEPARTMENT

CASE# **2020-00191347**

CASE REPORT SUPPLEMENT

REPORTING OFFICER

ANDRES RIVERA

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE

On 5-31-2020, I was in full MPD Special Events Team hard gear uniform serving as a SET Medic. While stationary at State Street and Lake Street, a subject was causing damage to windows of a local establishment when the directive was given to push forward across Lake Street, heading West. As I was moving on line with the rest of the element, one subject, who was a black male wearing an olive drab color denim jacket and white jeans, turned away from the element and refused to move West was given at least three commands to move back. I attempted to move the subject by placing my baton across his back and pushed him forward. I had to do this a second time while simultaneously giving commands for the subject to move back. The subject then turned and faced myself and Det. J. Johnson, at which point he was given numerous commands to move back. The subject stated, "you want to do this, you want to do this," at which point he pulled up his pants and squared up as if he was going to fight. Utilizing my SET-issued MK9, I delivered two bursts to the subject's face and gave him commands to move back. The MK9 proved to be effective and the subject moved across the street, where he was incapacitated by the MK9. The subject was provided water and milk a short time later to assist with the burning sensation he was experiencing.

NFA

PO A. Rivera 5347

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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

KEVIN COSTIN

REPORT DATE

06/02/2020

SUPPLEMENTAL NARRATIVE

ROUTING: Sgt K. Tieu

Officer Information

On 5/31/20, I was working in my official capacity as a police officer for the City of Madison assigned to the Special Events Team (SET) working the Justice for George Protest in the Central District. I was wearing my full Madison police military uniform and later donned crowd control hard gear. I was assigned to the SET platoon led by Sgt K. Tieu and Lieutenant H. Zanders.

Initial Information

On 5/31/20 around approximately 10:00pm, our platoon was deployed in hard gear to the 100 block of State St. State Patrol Officers monitoring the protest around the Capitol Square were surrounded by protesters near N Pinckney St and began taking projectiles. I overheard one officer on the radio advised he was just punched in the face and emergency back up was directed by the MPD Command Post.

Use of Force

Upon deployment, our platoon linked up with State Patrol Officers at the top of State St and the Capitol Square. The protest group continued around the Capitol Square and marched down E Mifflin St toward our platoon. We formed a line of officers on W Mifflin St and met with protesters between State St and Wisconsin Ave. Per MPD command, an unlawful assembly was declared along with a notification of the isthmus curfew violation (9:30pm) and the group was ordered to disperse. The protesters refused to vacate the area and officers began to deploy CS gas and OC spray with projecto jets.

Almost immediately some protesters began partaking in assaultive behaviors and again were throwing rocks at officers. As our platoon marched toward Wisconsin Ave, I observed a black male wearing a beige hoodie pick up and throw an unknown projectile at officers. I deployed a 40mm less lethal round aimed at the subject's lower body. It is unknown if the round made contact, but the subject ran away.

As our platoon continued to march northbound on Wisconsin Ave toward E Dayton St, I observed another shirtless white male throwing an unknown projectile at officers. I deployed another 40mm less lethal round aimed at the subject's lower body. It is unknown if the round made contact, but the subject fled running outbound E Dayton St.

Our platoon continued to march to the intersection of Wisconsin Ave and W Gorham St. The crowd of protesters still had failed to disperse and continued traveling northbound on Wisconsin Ave. The protesters kept their distance across the intersection. A second round of announcements were given to the protesters declaring the assembly unlawful and in violation of curfew. I heard several loud responses from the crowd saying "fuck you." Officers deployed additional CS gas and I observed an unknown male attempt to pick up a canister to throw back at officers. I deployed another 40mm less lethal round at the subject aiming at his lower body. It is unknown if the round made contact, but the subject ran northbound on Wisconsin Ave.

Our platoon continued to clear the entire street of Wisconsin Ave up to Langdon St before marching back to the Capitol square. The protest group however reassembled and began starting dumpster fires in the E Gilman



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER
KEVIN COSTIN

REPORT DATE
06/02/2020

SUPPLEMENTAL NARRATIVE (continuation)

St area. Our platoon then marched back northbound on Wisconsin Ave to clear the street a second time.

At the intersection of Wisconsin Ave and W Gorham St, I observed a flaming dumpster being pushed toward the line of officers by two unknown males. I deployed a 40mm less lethal round at the subjects in attempt to stop them. One of the males also appeared to be trying to throw a flaming projectile, but was not successful. It is unknown if either male was struck as they fled, but they ceased pushing the flaming dumpster which stopped before reaching officers. Our platoon continued to clear Wisconsin Ave and then Langdon St in pursuit of the protesters who continued to start several fires along Langdon St. The above uses of force were reported to Sgt K. Tieu.

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PO K. Costin 5089
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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

KRAIG KALKA

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE

ROUTING: Self, Sgt. Tieu

Officer Recordable Use of Force

On 5/31/2020, I was assigned to work a protest event in which I was assigned in a SET capacity. Prior to 10PM, officers were alerted over the radio that a fellow officer had been struck in the face and that officers out on the street, who were not wearing hard gear, were taking projectiles such as rocks. At that time, the Command Post gave us the order to gear up with our hard gear and go to the area of W Mifflin St. and State St. I was working with a SET platoon and was given the order to conduct crowd control to move the crowd off of Mifflin St. onto Wisconsin Ave. At this time, I was dressed in my SET hard gear with a fully military uniform underneath of that. I was acting in my full, official capacity as a law enforcement officer at this time.

The Command Post had given the order that authorized the use of chemical munitions was granted, given the fact that the crowd was throwing projectiles, including rocks and bottles, at officers, who were wearing hard gear. An order was given for the crowd to disperse and as the line started to move forward, I was working on a flank on the right side, towards the capitol side of Mifflin St. As we began to move, I observed a white male wearing a white t-shirt who had on what appeared to be brown pants and was holding a camera. At the time I observed this male, he was standing approximately 10 feet away on the sidewalk area of Mifflin St. towards the capitol from my location. As I observed this male, I immediately began to feel projectiles striking my uniform and helmet and I believe those projectiles to be rocks. Those rocks were being thrown from somewhere behind this male's location. I began to give the order for the male to back up and at that time I then observed an unidentified individual coming closer to me from directly behind where the male with the camera was and I believe that to be the individual who was throwing rocks. That individual began to aggress onto the area where the officers were, including myself. As he continued to move closer, so did the male with the camera, and I gave the order for them to get back, and at this point in time, I did use two short blasts of a MK9 as I am trained to do so. Those blasts were in the direction of the unidentified individual who was moving up directly behind the male with the camera. The male with the camera was inadvertently struck with OC spray from the MK9. The deployment of the MK9 did appear to be effective in backing away the other unknown individual whom I believe to have been throwing rocks at officers.

NFA
PO Kalka 5095
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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER
TYLER HAMMIL

REPORT DATE
05/31/2020

SUPPLEMENTAL NARRATIVE

ROUTING: Self, Sgt. Tieu

Officer Information

On 5/31/2020, I was working a special assignment in my full police officer capacity on the Special Events Team for the city of Madison.

Initial Information

I was informed that officers near the state capitol in downtown Madison, WI, were being attacked by individuals who were currently protesting. I was then informed that members of the Special Events Team were going to be putting on our crowd control gear and responding to this area. I then responded to the area of W Mifflin St. and the top of State St. I observed multiple individuals near Wisconsin Ave. and W Mifflin St. These individuals were throwing glass bottles, rocks, and other projectiles at police who were standing on W Mifflin St.

Additional Actions

While I was standing in the police line, an individual was on their knees in front of me holding a sign that stated: "Black Lives Matter." At this point, I was not informed by Command to move forward. I spoke with this individual and asked her to leave the area and that officers were going to be moving forward at some point. This individual complied and backed away from the police line.

I then was informed that police would begin to move forward. As we moved forward, I observed individual in the crowd chanting similar things to: "Fuck the police." Additionally, I observed many of these individuals to have closed fists and to be in a stance of aggression. Multiple individuals in the crowd also had glass bottles in their hands, similar to the ones thrown at us previously in the evening.

Once I was instructed to move forward, an individual came running toward the police line. At this point, I deployed my MK9 in their general direction. This made this individual yell at the police more than they were previously and run off into the crowd. I then remained on the police line and walked through the streets as instructed.

Arrest

Later in the evening, I was on a police line near Peace Park off of State St. I was informed by Command that individuals remaining in the area would be arrested for curfew violations. While marching inbound from W Gorham St. towards the city capitol building, an individual whom would be described as an African American female with a black "crop top" and a black fanny pack, was standing in front of the police line as other individuals ran away. This individual was yelling at the police line. Once the police line got close enough to this individual, I placed my hands on her arm. With the assistance of other officers, I placed her hands behind her back and placed her in handcuffs. I checked the handcuffs for fit and double locked. I then informed this individual that they were under arrest for curfew violation. I then assisted this individual in walking over to a fully marked squad car following the police line. I assisted with opening the door and this individual sat inside. At this point, I then returned to the front of the police line.

I then remained in the area until I was relieved of my duties. Please see other officers' reports for additional information.

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MADISON POLICE DEPARTMENT

CASE# **2020-00191347**

CASE REPORT SUPPLEMENT

REPORTING OFFICER
TYLER HAMMIL

REPORT DATE
05/31/2020

SUPPLEMENTAL NARRATIVE (continuation)

PO Hammil 5516
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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER
ALEXANDER PFEIL

REPORT DATE
06/02/2020

SUPPLEMENTAL NARRATIVE

ROUTING: SELF / SGT TIEU

OFFICER NARRATIVE:

Officer Information

On 5/31/2020, I was dressed in full Madison Police style uniform and operating in my full capacity as a Madison Police officer. I was assigned to the Special Events Team in my capacity as a grenadier.

On 5/31/2020, at approximately 9:30 p.m., incident commanders from this event advised SET units to don hard protective gear due to protesters swarming officers and utilizing impact projectiles. This was occurring up on the inner square area near the capitol. I also heard an officer advise over the air that he had been punched in the face. I then heard other officers exigently utilize gas in order to rescue the officers who were surrounded. I did don my full grenadier uniform to include my protective jets and multiple smoke and CS grenades.

I was under the direction of Lt Radovan and Sgt Sosoka. I then moved to the area of State St and Dayton St. I stayed in this position for an extended period of time. At one point, a red, four-door sedan pulled approximately 15' in front of the line of officers. The male was a male black who exited his vehicle and left the vehicle running with the stereo turned loudly. The male onto the hood of his vehicle and then climbed onto the roof. The male appeared to be filming himself in front of our police line. I heard multiple individuals give three sets of verbal commands for the male to get off of his vehicle and get back into his car. Multiple of these verbal commands were given over a PA system from a squad car that was directly behind the line of officers in hard gear. The male ignored these commands. At this point, I was approximately 15-20 feet from the male. I now utilized my protective jet and directed a spray at the male. This was a short burst of spray. The male then stayed on top of his car for approximately one to two seconds. The male then jumped down onto the hood of his car. I utilized an additional spray in the male's direction. An arrest team was now proceeding through the line of hard-gear officers towards the male yelling at him to stop. The male then began to run off the hood of his car and towards the driver's side of his vehicle. I then utilized the protective jet a third time to deploy it aimed at the interior of the vehicle as the passenger-side windows were down. I then observed the male dive into his vehicle and officers were able to effect the arrest. As this was happening, an additional silver-colored minivan pulled very near to where the officers were effecting the arrest. I could not see how many people were occupying this minivan. My attention was drawn to it as the driver of the minivan began to lean out of his window and honk his horn and yell at officers. I could not hear what was directly being yelled due to the horn being honked. I now motioned for the driver to drive away and gave multiple verbal commands for the driver to leave the area at the top of my lungs. The driver did not comply. After giving approximately three verbal commands, I utilized one spray from my protective jet aimed towards the driver of the vehicle. The vehicle was approximately 30-35 feet away. As soon as I utilized the protective jet spray, the driver immediately drove away. I do not believe that the spray made it into the vehicle or the driver.

Later in the shift, I was at the intersection of N Lake St and University Ave. Under the direction of command, our line of officers was moving northbound on Lake St and were just to the south of University Ave. I now heard a male yelling on the western side of the intersection. The male was advancing towards officers and yelling at he was going to pass by. The male continued to advance and ignored multiple verbal directives to disperse. I now observed an officer attempt to utilize a MK9 OC spray directed towards the male. I was now moving in a position closer in order to provide grenadier assistance if necessary. As soon as the MK9 OC spray was deployed, it appeared to not be able to reach the individual advancing on us. The male then put both of his fists up in a boxing stance and quickly aggressed towards the nearest officer. I now utilized my



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

ALEXANDER PFEIL

REPORT DATE

06/02/2020

SUPPLEMENTAL NARRATIVE (continuation)

protective jet and focused the spray on this individual who was now swinging his arms in a punching motion in front of him while advancing. The jet was immediately successful upon striking the male and he immediately turned and retreated at a full sprint. This was a shorter male black, approximately 20 years old. Due to the fact that the male now ran into University Ave and away from the line, we were unable to effect an arrest.

This report was completed on June 2, 2020.

NFA/cmb

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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

DANIEL SHERRICK

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE

ROUTING: Sgt. Tieu

Use of Force

On 5/31/2020, I was assigned to the Special Events Team contingent that was stationed in Central Madison. The 31st marks the second consecutive day of protests in Central Madison. The first incident had resulted in a full SET team deployment in hard gear due to officers being attacked with missiles, projectiles, and other instrumentalities.

During the incident in question, I was operating in my capacity as a sworn law enforcement officer of the City of Madison Police Department and a member of the Special Events Team. I was dressed in full MPD style uniform, over which I was wearing my Special Events Team issued "hard gear," which includes protective padding and a helmet. I was also wearing a gas mask at the time.

At the time of my use of force, my platoon was deployed to the inner square of the city capitol. Prior to and at the time of my use of force, officers appeared to be outnumbered by the crowd standing before them. Additionally, members of the crowd were beginning to flank officers. Prior to my use of force, the crowd had been ordered to disperse. The incident in question took place after the 9:30PM curfew that had been established by the mayor's office.

Prior to the use of force, I had been struck in the leg with at least two projectiles, and many more projectiles had landed within several feet of me. These projectiles included small rocks, as well as larger batteries that were being thrown by members of the crowd that was assembled.

During the initial move forward by the SET line, after orders had been given for the crowd to disperse, although the majority of the crowd began to move backwards and retreat in the opposite direction, several subjects continued to encroach the line.

In total, during this initial push towards Wisconsin Ave. I utilized my MK9 oleoresin capsicum dispenser 3-4 times. In total, my spray was directed at between 7 and 9 subjects. These subjects, as previously mentioned, were encroaching upon the line and impeding upon the safe movements of the Special Events Team. Their actions were actively resistive towards law enforcement efforts to safely disperse the crowd.

The subjects that were impacted by my oleoresin capsicum spray were, to the best of my recollection and ability to process and perceive, were all male. There were several white subjects as well as several black subjects. One of the black subjects had braided hair, which appeared to be a lighter tint. He also appeared to have some sort of face mask on. It was a half mask. I recall that two of the white male subjects had longer, shaggier hair, and were of skinny build. The oleoresin capsicum was dispersed in a manner consistent with my training, as well as Madison police SOP, which only allows the use of oleoresin capsicum against subjects who are actively resisting or where there is the threat of active resistance.

Later during the incident, approximately 30 minutes later, as the SET team was attempting to move northbound on Wisconsin Ave., and as the SET team was continuing to be struck with projectiles, and as fires were being burned on Wisconsin Ave., there was a white male subject, taller, who appeared to be in his early 20s, of skinny build, and wearing a robe, who, after lawful orders to move with the rest of the group, sat down with his back facing officers. At this point, I did not have any oleoresin capsicum remaining in my MK9 dispenser. Officers attempted to shoo this subject up and along, but he continued to sit, interrupting our progress and



MADISON POLICE DEPARTMENT

CASE# **2020-00191347**

CASE REPORT SUPPLEMENT

REPORTING OFFICER

DANIEL SHERRICK

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE (continuation)

compromising the integrity of the Special Events Team line. As officers were attempting to get the subject to stand up and walk, I utilized the end of my baton to attempt to push the subject's side. I did not utilize the baton in a striking fashion, but was rather attempting to push him along. Ultimately, the subject refused to stand up and move, and instead rolled to the ground, curling in a fetal position. Ultimately, I assisted in placing this subject into handcuffs, and he was later passed along to an arrest team.

NFA
PO Sherrick 5230
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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

JAMES IMOEHL

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE

Special Routing: Self, Sgt. Tieu

Summary

On 5/31/2020, I deployed chemical munitions to assist the MPD Special Event Team (SET) in the clearing of a violent and assaultive crowd from Wisconsin Avenue.

Initial Information

On 5/31/2020, I was assigned as a grenadier to SGT Doberstein's SET squad assisting with the protection of civilian first amendment rights to assemble and engage in free speech. I was dressed in full SET uniform with clearly visible police patches and badge. Additionally, I wore an N95 face mask, clear protective eyewear, and protective gloves.

As the night progressed, I heard on the radio that projectiles were being thrown at officers and received orders to don "hard gear" consisting of protective leg pads, arm pads, a protective helmet with face shield, and a gas mask. Additionally, I wore a grenadier vest carrying three throwable canisters of CS gas and two throwable smoke canisters. I was carrying a MK9 OC canister and a "Protecto Jet" capable of deploying OC.

Clearing Of Violent Gathering

After donning additional protective gear and returning to the street, I heard information aired that a large group was gathering by the Capitol. I deployed behind a line of SET officers as this group was given verbal commands informing them that they were an "unlawful assembly" and were required to "leave the area immediately." I observed that some members of the crowd did disperse, however, many others remained in the area and continued to yell obscenities at officers such as "Fuck you!" and "I hope you die!"

I remained behind the line of SET officers as they began to walk forward causing members of the crowd to move northwest on Wisconsin Avenue towards Langdon St. As we approached W Gorham St, I observed that items were being thrown at us including bottles containing unknown substances. Due to the actions of the violent and aggressive crowd, I heard around this time that gas was approved to deploy in order to clear the crowd from the area and prevent an escalation of the violent behavior.

I then observed an object hit a nearby officer in the area of his groin, and the officer immediately bent over while exclaiming, "Uggghhh!" I observed an individual approximately 10 yards in front of me whose stance appeared as though he had just thrown something and he then began bending over as if to grab something else to throw. At this point, I deployed a canister of CS "Triple Chaser" gas towards the individual. I observed that following the release of chemical agent, this individual ran away from the area, as did other members of the group. I was unable to identify the individual or take notes regarding his specific clothing due to the ongoing nature of the event.

I continued to remain behind the line of SET officers as the crowd was continually ordered to clear the streets and was moved towards Langdon St. After a period of time, this group of officers returned to the area of the Capitol, however, we then received information that dumpsters were being lit on fire in the area of Wisconsin Ave and Langdon St. At this point we began moving towards this area and, as we did so, I observed that members of the crowd began pushing a wheeled dumpster which had been lit on fire towards my group and were throwing unknown objects towards us. At one point, as we continued to attempt to clear the group from the area, multiple individuals ran towards us and began hurling objects at us from behind the flaming



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SUPPLEMENTAL NARRATIVE (continuation)

dumpster. At this point, these individuals were within range for me to deploy a canister of CS "Triple Chaser" gas in their direction to prevent them from continuing to assault the officers around me. After doing so I observed members of this group flee the area. Again I was unable to identify the individuals or take notes regarding their specific clothing due to the ongoing nature of the event.

Due to the nature of what was occurring, I did not observe the exact time, but I mentally estimate that these actions occurred between 10:30 PM and 11:30 PM.

Attempts to Render Aid/Decontamination

Following my deployment of chemical gas I searched the area for anyone that appeared to need medical assistance, however no one remained in the area for me to offer aid.

Disposition

Following the actions described above I remained with my platoon, however I did not encounter any additional situations in which it was appropriate to deploy chemical munitions and I was in a position to do so.

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PO J. Imoehl #5224
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MITCHEL BURKHOLDER

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06/03/2020

SUPPLEMENTAL NARRATIVE

ROUTE: Self, Sgt Tieu

INITIAL INFORMATION

On 5/30/2020, I was working as a City of Madison Police Officer. I was working the Justice for George Floyd protest in a Special Events Team (SET) capacity. I started my shift at approximately 11:00am. In addition to my full police military style uniform I was also wearing the department issued yellow reflective SET vest. I was also wearing my department issued protective equipment for COVID-19 precautions. This included the half face respirator and safety glasses.

INITIAL PROTEST

During the initial protest, I accompanied the crowd as they moved around all of the streets. This included blocking traffic at various areas. While the group was stopped near the W Main St and Fairchild intersection I observed a suspicious person. I heard other officers call the subject out over the radio to describe him. They pointed him out as a male/white wearing a backpack and dressed in all black clothing. He was also wearing a face mask and had his full face covered. The officers had reported that during the entire time that they were near the W Main St and S Fairchild intersection that he was extremely focused on the police and was mainly only watching the group of police officers. This was outside of Genna's bar. I was standing offset from the other group of police officers. I then directed my attention to this subject. I continued to watch him for several minutes. During this time he was very consistently watching the group of officers and not directing his attention away from them. During this time he had walked some and changed positions to sitting and standing near a nearby flower pot. This was around approximately 1:30-2:00pm.

At one point he then knelt down right next to the giant flower pot that was approximately two feet tall and two feet wide. He then started sifting through his backpack. During this entire time he looked into the book bag briefly but then kept his eyes and attention directed towards the group of officers. All of this information was being relayed to the command post for the protest. The command post then directed that contact be made with the subject and that a frisk be performed of his backpack. There were concerns surrounding this for several reasons. There was the general protest going on in which they had been turning violent in numerous cities throughout the country. Additionally, during these protests and riots there had been sufficient news coverage indicating how police officers have become targets and victims from subjects attending the event. Therefore, given the subject's behavior, I began to have reasonable suspicion that he may about to be involved in some type of criminal activity.

Contact was made with the subject in which I had asked him to step out off to the side and away from the protest group so we could talk with him momentarily. The subject originally refused to do so. The subject was then directed to walk with us. I momentarily had grabbed his right arm to also start moving him in our direction. The subject then started walking with us. I explained to the subject the behavior that I saw and informed him that contact was just being made to check on him. After I described everything to the subject he appeared to be understanding. He did indicate that he had spray paint in his book bag. While I was talking with him, PO Jeffery performed a frisk of the backpack. The subject had even made a comment at one point that was something similar to him understanding and indicating that it was understandable for police to be on high alert for an event such as this. I thanked the subject for his patience and cooperation with us and he then left. The subject did not provide his name.

MAY 30, 2020 RIOT

I was still operating in my official capacity as a City of Madison Police Officer and specifically assigned to the



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Special Events Team during the protest when it started escalating. At around approximately 3:30pm/4:00pm on 5/30/2020, I had been in the Central District when I heard other officers including PO C Lewis and Lt Zanders advising that a State Trooper had been surrounded near E Washington Ave and Pinckney St and that they needed assistance. The various officers over the radio sounded as if they were in distress. I heard officers advise that they were starting to take projectiles as they were trying to clear the way for a State Trooper squad car to leave that intersection area. I then started to proceed with my squad who was under the direction of Sgt Crose to that intersection to provide assistance.

Upon arriving to the E Washington Ave and Pinckney St intersection, I saw the State Trooper squad car pull away and the other officers start moving towards us. I observed that the crowd had turned more hostile directly towards police than they had been before. Subjects were yelling things such as, "Fuck the police!" and "Leave!" The crowd was yelling and appeared extremely agitated and angry. All of us officers then started walking back to the Central District from E Washington Ave and Pinckney St.

This large crowd then subsequently followed us back to Central District yelling profanities and threats the entire time. Upon arriving back to the Central District we had to gather in front of the door at the northeast intersection of W Doty St and S Carroll St. The crowd continued approaching as we filtered into the building. After all of us officers had gotten into the building, I could hear sounds that were consistent with subjects from the large crowd, banging on the doors inside of the building. I then also heard what I believed to be someone from the Command Post report over the radio that they were starting to damage a squad car. I then heard the Command Post give the order for us to get ready to proceed to Fairchild ramp to done our hard gear. For riot, that is used for riot protection. I also heard the Command Post advise that businesses on State St were starting to get damaged. I heard a report that the Goodman Jewelry store was being broken into and that it was starting to be looted.

I then deployed with the other officers from my squad (with Sgt Crose as the supervisor) to the top of State St. As we were on the 200 block of State St I looked down and saw a large crowd gathering near the 300 and 400 block. Subsequent to orders, I helped form our line that was going to start clearing the street. I heard an officer utilize the PA system in the van we drove that informed individuals that it was now an unlawful assembly and that they needed to leave the area. I also heard approval given for CS/OC to be used to help disburse the crowd after the announcements had been given and that people had been warned to leave. As we walked down State St I also repeated those directions to the people that they needed to leave the area.

USE OF FORCE 5/30/2020

During the initial push from the 200 block of State St out towards Lake St I encountered several individuals who were not complying with orders to move further down the street and to leave the area. There was a female/black that was in her late teens or early twenties, that was approximately 5'8" and 100lbs. I was consistently having to direct her and another female that was with her to leave the area and to move past the line. This female was not fully cooperating with the directions. There were numerous times where she would walk extremely slow with either her back or front facing me. There were times where she was moving extremely slow to the point where I was unable to keep up with the rest of the line that was moving forward without her slowing us down. There were a couple of times where I placed my hand on her back or shoulder area to direct her to step back from the line and to keep moving. There were also other unidentified individuals that did the same thing or that we encountered standing on the street. I kept directing people that needed to leave the area. There were a couple of people that I had at times placed my hand on their shoulder or arm



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area to direct them away from our line. As our line moved down State St I heard other officers report over the radio that projectiles were being thrown. I observed that people were throwing items such as rocks and water bottles. As we moved down State St I saw that numerous windows to buildings had been damaged. I also saw that some flower pots and benches appeared to have been damaged. During the time that I was having to push the unidentified female/black that was wearing all black, back there were times that I was holding my baton in both hands. While I had my baton in my hands I had pushed this female back approximately 10-15 times as she would not comply with the order to step away from the line and to keep moving away from us.

I then again was a part of the line as we made our way back up to the 100 block of State St towards the top of State St. During this walk back I observed that myself and other officers in the line were having items such as rocks, glass bottles, water bottles and other throw bow items projected at us. I had been struck by rocks or some type of other objects walking outbound on State St and I was struck by projectiles again while walking inbound on State St. I observed still more damage done to businesses and observed that the Goodman Jewelry store had received extensive damage. During all this time I observed that Grenadiers were deploying CS gas/OC spray.

Upon arrival at the top of State St I continued to hold the line as there was an extremely hostile crowd that was confronting us. There were times that they would stand only inches away from us while yelling. Things being yelled were, "Fuck the police!" and "You look like a bitch!" There were people indicating that they would like to fight me and other officers if we did not have all of the tools that we carried during the course of our official capacity as police officers. During all this time I continued to direct people to step away from our police line and to leave the area. These people continued to refuse to comply with these orders. I continued to receive projectiles thrown at me. One larger rock struck my big toe on my left foot. This caused pain and was without consent.

At one point around approximately 7:00pm or 8:00pm other officers had deployed CS gas again and the crowd had disbursed. I then observed a male/white individual become extremely agitated with this. He was approximately 5'10" and 140lbs wearing an American flag style cut-off shirt. It then appeared as if he was posturing. He had his fists clenched down near his side and he was starting to walk in an aggressive manner back towards the police line. This was the same subject that I had seen earlier in the night yelling profanities at officers and getting extremely close to the police line. It appeared as if he was then actively aggressing on the police line. Due to observing that he had a clenched fist and moving towards the police line after orders to move away and clear the area, I then deployed my MK9 at him. The stream was effective momentarily as he then turned away from it and started to move backward. However, he then rotated back around and started to aggress on the police line in the same manner as described above. I then deployed my MK9 a second time. This stream also struck him in the face area. This then caused the unidentified subject to move away from the police line and disappear from view. Since he disappeared from view, I was not able to attempt any type of follow-up care with him.

Later on in the evening while at the top of State St, rioters had started to create a fence barricade in front of us. At one point the rioters attempted to then push this chain link fence closer towards us and up against us. More CS gas and OC spray had been deployed. During this time several individuals ran back up to the fence line that was near me in attempts to pick it back up and apparently push it towards us again. I had yelled for the subjects to stay back and to move away from the fencing. However they did not comply with the orders. Therefore I deployed my MK9 again towards these individuals. This was done to keep them from aggressing



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towards our police line and to prevent them from constructing a barricade in front of me. There were approximately three unidentified individuals that I had deployed my MK9 against during this time. It was successful in getting the individuals to disburse and move away from our line.

Later on in the evening while I was still on this holding this police line next to Ian's Pizza, several individuals had pushed dumpsters up against next to the fencing as well. There were several different times where individuals then attempted to push these dumpsters down the small incline towards other police officers. When the first individual attempted to do this, I deployed my MK9 at them. The contact was successful with the face area and the subject then stopped trying to push the dumpster into officers. During this same time I did see officers have to put their hands out to make contact with the dumpster and to push it back away from them. Later on in the evening, there was an unidentified female who attempted the same thing. She started pushing the dumpster towards the officers and officers again were required to go hands-on with the dumpster to keep it from making contact with them and pushing the line. I deployed my MK9 towards this female and made successful contact with the face/head area. This female had rotated around and retreated from the dumpster. However, she again then proceeded back towards the dumpster and attempted a second push of the dumpster downhill towards the small incline towards officers. I again deployed my MK9 which had successful contact with her face area. This female then fled from view.

During all this time subjects were still continuing to yell threats of harm to myself and other officers. I was continuously receiving projectiles such as water bottles, rocks and at one point even a metal rod thrown in my direction. Later on the evening I even had milk jugs thrown at me that impacted the squad car that I was next to and splattered milk all over my person. Eventually I was relieved.

I described these uses of force to Sgt Tieu during the next shift on 5/31/2020.

MAY 31, 2020 RIOT

On 5/31/2020, I was working as a City of Madison Police Officer. I was working in the capacity of a member of the Special Events Team. I had been staged at the Gilman Church when at approximately 9:45pm/10:00pm I heard a squad of officers call out that they were getting surrounded by a hostile crowd. I heard these officers, who I knew to be in soft uniform, report that they were receiving projectiles thrown at them. Shortly after that I heard one of the officers report that an officer had been punched in the face. They reported that they were near the Mifflin/Pinckney/E Washington Ave area. Shortly after that I heard another officer advise on the radio that gas had been deployed towards that crowd to help get the officers out of it and to safety.

I then responded in hard gear to the area. During this time I was a part of Sgt Worley's squad and had started forming a line with other squads and officers near N Carroll St and W Mifflin St. We then eventually proceeded to walk inbound and then northbound on Wisconsin Ave. During this time that we were on the line I observed individuals aggressively approaching the line and yelling. Again I observed rocks, water bottles, glass bottles and other objects being launched in the air from the crowd in our direction. Over the radio I heard commanders advise that orders and warnings had been given for the individuals violating curfew and that they needed to leave. I heard that approval of gas/chemical agents be used to disburse the crowd and to advance our police line.

During this time I continued to yell orders to people who were approaching me to leave the area and to not walk up upon the police line. During the initial push up Wisconsin Ave, I was having to continuously yell to



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people to walk away from us and to leave the area. There were numerous unidentified individuals who were close to the police line. There were several people who I had to push their arm or shoulder area with my hand to direct them northbound on Wisconsin Ave and further away from our line. I also had my MK9 ready at times and was pointing it at individuals as I was approaching them. During the walk up Wisconsin Ave towards Langdon St I continued to have projectiles thrown in my direction. This included glass bottles, rocks and even a large wood stick that was approximately 3' long. I was struck by several rocks at various times.

After reaching Langdon St, we were then directed to walk back inbound on Wisconsin Ave towards the Capitol. I was walking in line on the west side of Wisconsin Ave along the sidewalk area. There was a male/white individual that was approximately 6' tall and 160lbs with a female/white that was approximately 5'6" to 5'8" and 120 lbs. They both appeared to approximately be in their twenties. As I was walking inbound on Wisconsin Ave from W Gilman St, is when I had encountered these individuals.

Myself along with several other officers ordered these individuals to move away from our line and to disburse and leave the area. The subjects yelled while they slowly moved away from us, however they were not fully complying with the orders. They were, at times right up to near our police line and I was required along with other officers to utilize my hands to push them away from our line. They were obstructing our movement. As they were slowing our end of the line down I observed that the police line on the east side of the street had advanced approximately 10 feet or so ahead of us. These two individuals were actively obstructing our swift movement down the street. I had warned the subjects several times that if they would not comply and leave the area that they would have OC sprayed against them. I also heard other officers yelling for OC to be deployed towards these individuals.

As I had been directing the individuals to clear out of the area and move away from the police line, they were yelling things such as, "Fuck the police" and "Fuck you!" After numerous orders and warnings, I then deployed my MK9 against the male individual. This had successful contact with his face area. The male then yelled and started expressing his frustrations about having a MK9 deployed against him. However, he did not change his behavior. I observed that PO Jeffery was even required to push him with his baton to get this male to move back from our police line. However, this male and female continued with the same behavior and still did not proceed away from the line and they continued to obstruct our movement down the street. I then deployed my MK9 at both the female and the male. It appeared that successful contact with the face area was made with each of these individuals. This then prompted the individuals to change their behavior and move away from our line. The second MK9 deployment occurred near the Wisconsin Ave and W Gorham St intersection.

After reaching W Mifflin St with Wisconsin Ave again after some time, our line then moved back up Wisconsin Ave due to fires being seen in the distance. I heard reports over the radio that things such as dumpsters were on fire. As I was on the line and started approaching W Johnson St I observed a dumpster that was on fire, being pushed by an individual downhill towards our police line. I also saw that a second dumpster was also on fire on Wisconsin Ave. As we proceeded past these up to and past these fires, projectiles were still thrown in my and other officer's directions. I observed this group of individuals create a path of fire destruction down Wisconsin Ave and then outbound on Langdon St. Items such as garbage cans and dumpsters were placed in the roadway and set on fire. There was also some type of unidentifiable object along Langdon St that was fully engulfed in flames near the sidewalk. Additionally, I saw individuals throwing flaming cardboard and other miscellaneous items onto a car in an apparent attempt to start the vehicle on fire.



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I then continued with the squad and platoons as directed to various spots along State St for securing areas and following groups that were damaging property and looting stores. I do not recall any other uses of MK9 during this day's protest that went into the early morning of 6/01/2020. There may have been times while in the State St area when moving individuals away from State St that I placed a hand on their shoulder or arm area to direct them away from our police line and ordering them to leave the area and to go home since they were in violation of curfew.

I had informed Sgt Tieu of the need to document the use of force from 5/31/2020 on 6/01/2020, however Sgt Tieu was busy and I was unable to provide him full details as to that until 6/02/2020.

While outside of the Stop & Shop located at 501 State St, I saw other officers go hands-on with a male/white individual. He was approximately 5'10" and 260 lbs and dressed in all black. I heard officers advise this subject that he was under arrest. I observed that this subject appeared to be flexing his arms forward and was not allowing officers to move his hands behind his back to effect an arrest. I had heard the subject be ordered to put his hands behind his back and informed that he was under arrest. However, this subject continued to not comply. I had even grabbed his right arm and moved it behind his back. I could feel resistive tension throughout his arm and feel him pulling his arm, trying to pull it back to his side.

As a result of this subject not complying, the subject was then moved and stabilized up against the wall so handcuffs could be placed on him. I continued to maintain control with his right arm while all of this was happening. After the subject was searched and we had moved him away from the wall down towards the squad car, this subject then lowered himself to his knees and eventually onto his stomach. This subject would not stand on his own and chose to lie dead-weight on the ground. I then attempted to roll the subject to his side and he originally resisted this and put weight onto that side so that I could not roll him.

I had also directed other officers to assist me in rolling him onto his side in efforts to ensure that breathing was not compromised. I then also informed the subject that I was attempting to roll him onto his side to ensure his breathing wasn't compromised to which he responded something to the effect of, "Oh that's actually cool of you." He then complied and we rolled him to his side. This subject was then directed to proceed to the squad car. At first he would not stand up on his own. Then he eventually stood up and as we started walking he then went dead weight again and would not walk on his own. He even made comments such as "drag me." I was then required to, with my arm underneath his right shoulder to assist and pull him to the squad car, this was a very large and heavy subject and I observed the squad car that we were near was only half a cage. Eventually the subject agreed to stand on his own and to get into the squad car.

JUNE 1 2020 PROTEST/RIOT

On 6/01/2020 I was working as a City of Madison Police Officer and operating in the capacity of a Special Events Team (SET) member. I was dressed in full police military style uniform. I was again also dressed in the hard gear for a riot protection to include the helmet and gas mask. My hard gear also has Madison Police Department patches as well as the word "Police" on it. I had deployed with my squad at approximately 12:30am to 1:00am on 6/02/2020 to the W Washington Ave and Carroll St intersection. Prior to this I had heard information passed along that shots had been fired in the 600 block of State St area. I was also hearing continuous reports being called in about damage to property along the entire State St corridor. I was also hearing reports over the radio that subjects had been attacked and that EMS was being sent and staged for people to receive medical care. I heard reports that subjects were carrying what was believed to be 2x4's and



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possibly crowbars.

While the team I was on was getting ready and staging on W Washington Ave at Carroll St, I observed a large group also gathering at the top of State. There was an unidentifiable female/black who had approached the line with a few other male/blacks. This female had ID'd herself as one of the "peaceful protestors" and had reported that the "peaceful protest" was ending. She reported that she was going to tell the rest of the group that the protest was ending and direct them to go home. She reported that she was going to tell them something to the effect of, "The peaceful protest is over. If you remain you will be considered a looter and a trespasser and will be addressed as such." She thanked us for what we were doing.

She ID'd herself as someone who actually even called in to 911 to get a police response to stop the damaging and harm that was occurring. Another one of the male individuals also thanked police for how we were composing ourselves during everything that was occurring. He also reported his frustration and displeasure with the individuals that were down on State St and causing damage and harm. While this was occurring there was also another unidentifiable male/black individual who passed out white flowers that appeared to be lilacs to our entire police line. From what I observed, all officers had accepted these flowers. We thanked those subjects for doing their part to help to disburse the crowd. I then observed the female proceed back to the group and could hear some indiscernible yelling. I then observed that the group started to disburse and dissipate.

As the police line then proceeded outbound on State St, myself and other officers again became targets for projectiles. This included rocks, glass bottles and water bottles. As we proceeded down the line I believe there were a couple of subjects who did not move as our line had advanced and were then consequently right up next to our police line. I believe there were a few times that I had to place my hand on these subject's shoulders, direct them to leave and go back. Upon arriving at the 600 block of State St it was then directed that we would be holding there and to not allow anyone through.

6/02/2020 PROTEST

On 6/2/2020 I was again working as a City of Madison Police Officer in a SET member capacity. I had started this shift at approximately 2:00pm. During this day I had been at various staging areas to include South PD and the National Guard Armory as well as the Madison Fire Fleet Services building. During this day I had not been deployed to the field and had no use of force reports to report.

DISPOSITION

Throughout every day from 5/30/2020 through 6/03/2020 at approximately 1:20am, I had worked various shifts as a City of Madison Police Officer on the Special Events Team. I had assisted with security in the State St area and disbursing rioters. I reported the use of forces that I could recall to Sgt Tieu. I also documented those events in this report. Due to the totality of the circumstances described above regarding the riot and needing to take immediate action and having my hands available for various tools, I was not able to take notes throughout the events. I believe my use of force reports to be accurate and had informed Sgt Tieu that there may have been a MK9 deployment or a push with a baton that I was not specifically recalling.

NFA

PO Mitchel Burkholder 5558

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REPORTING OFFICER

JAVIER LOREDO

REPORT DATE

06/04/2020

SUPPLEMENTAL NARRATIVE

Please route this report to Sergeant Minh Duc Tieu

Training and Experience:

I am employed as a Police Officer for the City of Madison Police Department, and have been so employed since 2003; I was promoted to the rank of sergeant in 2018. I am a member of the Madison Police Department Special Weapons and Tactics Team and have been serving on the team since 2005. Being a member of this team has provided me with the opportunity to receive a significant amount of training. Specifically, I have received training in hostage rescue operations, search warrant service, weapons handling and shooting. In 2006, I also attended a 32-hour basic S.W.A.T school given by the Northeast Counterdrug Training Center. In 2011, I was certified as a firearms instructor by the Wisconsin Department of Justice. In 2013, I attended a 40-hour tactical team leader course hosted by the National Tactical Officer's Association. In 2014, I attended an 8-hour Pursuit Intervention Tactic (P.I.T.) course put on by the State Patrol Academy. In 2014, I attended a 40-hour tactical breacher course put on by Global International and Forced Entry Tactical Training. In 2015, I attended a 10-hour advanced vehicle contraband concealment search training put on by the Midwest Counterdrug Training Center. In 2017, I attended a 36-hour Tactical Narcotics Techniques course put on by Law Enforcement Training Associates. In 2019, I attended a 60-hour explosive breaching training course put on by Forced Entry Tactical Training. Also in 2019, I attended a 50-hour advanced explosive breaching course put on by Forced Entry Tactical Training.

Additionally, I have received training in the identification of habits and customs of individuals engaged in narcotics trafficking from senior members of the Dane County Narcotics Task Force. I have also attended approximately 114 hours of additional narcotic investigation training from training centers who instruct law enforcement officers. I have also received specialized training in the identification and field-testing of controlled substances from Master Trainers in the DCNTF, which include the use of the field pouch drug testing system.

I have also participated in over 100 drug investigations on all levels, involving the possession, use, and sale of controlled substances, with numerous arrests involving such persons.

Narrative:

On 5/31/20, I was working as a supervisor on the MPD SWAT team. I was dressed in full MPD tactical-style uniform. At this time, I attended a briefing with SWAT personnel present, and we discussed the pre-planned protest. I was part of a small SWAT element that was assisting in police coverage of the public protest in the downtown area of Madison. It was briefed that on this date, we would be supporting other police units with crowd control tasks. On this date, this was the second day in a row that I was working this particular assignment.

For this operation, I would be acting in my capacity as one of the tactical team leaders. The following personnel were assigned to my team for this operation:

Personnel	Role
PO Rene Gonzalez	Contact Team
PO Justin Nelsen	Contact Team
PO Nick Cleary	Contact Team



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The personnel assigned to this operation were equipped with specialized tactical equipment. We were operating an unmarked plain police vehicle. There was also a command post that was supervising the operation of the SWAT teams that were working the event. They were communicating to us via radio either to give informational updates and/or provide instruction.

The Madison Police Dept. also had the Special Event Team (SET) working the event. This team is trained to deal with crowd control events.

On this date, at approximately 10:00 PM, there was a crowd protesting in the State St area of downtown Madison. I was notified by radio that there were several hundred people participating in the protest. I was also notified via radio that the mood of the protest had gone from peaceful to a destructive riot. We were notified that there were groups of persons causing property damage to businesses in the State St area.

I was notified via radio that the decision had been made by command for the SET to begin dealing with the rioters. The use of chemical agents and munitions had also been authorized for use given the violence and destructiveness of the rioters. The command post contacted my team via radio and requested we provide assistance to the SET by being in a specific position in the street to deploy chemical munitions to guide the rioters from State St towards University Ave via Francis St.

Initial Approach:

I directed our team to drive westbound on State St from Gilman St. When we did so, I could see a group of rioters walking from State St onto southbound Frances St. I was directed to deploy chemical munitions to assist in continuing to direct the crowd in a southbound direction.

We drove closer to the rioters so that I could deploy hand-held CS munitions. As I approached and we slowed our vehicle, I opened my window and threw the CS munition on the ground in the area where the rioters were. I saw that one of the rioters ran toward the munition I had just thrown, picked it up, and threw it in our general direction. As this was occurring, I was preparing to throw another CS munition. During this time, a rioter had apparently thrown a rock at our police vehicle and shattered the rear window of our vehicle. At this time, I directed our team to leave the area, and we drove to the west on State St.

Very shortly thereafter, the command post notified us via radio that other SET personnel still needed assistance with rioters at the intersection of State St and Lake St. I and other SWAT elements drove to this area, and I could see rioters at this intersection. I exited my vehicle and deployed one CS chemical munition in the direction of the rioters to keep them away from the SET personnel in the area.

After we delivered these munitions, we remained in the area and assisted as needed. I did not deliver any more chemical munitions on this evening. I completed this shift at approximately 3:00 AM on 6/1/20.

NFA

Sgt J Loredo 3642

djt



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

DAVID SCHON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE

SPECIAL ROUTING TO

Sgt. Tieu

OFFICER INFORMATION

On May 31, 2020, at approximately 9:40pm, I was performing my duties and responsibilities as a City of Madison police officer, assigned to the Special Event Team. I was dressed in a full Special Event Team uniform (hard gear), including helmet with my badge number, #5577, displayed on both the front and back of the helmet.

INITIAL INFORMATION AND SET TEAM RESPONSE

My platoon had been informed that a large crowd of protesters had begun to gather in the area of Wisconsin Ave. and Mifflin St. Further updates advised that this group of protesters had begun to surround fellow officers in the area of Mifflin and Pinckney St. and had begun to throw projectiles at them, as well as assault officers. In response, my SET platoon deployed to the area and formed a line in the 10 block of W. Mifflin St. Within minutes, we were confronted by a large crowd, some of which included hostile protesters that were yelling threats of physical violence directed at officers. Due to the actions and behavior of the crowd, the decision was made to clear the crowd in the 10 block of W. Mifflin St. that had gathered in front of our line. After this decision was made, I then took a position in the front of my platoon line, facing the crowd, and drew my department-issued wooden baton. I held this wooden baton in front of me with both hands located at the top and bottom of the baton. My platoon was given the order to move the crowd away from the area of W. Mifflin St. into the direction of Wisconsin Ave. At about this time, I had begun verbal orders for protesters that were standing and gathered in front of me to "move back and go home!"

As our SET platoon had given orders for the crowd to disperse, I noted that after these orders were given, many of the protesters had remained, some of them continuing to yell abusive language and threats of violence. I specifically remember one male standing in front of our line with clenched fists, yelling, "I'm going to whoop you." It should be noted that it was approximately 9:45pm, and I was aware that there was a curfew in effect for the area of Madison that we were currently in, which had been in effect since 9:30pm.

As our platoon moved forward to disperse the crowd, I noted that a male black, approximately 20-25 years old, 6'0 tall, with his shirt off, had been standing in the front of our line, continuing to yell at officers. I noted that this protester had not responded to verbal orders from me and other officers to disperse and had remained facing our line. As the line began to move, I stepped forward. I continued to yell, "Go back. Go home." I noted this male black continued to stand in front of our line as the distance closed and refused to move back. Finally, at a distance of approximately one foot away, I realized that the male was not going to comply with the legal order and would potentially break our advancing line and expose officers from the back side if he were to break our line. I knew that this would cause potential danger to my platoon as we continued to advance. As I was approximately one foot away from this male, I then, in order to prevent the male from getting behind our line, performed a "blocking" maneuver, pushing the male back with the shaft of my baton while my hands were placed at the top and bottom. I pushed the male in the area of his upper arm shoulder. I noted that in response to being pushed, the male had then stepped back 1-2 feet as the line advanced and had moved over in front of another officer. I noted that this male was then arrested and placed into handcuffs. As the male was being arrested, I continued to advance with my platoon, continuing to give orders for the crowd to disperse and to go home.

My use of force regarding this incident was reported to Sgt. Tieu.



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CASE REPORT SUPPLEMENT

REPORTING OFFICER

DAVID SCHON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE (continuation)

NFA
Officer D. Schon #5577

djt



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

CALEB JOHNSON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE

INITIAL INFORMATION:

On Saturday, May 30, 2020, I was working as a police officer with the City of Madison Police Department, assigned as a SWAT operator assisting with the protest event in downtown Madison. On this date, I was dressed in a full SWAT field uniform with MPD full color patches and police identifiers.

OBSERVATIONS OF DESTRUCTION AND LAWLESSNESS:

Throughout the late afternoon, I witnessed a hostile crowd of 50-100 people roaming around the downtown area, causing property damage, blocking traffic, and creating a disruption. This crowd appeared to be mostly younger people, in an estimated age range of 15-25. The people in this crowd consisted of both males and females and represented a variety of races. I observed unruly persons breaking windows, jumping on top of vehicles, and creating improvised weapons and tools of destruction from ordinary objects outside, such as chairs and sign posts. The initial protest event started with thousands of participants, and although the participants in earlier hours were not causing damage, there was a clear, almost universal expression of hatred toward the police. As a uniformed police officer, I was the target of repeated profanity and threats of violence by countless protest participants who made it explicitly clear that I was not welcome in the area. Many of the protest signs also displayed derogatory images or phrases relating to police. Participating in the peacekeeping effort at the protest event, I was aware that similar protest events at numerous locations around the country had turned violent and resulted in not just extensive property damage, but great bodily harm and even death.

On this date, specifically around 4:00PM, I was positioned on W. Doty Street, near S. Carroll Street, when I observed the crowd of hostile protestors causing damage to vehicles in front of the City County Building on W. Doty Street. I observed several people pushing a parked detective squad car side to side after jumping on the roof and hood of the vehicle. It appeared as though the crowd was attempting to overturn the vehicle. At one point, people in the group spotted the police vehicle I was seated in, which was significant distance down the street, and the group began advancing toward my location, screaming and yelling. There was a male black subject with a bullhorn at the front of the group that appeared to be directing the crowd and encouraging their destruction. Seeing the apparent emotional reaction to our presence in conjunction with the lawless actions of the group at that time, I believed that the group would have inflicted harm on me and the others in my police vehicle had they been able to reach us. We were able to maneuver out of the area before the group caught up to our vehicle, but we stayed nearby so we would be able to assist in a rescue in the event that the group gained entry to the City County Building or other occupied government buildings on that block.

VIOLENT ASSAULT BY CROWD:

A few minutes later, I assisted other SWAT operators, including Sergeant Schroedl and Officer Nelsen, with delivering supplies to a SET element on State Street. By this time, there were reports of extensive property damage and looting on State Street, including at the Goodman's Jewelers store. The SET element had made amplified announcements to disperse the group and was attempting to gain control of the street and intervene in the destruction that had been taking place. When we pulled our unmarked squad car onto State Street, there were loud thuds that could be heard and felt as the squad was pelted with bricks, rocks and other debris. Based on the intensity of the impacts observed to our vehicle, I was shocked that our windows did not shatter. I exited the squad car with other officers and stood guard as the supplies were delivered. I was struck by rocks, a bottle full of liquid, and other items that I could see were being hurled through the air at me by members of the hostile crowd. People in the crowd were overturning large concrete planters from the sidewalk area, and retrieving rocks from inside to throw at the police. It was clear to me that unless police action was taken, serious injuries would be sustained.



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REPORTING OFFICER

CALEB JOHNSON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE (continuation)

DELIVERY OF CS AGENT:

I deployed a hand-held CS dispersal device into a gap in the crowd in order to drive the crowd back and allow for the safe delivery of supplies by the other officers. I have personally experienced the effects of the CS agent in numerous training settings and I know that the momentary discomfort it causes would be likely to interfere with the ability of the crowd to continue hurling dangerous projectiles at officers.

As this device delivered its payload, it did appear that the desired effect was temporarily achieved, although prior to the delivery of all of the CS agent, the canister was thrown back at us to allow the behavior of the crowd to continue.

DELIVERY OF 40MM IMPACT FOAM PROJECTILE:

Around this same time, I observed a subject from the crowd throwing projectiles at the police. I fired a 40mm Less Lethal Impact Munition foam round at this subject in order to prevent him from causing harm to me or other officers. I am trained on the use of the 40mm launcher and I know that it is effective in creating dysfunction with minimal chance of serious injury to suspects. I targeted this round at the subject's lower abdomen area and based on the reaction of this male subject, I believe he was struck in the intended target area. The subject made an abrupt movement and I lost sight of him as he moved through the people in the area. Shortly after the supplies were delivered, I extracted from the area with the other SWAT operators. Throughout my remaining shift on this date, my vehicle was struck by projectiles repeatedly, and members of the hostile crowd verbalized violent intent toward me and law enforcement officers in general.

SECOND DAY OF PROTEST/RIOTING:

On May 31, 2020, I was again operating in a SWAT capacity in the downtown area, to assist with continued unrest and violence.

ASSUALTS ON OFFICERS:

Around 10:00PM, I heard over police radio channels that officers were being surrounded by a violent crowd on the Capitol square near East Washington Avenue. As I was responding to that area with other SWAT operators, including Sergeant Schroedl, I heard over the radio that the officers who had been surrounded were being attacked and punched in the face by the members of the crowd. We positioned our squad car near the corner of E. Pinckney Street and E. Mifflin Street and deployed on foot. Once the crowd saw us deploy from the vehicle, they began advancing toward us. I estimated the crowd to contain about 200 people. Our initial intention was to draw the attention of the hostile crowd so that the officers who were trapped would be able to escape.

People from the crowd were shouting and exhibited hostile behavior toward the police. It was clear that some members of the crowd were extremely agitated and I believed that some people in the crowd wanted to inflict harm on police officers. I observed projectiles being hurled through the air at me and other officers and the crowd shouted and challenged our position. Officer Weberpal, to my right, was struck in the leg by a large rock and advised that he had been injured.

DELIVERY OF 40MM IMPACT FOAM PROJECTILE:

At one point, I observed a male subject in the crowd throwing objects toward us. As this subject was approximately 25 yards away, and appeared to be preparing to throw another object toward officers, I fired a 40mm Less Lethal Impact Munition foam round at this subject in order to prevent him from causing harm to me



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SUPPLEMENTAL NARRATIVE (continuation)

or other officers. I am trained on the use of the 40mm launcher and I know that it is effective in creating dysfunction with minimal chance of serious injury to suspects. I targeted this round at the subject's lower abdomen area and based on the reaction of this white male subject, I believe he was struck in the intended target area. The subject made an exclamation of pain and ran away frantically with the person who was next to him.

DELIVERY OF CS AGENT:

I also deployed two handheld CS dispersal devices in order to create a distraction and direct the crowd away from officers. I believed that, based on my previous experience, the CS agent would inhibit the ability of persons in the crowd to throw projectiles from a close enough distance that they could reach us and cause harm. After each CS canister was thrown, people would attempt to throw it back at the police, but some attempts were more successful than others. Once the other officers were able to safely extract from the area, I left with my teammates as well.

Later that night, while driving on State Street, around midnight. We spotted a burglary suspect, whose description had been aired by the Command Post. The suspect was a black male with a red had and a tan backpack. As we attempted to maneuver our vehicle through the roadway, the suspect and the crowd apparently became aware that we were pursuing the burglary suspect. The burglary suspect darted away and began running in an out of the crowd as he attempted to stay beyond our reach. The crowd continued to follow after the suspect and was preventing us from getting close to the suspect. At one point, members of the crowd stopped, including a young white female subject, who turned toward our vehicle, and planted her feet as if to create barrier between us and the burglary suspect. It appeared to me as though the female and others were intentionally obstructing our ability to apprehend the burglary suspect. Beyond that, I felt that if the crowd boxed our vehicle in, there was a likelihood that we would be subjected to additional dangerous projectiles and our vehicle would be targeted for destruction. I was aware that the previous day, multiple squad cars had sustained damage, including a squad car that was set on fire. I wanted to avoid the possibility of being pinned down in our vehicle, and I also wanted to continue to pursue the burglary suspect, who was previously seen to be an instigator and a person who influenced the crowd toward criminal and disruptive behavior. I believed that taking this specific person into custody would be likely to have a deescalating effect on the protest event and would reduce the likelihood that police would be required to use force on additional people. I knew that if we allowed our vehicle to become trapped by the crowd and subjected to destruction, it may require significant use of force to get ourselves to safety, so I decided to use a low level of force to prevent that from happening.

DELIVERY OF OC SPRAY:

As our vehicle slowed to a stop, I leaned my body out of the window and deployed OC spray from a MK-9 canister toward the white female subject, who had taken a stand in the path of our vehicle. I have been exposed to OC Spray numerous times in training settings, and I believed that the temporary discomfort caused by the OC Spray would cause the female subject and others to momentarily cease their efforts to obstruct our apprehension of the burglary suspect. As the mist from the OC spray reached the female subject, she abruptly turned and leaped out of the path of our vehicle. The OC spray appeared to have the desired disrupting effect and our vehicle was allowed to continue.

DELIVERY OF 40MM IMPACT FOAM PROJECTILE:

Around this same time on State Street, near Peace Park, a male subject wearing a mask and carrying a traffic cone threw a large rock at our vehicle, from a distance of about 40 feet away. This rock went over the top of



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SUPPLEMENTAL NARRATIVE (continuation)

the vehicle and the suspect immediately appeared to search for another rock. When the suspect looked as though he found another item to throw at us, he stood up and looked as if he was going to throw it. I then deployed a 40mm Less Lethal Impact Munition foam round at this subject in order to prevent him from causing harm to me or other officers. I am trained on the use of the 40mm launcher and I know that it is effective in creating dysfunction with minimal chance of serious injury to suspects. I targeted this round at the subject's lower abdomen area and based on the reaction of this white male subject, I believe he was struck in the intended target area. The subject gestured wildly as he turned and fled in the opposite direction. I know that numerous vehicles had been damaged by rocks, bricks, and other projectiles. I also know that several officers sustained bodily injuries from such projectiles. I am aware that some members of the crowd had attempted to place traffic cones over OC/CS dispersal devices to contain the agent. The fact that this subject in Peace Park was throwing rocks and carrying a traffic cone demonstrated to me a likelihood that he was engaged in dangerous and destructive behavior and was trying to inhibit police efforts. Addressing members of the crowd such as this male can be an effective way of interfering with the rising hostility of the event and preventing future acts of violence.

DELIVERY OF CS AGENT:

Around 1:30AM, the Command Post directed our unit to respond to the 600 block of State Street to assist the SET platoons in clearing the area, as they were encountering difficulty with a combative crowd hurling projectiles and causing property damage. I deployed on foot from our vehicle with other officers and observed persons throwing objects and running through the street. I deployed two handheld CS dispersal devices into gaps in the crowd in an attempt to interrupt the violent behavior exhibited by the crowd. As the agent from the dispersal devices was spread, it did appear to achieve the desired result as people tried to flee. Some people attempted to pick up the devices and throw them at police as well. One canister of the CS agent was successfully thrown back within feet of our vehicle, and presented difficulty with visibility and our other functions.

DELIVERY OF 40MM IMPACT FOAM PROJECTILE:

While in this area, attempting to regain control with the use of CS agent, I observed a male subject throwing objects toward police from across the street near the 711 convenience store. I then deployed a 40mm Less Lethal Impact Munition foam round at this subject in order to prevent him from causing harm to me or other officers. I am trained on the use of the 40mm launcher and I know that it is effective in creating dysfunction with minimal chance of serious injury to suspects. I targeted this round at the subject's lower abdomen area and based on the reaction of this white male subject, I believe he was struck in the intended target area as he discontinued his violent behavior and appeared to leave the area.

Throughout the remainder of the night, I continued to observe violent and destructive actions from members of the crowds, including the setting of fires and the throwing of rocks and other hard objects and police and police vehicles.

End of Report.

Report completed by Detective Caleb Johnson #4034

**** PLEASE ROUTE TO SGT TIEU****



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

MARIO GONZALEZ

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE

SPECIAL ROUTING TO

Sgt. Tieu

INITIAL INFORMATION

On May 31, 2020, at approximately 10:30pm, I was acting in my official capacity as a City of Madison police officer while dressed in full military-style uniform, in addition to my assigned SET protective gear. The reason being was that I was working the special event associated with the protest in response to the death of George Floyd.

On this date and time, I found myself with other MPD SET officers in a line formation on Mifflin St., just west of Wisconsin Ave. in the city of Madison. The purpose of our being in this position was to force the unruly crowd back as their gathering had ceased being peaceful and they were now in violation of a temporary city curfew in place by order of the mayor.

USE OF FORCE

We began marching forward towards Wisconsin Ave. while simultaneously giving commands for the crowd to move back. At this time, I observed a crowd of what I estimated to be approximately 75 people ahead of us. I observed that individuals in this crowd were throwing objects such as water bottles and small rocks. I also observed that many individuals in this group were yelling obscenities and other things that I do not recall at this time. In addition to this, I observed several individuals running up to our line, stopping just shy of approximately 3 ft. ahead of us.

At approximately 10:30pm, I observed a male of an unknown race wearing a white half-face mask run up to our line after multiple commands to stop. I observed this individual to be approximately in his 20s and of a slender build. I also observed that he was running towards another person who stood approximately 3-5 ft. ahead of us.

Given the fact that we had been giving multiple commands for the crowd to back up and for individuals to leave the immediate area in front of us, as well as the fact that I observed this individual run towards us, I determined his behavior to be active resistance and did deploy OC spray from my MK9 canister.

I did this by raising the canister and aiming at this individual's eyebrow as I deployed the OC spray. I observed that the spray did land in this individual's eye. Given the circumstances, I was unable to offer any aid or assistance to this person as he retreated back towards the rest of the crowd.

On June 1, 2020, at approximately 1am, I found myself in the same circumstances described initially in this field report, only this time, at State St. and Gilman St. in the city of Madison. I again found myself in a line with other MPD SET officers who were formed with the intention of pushing an unruly crowd back and off of State St. This directive was in response to the crowd's unruly behavior, which had ceased being peaceful and was also in violation of a temporary curfew imposed by the city mayor. As we began to march forward in this line, I observed that there was a male white in his 20s standing at the corner of State St. and Gilman St. I observed that this person was wearing a dark hoodie and a half-face mask. I observed that he was of a slender build and stood at this corner. The line of officers extended across the entire street, and we gave



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REPORTING OFFICER

MARIO GONZALEZ

REPORT DATE

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SUPPLEMENTAL NARRATIVE (continuation)

orders for the crowd to move back and leave the area. I observed this individual not moving as we approached him. I gave this person several orders to leave; however, he stood still. Given our directive and the fact that this individual was not obeying, I determined his behavior to be consistent with resisting and also determined him to be in violation of the curfew.

Given these observations, I determined I had probable cause for this individual's arrest for the above-mentioned violations. I went up to him and grabbed a hold of his arm, ordering him to place his hands behind his back. This individual did comply, and I did apply handcuffs; however, given the dynamic of the situation, I was unable to check them for fit or double-lock them.

I then conducted a search incident to arrest and found nothing of evidentiary note on this individual's person. I then passed him off to a police arrest transport vehicle with pertinent arrest information.

Also on June 1, 2020, at approximately 1:35am, I was acting in my official capacity as previously mentioned and found myself under similar circumstances as previously described. I found myself at the corner of State St. and Gilman St. in the city of Madison with other MPD SET members, preparing to push an unruly crowd back and off of State St. At this time, we began to march forward and give directives for the crowd to move back. At this point in time, I encountered an individual who stood at the corner of State St. and Gilman. I observed this individual to be a male white in his 20s, approximately 6'4 tall and 300 lbs. I observed that he was standing at the corner and disobeying directives to move away.

As we continued to approach this individual, I observed him remain standing and not moving back. Given the enacted curfew and the fact that he was disobeying our orders to move back from police, I determined his behavior to be consistent with resisting, and also determined him to be in violation of the imposed curfew.

Given this, I determined I had probable cause for this individual's arrest and ordered him to place his hands behind his back. With several other officers, I grabbed a hold of his arm. As I did this, I observed him stiffen his arm as I attempted to pull it back.

This individual was given multiple orders to place his hands behind his back; however, he refused. He continued to stiffen his arms and did not move when ordered to do so. Given the fact that this individual was much larger than me and the other officers assisting me, as well as the fact that we were attempting to take him into custody for an arrest, I determined in necessary to position him on the ground for a safer arrest process.

I also determined this to be necessary since he was resisting our efforts to do so. I pulled on this individual's arm by dropping my weight in an attempt to get him to the ground. I fell, and my attempt to get this individual to the ground was unsuccessful. I repositioned myself at this individual's side and, with the assistance of several other MPD officers, were able to direct this individual to the ground.

I do not specifically recall how this individual went to the ground, but I do remember it was due to a joint effort of multiple officers grabbing a hold of him and dropping their weight, forcing him to the ground. Once



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REPORTING OFFICER

MARIO GONZALEZ

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SUPPLEMENTAL NARRATIVE (continuation)

on the ground, we continued attempting to apply handcuffs. I was ultimately able to secure this individual into handcuffs with the assistance of other officers. I did not check them for fit, nor did I double-lock them given the dynamic unfolding of circumstances. However, once on the ground, this individual refused to rise.

He had to be carried by several officers to the squad car. When we attempted to place him in the back of the squad car, he told us that he would stand and get into the back of the car. The resistance that this individual offered delayed our arrest process by approximately three or more minutes. At one point during the process, I did perform a search incident to arrest and found nothing of note on his person.

Also, at one point during the arrest, I recall having stabilized this individual against the brick wall outside of the Stop N Shop. I did this with the assistance of other officers. I recall this was before the subject was forced to the ground. When this happened, I stood at the individual's side and guided him to the wall, where I then forcibly pushed with both of my hands on his upper back. I did this to stabilize him against the wall as he was attempting to shift his upper torso and face towards officers. At the conclusion of the arrest, he was ultimately secured in the back of the police transport vehicle and information was passed to transporting officers. Please see other officers' reports for additional information.

NFA
Officer M. Gonzalez #5562

djt



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

NICHOLAS PINE

REPORT DATE

06/06/2020

SUPPLEMENTAL NARRATIVE

BACKGROUND INFORMATION:

On Sunday, May 31, 2020, I was working as a police officer for the City of Madison Police as a member of the special event teams (SET). I was wearing full crowd control hard gear that was issued to me by the department. My uniform had "Police" displayed on the front and back as well as Madison Police patches on both of my shoulders. I was assigned to Lt Gary's SET platoon with Sgt. Shimko as my direct supervisor. During the active protest that were occurring on capital square, on Mifflin St in between Wisconsin Ave and State St, I was ordered by Sgt. Shimko to stand behind the front line of officers to effect arrests.

USE OF FORCE:

During the initial push east on Mifflin St sometime between 10:00 PM to 11:30 PM, I observed two other SET officers actively fighting with a subject behind the front line trying to take the subject into custody. I observed the subject to be a light skinned male black approximately 18 to 24 years old. He was wearing gray cloth shorts with no shirt on. His hair was light brown in dreadlocks style.

I moved to assist those officers with effecting the arrest. As I approached the subject I observed he was on the ground propped up onto his forearms. It appeared he was attempting to get up off of the ground as the officers were struggling to take control of him. At that time I placed both of my hands on the subject shoulder blades and attempted to push him back down to the ground. I did this to gain ground stabilization of the subject. While doing this I gave the subject loud heavy control commands to "Stop resisting." This attempt to gain ground stabilization did not work as the subject resisted my efforts. While we were struggling with the subject I could feel his muscles were rigid and I felt him actively pushing upwards against my body weight to push him down to the ground.

At that time I moved my right hand off of the subjects shoulder while keeping down ward pressure with my left forearm. I attempted to secure the subjects right arm with my right hand to guide it around his back. I observed the subject interlock his hands together to make it more difficult to secure his arms behind his back. I again felt all of his arm and shoulder muscles remain flexed and rigid. During this time I gave the subject heavy control verbal commands to "Stop resisting," and "Put your hands behind your back." I was unable to separate the subject's hands and secure his right arm behind his back as he was actively resisting my efforts as well as the other two officer's attempts to secure him in handcuffs.

The subject continued to attempt to get up off of the ground during this time. I observed the subject had his upper body still propped up on his forearms and he was attempting to bring his knees up underneath him to get up. With this continued active resistance I used my knuckles of both of my thumbs and place them behind each of his ear lobes near his mandibular angle of his jaw. I applied inward pressure to those locations to gain compliance from the subject. I only applied pressure to both mandibular angle pressure points for one to three seconds. This use of force was not effective and the subject continue his attempts to get up. By this time four SET officers were attempting to take this subject into custody.

Since the subject continued active resistance to my and other officers attempts to take him into custody I moved slightly away from the subject to deliver knee strikes to his right side. I maintained a hold of the subjects right shoulder area when I used my right knee to deliver three consecutive knee strikes. I struck the subject in the right side ribcage area. When I delivered the knee strikes I gave loud heavy control commands to the subject to "Get down." After delivering the third knee strike I felt the subject fall to the ground and his body loosen up. I appeared the knee strikes were effective.



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NICHOLAS PINE

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SUPPLEMENTAL NARRATIVE (continuation)

At that time the subject appeared to stop his resistive efforts. I was able to secure his right arm and assist it behind his back. Another officer secured the subjects left arm behind his back and I was able to place handcuffs on the subject's wrists. I performed a pat down search of the subject's pockets and waist band checking for weapons at that time. I observed nothing to note. I then preformed an assist to rise, to assist the subject to his feet. I then escorted the subject to a nearby patrol squad and handed him over to an arrest transport officer. Unfortunately due to the front line continuing to push forward I had to return to my original duties and was unable to identify the subject.

DISPOSITION:

I later made contact with Sgt. Shimko to inform her of my use of force. Sgt. Shimko instructed me to contact Sgt. Tieu to enter my use of force information into blue team. I met with Sgt. Tieu on 6/1/20 to discuss this use of force.

End of report / jdl

Officer Nicholas Pine
IBM #5448



MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER

WILLIAM HOLTAN

REPORT DATE

05/30/2020

SUPPLEMENTAL NARRATIVE

ROUTING: Self, Sgt. Tieu

Initial Information

On 5/30/2020 at approximately 8PM, I was notified via Telestaff that there was a call up for all commissioned personnel to respond to the downtown area for various protests that were occurring. I was working in a SET capacity and during my time on scene, was wearing full hard gear and my MPD military style uniform. During this time I was clearly identifiable as a city of Madison police officer due to my equipment and uniform.

Use of Force on 5/30/2020

After arriving to the downtown area reference the ongoing protests and subsequent property damage and destruction that was occurring in the State St. area and other areas of the Central District, I was informed to respond in my hard gear to the area of State St. and Johnson St. to assist with an unruly crowd. Upon arriving in the area, I took up a position on a line along with other MPD officers who were also in hard gear, across W Johnson St. at State St.

After being on the line for approximately 1-2 hours, at sometime between 10PM and 11PM, I was informed by commanding officers that due to a fire that was occurring on W Johnson St. approximately 20 feet in front of the line of MPD officers, we would be pushing towards the fire so that it could be extinguished.

As the line began to move at the direction of commanding officers, I observed a Male/Black subject who was approximately 5'7", 160lbs, and was wearing blue jeans and a grey jacket, standing in front of me approximately 7-15 feet away. As the line began pushing, I gave multiple commands to the subject to begin moving backwards so that the line of officers could continue forwards. I observed that the subject stood in place and at times, began taking steps towards other officers and myself.

As I approached this subject at a distance of approximately 10-15 feet away. I discharged my MK9 OC can at the subject's face and eye area. I observed that after discharging my OC spray for a duration of approximately 1 second, the subject turned away and began walking away from the line of officers that were walking towards him.

The dispersal of OC spray on the subject appeared to be effective, as I observed the subject after the OC spray contacted his face, turn away from me and begin walking away from the line of MPD officers who were moving eastbound on W Johnson St. I was unable to provide any assistance to this subject who had been exposed to OC spray as he left the area and did not ask me, and I did not observe him ask any other officers for assistance with the effects of the OC spray on his person.

Use for Force for 5/31/2020 into 6/1/2020

On the evening of 5/31/2020, I was again working in my official Special Events Team capacity and was also deployed to the downtown area in full hard gear. At approximately 9:30PM, I was deployed in a line along with other MPD officers to the area of W Mifflin St. and Wisconsin Ave. Upon arriving on the line with other MPD officers, I observed that there was a crowd of approximately 100-300 people directly in front of me and other officers and that this crowd was screaming and becoming increasingly agitated as time passed with the police presence in the area. I observed that multiple announcements were given to the crowd that if they did not disperse, that chemical munitions would be deployed as on the evening of 5/31/2020, a curfew was in effect for 9:30PM, and that these subjects who were congregated in the area of W Mifflin St. and Wisconsin Ave.



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SUPPLEMENTAL NARRATIVE (continuation)

were in violation of said curfew.

At approximately between 9:45PM and 10PM, after multiple announcements had been given, I observed Sgt. Woehrle informed me and I observed Sgt. Woehrle inform other officers that the line was going to move forward eastbound on Mifflin St. towards Wisconsin Ave. in an attempt to disperse the crowd out of the area. A short time later, I observed Sgt. Woehrle and other grenadiers from the SET team deploy CS gas on the crowd, as the crowd continued to approach the line of MPD officers and were becoming increasingly more agitated and were also in violation of the above described curfew that had been put in place.

After CS gas had been deployed by other MPD officers acting in their capacity on the SET team, I, along with other MPD officers on the line, began moving eastbound on W Mifflin St. towards Wisconsin Ave.

Between approximately 9:45PM and 10PM, as the line began to move forward, I observed a Male/Black subject who had a mask on his face and was standing in front of me at a distance of approximately 7-10 feet away, continued to stand in place and not disperse away from the line of MPD officers who were moving towards them. Due to this active resistance by the subject who was ignoring multiple commands by myself and other MPD officers, who were stating to the subject something to the effect of, "Get back," I observed that the subject continued to remain in front of the line and not disperse eastbound on W Mifflin St. Due to this continued active resistance, I deployed my MK9 OC canister in two bursts, each for approximately .1 second, at the Male/Black subject's face and eye area. I observed upon deploying my OC spray that the subject turned and ran eastbound on W Mifflin St., away from myself. I would later see the subject on Wisconsin Ave. continuing to yell and scream at myself and other MPD officers, when he had moved from W Mifflin St. to Wisconsin Ave. I did not provide any follow through aftercare to this subject, as he did not seem to have any further contact with MPD officers or myself and after observing the subject for a second time on Wisconsin Ave., I did not see the subject later in the evening.

As myself and other MPD officers continued to move, now northbound on Wisconsin Ave. towards W Dayton St., I observed the crowd of individuals who had previously been near the intersection of W Mifflin St. and Wisconsin Ave. now dispersed in staggered locations near the intersections of Wisconsin Ave. and W Dayton St., Wisconsin Ave. and W Johnson St., and Wisconsin Ave. and W Gorham St.

As myself and other MPD officers approached the intersection of Wisconsin Ave. and W Johnson St., I again was given the command by MPD supervisors that the line was to continue pushing northbound on Wisconsin Ave. through its intersection with W Johnson St. As I began moving forward, I observed a Female/White subject who had glasses and blonde hair standing directly in front of me, not moving, with her hands behind her hand. I continued to give commands to the effect of, "Get back," and, "Go home." I observed that the subject began walking towards me with her hands still behind her head, directly at myself and the other MPD officers, who were moving in a line towards her location. Due to the subject's continued active resistance in ignoring my commands to "get back" and "go home," I dispersed my OC canister at her mouth and eye area for approximately 1-2 seconds. I observed as the female subject was only approximately 5-7 feet away from me, that the OC from my MK9 canister landed in the area of her eyes and nose. After dispersing my OC on this female subject, I observed that the subject immediately turned around and began briskly walking northbound on Wisconsin Ave. away from myself and other MPD officers. Due to the subject leaving the area briskly, I did not offer any aftercare or follow through actions to this subject.



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As myself and other MPD officers continued walking in a line, now near the intersection of Wisconsin Ave. and W Gorham St., I observed a Male/White subject standing near the intersection and again refusing to move away from the line that was now walking towards him on Wisconsin Ave. I continued to give similar commands to "Get back," and "Get home," and again observed that this Male/White subject continued to ignore my commands. As the line approached him, I again dispersed OC from my MK9 canister at this subject's face and eye area for a duration of approximately 1-2 seconds. After dispersing my OC spray on this subject, I did not immediately see where he ran to, however, I did not have any further contact with this subject in the evening and therefore was unable to provide any follow through or aftercare actions to him.

It should be noted that the previous two described subjects who had OC dispersed on their person occurred sometime between 10PM and 12AM on the evening of 5/31/2020 during myself and other MPD officers pushing the line of officers northbound on Wisconsin Ave., up until we reached its intersection with Langdon St. After making this initial push in an attempt to disperse the crowds, myself and other MPD officers then pushed southbound on Wisconsin Ave. until we reached its intersection with W Mifflin St. where the initial push had begun. At this point in time, to my best recollection, it was now the early morning hours of 6/1/2020.

A short time later, I was informed by commanding officers that we would be again now pushing northbound on Wisconsin Ave. again in an attempt to disperse the crowd that was still staggered in large numbers northbound at various intersections on Wisconsin Ave. until its intersection with Langdon St. During this secondary push of the line of MPD officers northbound on Wisconsin Ave., at approximately sometime between 12AM and 2AM on 6/1/2020, I encountered a Male/White subject near the intersection of Wisconsin Ave. and Johnson St. As I was walking in the line with other MPD officers, I looked to my left and observed this Male/White subject pressing his body up against a nearby large tree and concealing himself behind the tree. I observed the subject was tucking his body tightly back into the tree and pinning his arms against the tree and it appeared he did not want to be seen by officers who were approaching his position rapidly near the intersection of Wisconsin Ave. and Johnson St. As I approached this subject, I called out that there was a subject hiding behind the tree, and briskly walked towards this subject. It should be noted that multiple commands were given by myself and other MPD officers continually telling anyone in the area to "Go back" and "Go home," as we were attempting to disperse the crowd. I observed that this Male/White subject did not heed these lawful commands and was continuing to conceal himself behind the tree. Due to this subject attempting to conceal himself and actively resisting myself and other officers' commands for the subjects in the area to leave the area, I approached this subject and dispersed my OC canister at the right side of his face and eye area for a duration of approximately 1-2 seconds. I observed that another officer in the area dispersed his OC canister at the same subject from the subject's left side simultaneously with myself. I observed that this subject fell forward from his position of hiding behind the tree, directly onto his stomach and face area. I continued to walk forward with the line that was pushing northbound on Wisconsin Ave., attempting to disperse the crowd. I was unable to see where the subject went, but it appeared that he may have possibly been detained or arrested by other officers on scene as I observed officers attempting to pat down his person after he had landed on his stomach. I was unsure where this subject went or if he had been arrested or released from the area. I was, however, unable to provide any follow through actions as the line continued to move forward and other officers were attending to this subject after he had fallen on his stomach from his position concealed behind a tree near the intersection of Wisconsin Ave. and Johnson St.

Disposition

I continued pushing with the line of MPD officers and other jurisdictions who were also assisting MPD during



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this evening of protests, as we continued northbound on Wisconsin Ave. I observed that multiple fires were lit into dumpsters, one of which was pushed towards MPD officers' position at Wisconsin Ave. and W Gorham St., down Wisconsin Ave. from its intersection at W Gilman St. I did not use any other force outside of the above described instances throughout the rest of the evening of 5/31/2020 into the early morning hours of 6/1/2020. The only use of force that I used on the evening of 5/30/2020 has been noted in this report. It should further be noted that all of the subjects who had MK9 OC deployed on their person, as these were my only uses of force and are documented in this report, were displaying active resistance to the lawful commands of myself and other officers on the evenings of 5/30 and 5/31/2020, and the early morning hours of 6/1/2020. In using the MK9 OC canister, I operated this device using the training I have received from the City of Madison Police Department, in being trained on the MK9 OC canister. For further information on uses of force by other officers, or information on the events of these evenings, please refer to other reports.

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MADISON POLICE DEPARTMENT

Report Completed: 06/03/2020
Case Offense: SPECIAL EVENT
Reporting Officer: SGT MATT SCHROEDL 2793
Special Routing:

Case No: 2020-191347 Supplement
Ref. No: 2020-194274

OFFICER INFORMATION:

I am currently employed with the City of Madison Police Department, where I have been since 1997. I was promoted to the rank of sergeant in 2008. I am currently assigned as a sergeant with the Dane County Narcotics Task Force. I am also a member of the City of Madison Police Department SWAT Team and I am one of the team leaders. I have received training in the use of chemical munitions to the City of Madison Police Department. I have also received additional training on chemical agents and less lethal impact projectiles, including .40 mm projectiles, oleoresin capsicum and CS munitions.

NARRATIVE:

On 05/31/2020, I received information reference a request for the City of Madison Police Department SWAT Team to assist with security at a protest reference the death of George Floyd in Minneapolis Minnesota. This protest was scheduled to take place in the downtown area of Madison. Based on the previous night's events, where the protest turned violent, where people were looting and damaging property, a firearm was stolen out of a police vehicle and our armored vehicle was struck by gunfire. We were requested to assist as security for this event.

At approximately 1 p.m., I attended a briefing by Lt. Ostrenga, who is a lieutenant on the City of Madison Police Department SWAT Team reference our assignments for this protest. Our main objectives were the safety and the security of citizens and law enforcement officers. At the completion of the briefing, we responded into the downtown area as a large number of individuals were there to protest. At approximately 9:30 p.m., a curfew went into effect for the Isthmus area reference the previous night's riots and violence. At approximately 10 p.m., there was still a large group of protestors that were marching around the Capitol grounds, in violation of the curfew. As they were marching, there was a small Special Events Team platoon that was walking with them. As they emerged around the Capitol grounds, near the intersection of N. Pinckney St, in between E. Washington Ave and N. Hamilton St, the crowd turned on the officers. I received information over the police radio that the officers were surrounded and being physically assaulted and requesting emergency assistance. At that point, PO Keys, PO Weberpal, Det. Johnson and I moved into a position near the intersection of N. Hamilton St and E. Pinckney St. As we emerged into that area, I observed that PO Masterson and Lt. Fiore started to deploy chemical munitions in an attempt to disperse the crowd and stop them from assaulting the officers. As I emerged into the area, the crowd turned and began to focus on Det. Johnson, PO Weberpal and I. They began to move towards our direction. We formed a small line near the intersection of N. Hamilton St and E. Pinckney St. As the crowd began to form, there were several hundred individuals that came within approximately 10 ft- 20 ft. of us, who were yelling and screaming and were very hostile. As the group focused on us, this allowed the SET platoon to move out of contact with the protestors and don their gas masks. It should be noted that at that point in time, that group of Special Events Team officers were not wearing any additional protective equipment other than their normal uniform. As the crowd

turned their attention and focus towards us, I observed them begin to throw objects, in particular rocks and bottles at Det. Johnson, PO Weberpal and I. PO Weberpal was struck in his shin by one of the rocks. I did not believe we would be able to withdraw at that point since the crowd had already attacked the SET Platoon Officers and previously chased officers as they had retreated. At that point, I deployed a Spede-Heat CS canister, in an attempt to push back and disperse the crowd, to prevent them from being able to strike us with projectiles while requesting additional resources to help with evacuating the SET members out of the area who were not in protective equipment. I threw the canister in an underhand manner and directed it to an open area to the side of the crowd, in an attempt not to strike anyone with it, but close enough to them so they would be able to feel the effects of the munitions and disperse them from the area. When I deployed the canister, the crowd immediately began running backwards and created distance between them and us. This crowd continued to be very agitated. I was able to move a SET platoon line in front of us that was still not in any additional protective equipment, but was now in gas masks. As the crowd re-emerged back up towards our line, I had requested additional resources respond to our location that were in additional protective equipment as the crowd continued to throw rocks and bottles at us. As the crowd again came closer and began launching projectiles to us, I again deployed a second canister of CS Spede-Heat in an attempt to create the distance between the crowd and us and prevent them from being able to harm us with their projectiles. I again threw the canister in an underhand fashion, trying to find an open area to the side of the crowd, again, close enough to have them feel the effects, but not strike them with the canister. Again, the canister dispersed its contents and, while it was doing that, one of the individuals in the crowd attempted to pick it up and throw it back towards our general direction. PO Weberpal and Det. Johnson were also using CS canisters, as well as .40 mm foam projectiles to try to keep the crowd back. This went on for approximately ten minutes before additional personnel were able to arrive at our location wearing additional protective equipment. Once they were in position, we were able to extract out of the area.

As the night continued, the crowd continued to escalate in their behavior. They began to damage additional property and loot businesses. They began to set fires in dumpsters and pulling them into the street while pushing one toward officers. They also attempted to steal a squad car. During the escalation of their behavior, I was advised by Lt. Ostrenga that the Special Events Team needed additional assistance near State St and Henry St. We moved into a position to come down Langdon St, which would have been to the north of that location. As we were pulling down Langdon St, I observed numerous dumpsters that were in the middle of the street that were on fire and other debris littering the street. We were able to navigate around all of these numerous dumpsters that were scattered throughout the roadway, that were burning, to get into a position, as the crowd continued to push outbound on State St, towards Lake St. I was advised they were breaking numerous windows and attempting to loot various businesses. Once they emerged down onto the Lake St area, I again deployed a canister of CS Spede-Heat in an attempt to disperse the crowd and prevent them from continuing to do extensive damage to businesses in the State St corridor and the Library Mall area. After I threw the canister again in an underhand manner, finding an open area near the intersection of State St and Lake St, the crowd dispersed, ran through the Library Mall, and ceased damaging any property in that immediate vicinity. At that point, I returned to our vehicle and we were able to extract out of the area as additional Special Events Team personnel were arriving to work on crowd control and dispersing the group. The crowd continued to damage property and loot businesses in the downtown area.

At one point, during the looting, Lt. Ostrenga advised that they observed an individual on surveillance video that appeared to be the leader of the small group of people who were breaking into stores and looting them. SET members and other MPD personnel attempted to

move into position to contact the individual, as he emerged from one of the businesses after breaking in and looting it with several other individuals. This individual was described to be wearing a red hat, which the person took off their head and ultimately was carrying when I observed them. The suspect was amongst a large group of individuals, who were moving towards the Gilman St area. We attempted multiple times to navigate through the crowd to get into a position to contact and arrest this individual. As we were doing so, the individual realized we were attempting to arrest the person and began to run throughout the downtown State St area. At one point the crowd the person was with formed a line in front of our vehicle and was intentionally trying to impede our abilities to arrest this individual. Based on the groups active resistance and obstruction to our attempts to arrest the suspect Det. Johnson deployed some OC spray to move this group out of our way so we could try to arrest this individual. As we continued to move into position to try to contact this individual, additional members from the group began throwing rocks at our vehicle. Det. Johnson deployed a .40 mm foam baton round to one of the individuals throwing a large rock at us. That individual was eventually struck by the foam baton round and fled the area prior to us making contact with him to see if he needed any medical attention. The original individual was able to evade us with the assistance of the large group. See Det. Johnson's report for further details on this incident.

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SGT MATT SCHROEDL 2793

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MADISON POLICE DEPARTMENT

CASE# 2020-00191347

CASE REPORT SUPPLEMENT

REPORTING OFFICER
RYAN JEFFERY

REPORT DATE
06/07/2020

SUPPLEMENTAL NARRATIVE

Special Routing:

Self
Ofc. Kalka
SGT. Tieu
SGT. Henderson
Criminal Intelligence Section

Attachments:

- Image of Jordan King
- Images of Masked Subject
- Image of Officer Jeffery at Rally
- Images of Subject in Colin Kaepernick Shirt
- Image of Subject with Blue Hair
- Image of Subject Throwing Missile
- Image of Subject in Salmon Shirt
- Wisconsin State Journal Article

Uniform Description:

During this incident, I was dressed in both a Madison Police Department (MPD) Special Events Team (SET) soft uniform and MPD SET hard gear.

When dressed in a soft uniform, I generally wore a baseball cap with an MPD logo on it. I also wore a bright yellow traffic vest that bears the words, "Madison Police," on both the front and back. The front of this vest bears an MPD patch, and my badge number is conspicuously displayed on the front of the vest. The uniform shirt I wore has MPD patches on both arms, and the front of the shirt displays both my last name and an embroidered badge that says, "Police Officer."

When dressed in hard gear, the front and back of the chest protector I wore bears the word, "Police," on it. The front of the chest protector also bears an MPD patch. The helmet I wore has my badge number displayed on both the front and back. The uniform shirt I wore beneath the chest protector has MPD patches on both arms, and the front of the shirt displays both my last name and an embroidered badge that says, "Police Officer."

In later reviewing media coverage of the Justice for George event, I observed a photo that appears to be of me in my soft uniform. A screenshot of this image is submitted as an attachment to this report.

Actions on Day 1 (May 30 and May 31):

The Justice for George protest event and subsequent rioting took place over several days. The subsequent section attempts to document events I recall occurring during the first operational period which occurred on both May 30 and May 31.

Stop of Suspicious Subject and Frisk of Backpack:

During the initial protest, at approximately 1:00 p.m., I observed a subject in all black clothing with a black hat



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and black backpack. I noted duct tape appeared to be on the hat. I also noted that the subject wore a brown face covering. I observed that this subject appeared to me to be conspicuously observing police officers. I also noted that the subject knelt behind a planter and started digging in his backpack. The subject then wrapped the top of his bag.

This behavior was concerning to me for a number of reasons. I know both from personal and professional experience that large, politically charged protests are a frequent target for acts of terrorism. I know that acts of violence have befallen protest events in Charlottesville, Virginia, and Dallas, Texas. I specifically recall that the violence at a protest in Dallas, Texas, was directed towards uniformed police officers. I also know that other large and crowded events have been subject to acts of violence, and I know that the Boston Marathon was bombed. I understand it to be possible for backpacks to be used as bombs in a crowd environment.

Ofc. Burkholder and I communicated our concerns to the Command Post, and the Command Post advised that a contact and a frisk would be appropriate. Ofc. Burkholder and I did contact this subject, and I held onto this subject's left arm at approximately the elbow and/or wrist. Officers walked with the subject to the middle of the street, and I took possession of the subject's bag. I opened the top of the bag to visually inspect it, and I also patted the bag. I noted no weapons or explosives. During these actions, I noted a glove and water to have fallen out of the bag. Ultimately, the subject's bag was returned to him, and I noted the subject to make some sort of comment about the ongoing pandemic. The subject ultimately left the area, and I communicated my findings.

Offer of Medical Assistance to Jordan King:

During the initial protest, I walked extensively with subjects as they continued to march around various locations in downtown Madison. I recall, as I walked with the group on East Washington Avenue, one subject appeared to vomit or otherwise come under medical distress. I noted this subject to be a shirtless black male. Officer Hammil and I offered medical assistance to this subject. The subject declined assistance.

I later observed media coverage that appears to depict the subject to whom medical assistance was offered. In the article, the subject is identified as **Jordan King**. An image of the subject is submitted as an attachment to this report.

Street Clearing:

Ultimately, SET command made the determination that a clear of State Street in hard gear would be necessary. I donned SET hard gear, and I entered a van along with other SET members. I was among the first officers to step foot on State Street in hard gear, and I understand this to be the first deployment of Madison Police in such a capacity in approximately 15 years.

Crowd Behavior:

Madison Police Officers found a profoundly hostile and dangerous environment on the ground. I noted that subjects actively resisted the efforts of the police. I noted subjects to have knelt on the ground, and subjects refused to move for police. I noted these subjects to have knelt down with their hands up in the street in front of the Orpheum Theater located at 216 State Street. I recall there being reports of approximately



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contemporaneous looting (burglary) occurring at the nearby Goodman's Jewelers at 220 State Street. A Google Maps search also revealed that Goodman's is further outbound than the Orpheum, and I recall the position of the protestors to impede the ability of the police to attempt to intervene in the reported issues at Goodman's.

I noted that subjects generally threw missiles at police. These projectiles include: a metal chair, water bottles, a milk jug, and rocks. I noted that subjects appeared to throw or attempt to throw chemical munitions back towards police, and I noted that I may have kicked one back. A media image of one subject throwing a missile that appears to me to be a chemical munition is submitted as an attachment to this report. I later received email correspondence from Officer Schon identifying this subject as **Ky S Kalscheur** (Date of Birth: [REDACTED]). I noted that a planter was overturned, and I also recall a mannequin that appeared to have been beaten. I noted that a projectile hit my helmet and left shoulder. I also recall being struck in my general groin area.

I also noted that subjects in the crowd routinely shouted expletives and insults at the police. I noted these insults to include phrases to the effect of, "Fuck you," and calling officers terms to the effect of, "Fat," and "Bitches." I also noted that subjects threatened to kill the police, and I noted that one protestor sign made a statement to the effect of, "The only good cop is a dead cop." I also noted one subject to make a reference to the effect of, "Suicide watch." I noted that another subject appeared to be upset that a 3rd degree murder charge had been issued as opposed to a 2nd degree murder charge.

I also noted that some subjects appeared to have taken efforts to prepare for a potential police response. I made note of a subject, whom I understood to be a male of unknown or white race, who was wearing a facemask and goggles.

De-escalation:

I noted that verbal commands over a public address system were given for the crowd to disperse. I gave numerous and, at times, continuous verbal commands to the effect of, "Move back!" or "Go home!" I noted that the event was declared an unlawful assembly, and I noted there to be issues with looting. I also noted that subjects generally had opportunities to flee the area by moving away from police or off of State Street.

Intervention:

During the subsequent clearing of State Street, I noted that an officer I understood to be Det. Barcheski dispersed a chemical agent. I understood Det. Barcheski to be out of said force option. At approximately the same time, I was in possession of a Mk 9 can of Oleoresin Capsicum (OC). I am trained in the use of said force option, and I dispersed OC via a Mk 9 numerous times during the clear of State Street. I made a note that this occurred during both the clear down (outbound on) State Street and the clear back up (inbound in) State Street.

At one point, I noted that a subject appeared to grab, grapple, or otherwise attempt to strike a SET officer. I noted this subject to be a female of unknown race. I dispersed OC towards this subject, and I made a note later that she appeared to have been sprayed.



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Also during clearing operations, I used my wood baton to push subjects who refused to move or otherwise impeded police attempts to clear the street. I generally held onto my baton at both ends, and I held the baton in front of me. I used the baton to push subjects away from me, and I do not recall jabbing, swinging, or striking a subject with my baton. This intervention generally had the effect of moving subjects away from police in a manner similar to a forceful push.

At or near the Top of State Street, Madison Police Officers formed a line. This line was held for a prolonged period of time, and a number of subjects approached the line to interact with Madison Police Officers. I generally attempted to focus my attention on the crowd in the area to scan for potential officer safety threats.

At approximately this time, a masked subject approached the line. This subject is depicted in media images (submitted as attachments to this report) as wearing a black hat with duct tape over the front logo section. This subject wore sunglasses and a brown face covering with a white patterned scarf or other covering over it. The male wore a long-sleeved back shirt and appears to carry a black backpack. A media image also appears to show the top of this backpack as being rolled. In a media image, this subject is seen merely inches from a law enforcement officer from the Wisconsin State Patrol. A separate media image appears to show this subject with his face coverings pulled down. This subject appears to be a black male with black hair and a black moustache. The subject appears to have sideburns and potentially a tattoo on the right side of his face.

At one point, this subject drew close to me as well, and I used my baton to move him back approximately twice. It appears to me as though this use of force is recorded on video in the following *Wisconsin State Journal* article: https://madison.com/wsj/news/local/govt-and-politics/madison-mayor-imposes-curfew-after-rioting-looting-downtown/article_82a91655-421a-5c36-bd35-4f5c3e033ba1.html. A printed version of this article is submitted as an attachment to this report.

During this incident, I also threatened subjects with my personal carry OC.

Aftercare:

I noted that aftercare for the subjects I interacted with was impractical. The goal of the use of force described was to move subjects back further away from police and ultimately off of State Street. To my knowledge, none of the subjects I used force on actively sought medical assistance.

First Aid to Officer Hammil:

Approximately as Madison Police Officers completed the initial clear of the bottom of State Street, I observed Officer Hammil appeared to be medically unwell. I assisted other officers, including officers I understood to be SET Medics, in providing first aid to Officer Hammil. I helped remove additional layers of clothing that Officer Hammil wore. I also held a cold coffee up to the back of Officer Hammil's neck. I ultimately poured this cold coffee on Officer Hammil's head. I assisted in placing Officer Hammil in a squad car, and I requested that EMS meet Officer Hammil at the City-County Building (CCB).

Identification of Subjects:

I made several attempts to identify subjects involved in this incident. I found this process, which made use of



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Internet searches of media coverage, LERMS, and Spillman searches, to be helpful in recalling certain events which took place.

I observed media images, submitted as attachments to this report, that depicts a white male wearing a gray winter hat, face covering pulled over his chin, black tee shirt with a depiction of Colin Kaepernick, and dark pants with a keychain hanging from them. The subject appears to be clean shaven and not wear glasses. I recalled interacting with this subject, and I noted that he was associated with the astrophysics program at UW. I recall this subject being pushed back via the use of a baton described in the Intervention section.

I also made note of a white female with dark-colored hair and an approximately salmon-colored shirt. I recall this subject being near the white male described in the previous paragraph. I may have used a baton push to move this subject. An image of this subject is submitted as an attachment to this report.

I also recall a black woman shown in media images to have black and blue hair that was shaved on the side. In media images, this shorter female is seen wearing a camouflage-pattern tank top. I recall this subject approaching police and claiming that the police took her brother away. I also noted this subject to have expressed that she was willing or ready to die during the protest.

I later learned that Officer Vogel had images of this subject related to a traffic incident. I responded to this email, and I ultimately learned from Officer Franklin that the subject is **Dominique M. Davis** (Date of Birth: [REDACTED])

I also recall a lighter-skinned black male wearing a blue hoodie with yellow Madison Regents lettering in the crowd. I was unable to positively identify this individual.

Actions on Day 2 (May 31 and June 1):

The Justice for George protest event and subsequent rioting took place over several days. The subsequent section attempts to document events I recall occurring during the second operational period which occurred on both May 31 and June 1.

Street Clearing:

Ultimately, SET command made the determination that a clear of various parts of Madison in hard gear would be necessary. I donned SET hard gear, and I participated in this clear along with other law enforcement agencies and elements of the Wisconsin Army National Guard.

Crowd Behavior:

I noted that crowd behavior during this incident included persons throwing multiple projectiles. I noted that dumpsters were set on fire, and I also recall multiple fires being set in the general area.

Intervention:

During this clear, I generally held a position on the southwest side of Wisconsin Avenue (closer to State Street). At one point, I recall I found a white female sitting near a building entrance near a hedge or bush. I understood this subject potentially be experiencing the effect of a chemical agent. I assessed it to be



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disadvantageous to leave this subject in a position to get behind the police line, and I assessed a physical arrest to likewise not be the best possible resolution to the situation. I grabbed a hold of the subject's arm, and I pushed the subject forward ahead of the police line.

During this clear, I also came across a white male and a white female. I noted these subjects to approximately be in their twenties. These subjects were given multiple verbal commands, and I noted that the subjects refused to leave the area. I noted that Officer Burkholder later informed me that the subjects were slowing this segment of the clearing line. I noted that Officer Burkholder exposed at least one of these subjects to OC, and I noted that I moved the male along via a push with my wood baton. I recall a verbal command being given at about this time. I generally held onto my baton at both ends, and I held the baton in front of me. I used the baton to push subjects forward, and I do not recall jabbing, swinging, or striking a subject with my baton. This intervention generally had the effect of moving subjects away from police in a manner similar to a forceful push. I recall that this subject may have had his back to me as this occurred.

I also recall coming across a subject lying in the grass whom I recognized as **Tyson E. Christian**. I know Christian from previous professional contact. It should be noted that, as the police line approached Christian, a number of Madison Police Officers spoke with Christian and I do not recall any officer using force or moving Christian along.

Aftercare:

The subject against whom I used force left the area, and I had no sense that that subject was injured.

First Aid to Injured Subject:

Later, in the area of Fresh Madison Market located at 703 University Avenue, an injured subject was delivered to a Madison Police Officer via a vehicle. I recall assisting SET Medics and other officers in removing the subject from the vehicle, collecting information, and providing medical assessment and care.

Actions on Day 3 (June 1 and June 2):

The Justice for George protest event and subsequent rioting took place over several days. The subsequent section attempts to document events I recall occurring during the third operational period, which occurred on both June 1 and June 2.

Street Clear:

Ultimately, SET command made the determination that a clear of State Street in hard gear would be necessary. I donned SET hard gear, and I participated in this clear along with other officers.

Protestor Intervention and Offer of Flowers:

As SET was deployed in hard gear to clear State Street, we formed a line on North Carroll Street in the area of Grace Episcopal Church. Officers were approached by three protesters. As I recall, two were black men, and one was a black woman. The woman informed SET officers that the peaceful protest was over, and she was leaving. The woman then went on to tell us that she would go down to the top of State Street, encourage the group to leave, and inform them that the protest was over. The woman made clear that whoever remained



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would know that their decision would carry a consequence. The woman then headed down to the top of State Street, and I could hear what I understood to be her voice in what I understood to be an attempt to speak with the group. The woman returned back to our position, and she wished SET a safe night.

The group also handed out flowers to the SET officers, and I do not know an officer who turned the offer down. Many officers carried the flowers on their person during the subsequent clear. I thought it was incredibly brave for these three individuals to approach the police, offer a gesture of kindness, and assist us in achieving a mutual goal. This gesture demonstrated to me what I understand many SET officers to recognize - many of those in the crowd wish to lawfully express their constitutional liberties, and only a small group of people are responsible for the chaos the City of Madison experienced. I later emailed this information to Ofc. Grigg, and this moment was documented in subsequent social media and news coverage.

Intervention:

Before 2:00 a.m. on June 2, in the general area of 400 State, I recall a black female and a black male were in front of the police line as the line proceeded outbound down State Street. I was on the southern end of the police line, and I noted that these subjects were slowing the police line. I noted that the male subject made a statement to the effect of, "I'm a protestor."

During this clear, I generally gave verbal commands for subjects to go home. I also noted that the officer who was to my left was interacting with the female. I noted that the officer's baton ultimately left the officer's hand, and I am unsure if this baton was knocked out of the officer's hands.

I moved the male along via a push with my wooden baton. I generally held onto my baton at both ends, and I held the baton in front of me. I used the baton to push the subject forward, and I do not recall jabbing, swinging, or striking the subject with my baton. This intervention generally had the effect of moving the subject away from police in a manner similar to a forceful push.

Later, I also completed a clear of the UW Credit Union located at 662 State Street along with other officers. I had my handgun drawn at about this time. I also recall drawing my handgun at some earlier point on either this or another night when attempting to see if anyone was inside of a business.

Aftercare:

The subject against whom I used force left the area, and I had no sense that that subject was injured.

Use of Force Reporting:

I reported the above uses of force to SGT. Tieu for the purposes of use of force (Blue Team) reporting.

Medical Incident:

On June 7, 2020, while marching in solidarity with protestors near the King Street walkway of the Wisconsin State Capitol, I was alerted to a medical incident where a male may have fallen or passed out. I assisted a young white male, whom I understood to be approximately 13 years old, to sit in a nearby area. I communicated with the male and an adult-appearing female I understood to be responsible for this male; I requested an ambulance, but later requested the ambulance be cancelled as I received indications EMS was



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not necessary. I recall observing the male in the area shortly thereafter and having no concerns for his general welfare.

Disposition:

I also completed this report.

NFA.

Police Officer Ryan Jeffery #5688

djt



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CASE REPORT SUPPLEMENT

REPORTING OFFICER

JUSTIN NELSEN

REPORT DATE

06/04/2020

SUPPLEMENTAL NARRATIVE

Initial Information

On 05/31/20, I was operating as a SWAT operator attached to a SWAT Counter Assault Team and I was in full SWAT Uniform. I arrived at the VIF for a briefing regarding our role in the rioting and protesting occurring downtown. I was part of a CAT team that included SGT Loreda, PO Gonzalez and PO Cleary.

During the briefing I was informed that SWAT's main role was a counter assault element on active shooter situations. Due to the events of 05/30/20, our role had expanded to include assisting the SET team in situations of resupply and with violent rioting activities where SET wasn't able to contain.

As a member of the SWAT tactical team, I have received training in deploying less lethal munitions to include handheld CS gas, OC, and 40 mm projectile rounds.

On Scene

At approximately 10:00 PM, we were getting information that the crowds were becoming hostile and violent to include property damage, burglaries, looting, and assaulting police officers with projectiles. At one point our CAT team was tasked with supporting a police element at Frances St and State St. The Command Post stated they wanted us to infill behind the crowd at Frances St and State St and to deploy chemical munitions in effort to support the SET Team in pushing the crowd. We then got instructions from an observation post that State St to Frances St was clear to infill. During these operations, I was in full gas mask and helmet.

As we drove down State St towards Frances St from Johnson St, I started seeing more and more persons starting to follow in our direction. Once we got to Frances St and State St, I observed our position was being encircled by rioters shouting vulgar statements and throwing rocks at our vehicle. I was then told by SGT Loreda that it was unsafe to get out of the vehicle to deploy the munitions and we should deploy them while still in the vehicle. I then rolled down the vehicle window, pulled the pin on a CS hand held munition and tossed it out the driver's side of the vehicle. Once I did this, I heard a loud noise from behind me. I looked back and observed the rear window to be completely broken out. We then left the area.

After that situation, we got information that a contingent of police officers needed support at State St and Lake St and that they were being surrounded. We then drove to Lake St from Langdon St and I observed numerous rioters screaming vulgar statements at police, and throwing projectiles at police officers. Given these actions, I then deployed a CS gas hand held munition by pulling the pin and throwing it into the direction of the assaultive suspects in an attempt to get them to deter their behavior. Once I threw the device, I then observed a suspect to pick it up with a glove and throw it back at our position.

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PO Justin Nelsen 5228
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REPORTING OFFICER

JOSEPH WEBERPAL

REPORT DATE

05/31/2020

SUPPLEMENTAL NARRATIVE

TRAINING AND EXPERIENCE

I am employed as a Police Officer for the City of Madison Police Department, and have been so employed since 2008. I am also currently a member of the Madison Police Department Special Weapons and Tactics Team, and have been on the team since 2014. Being a member of this team has provided me with the opportunity to receive a significant amount of training. Specifically, I have received training in hostage rescue operations, search warrant service, weapons handling and shooting. In 2012, I also attended a 24-hour SWAT 1 Basic Patrol Tactics course given by the City of Madison Police Department. In 2014, I became a Law Enforcement Standards Board certified instructor for Defense and Arrest Tactics. In 2016, I completed instructor certifications for Less Lethal Impact Munitions and Scenario Instructor. I also attended a 32-hour course provided by Safariland Training Group for chemical munitions, Noise Flash Distraction Devices, and 40mm Less Lethal Impact Munitions. In 2019, I completed a 6 day Tactical Explosive Breaching course and became certified in explosive breaching by FETT USA.

Additionally, I have received training in the identification of habits and customs of individuals engaged in narcotics trafficking from former members of the Dane County Narcotics Task Force. I have also received specialized training in the identification and field-testing of controlled substances from trainers within the City of Madison Police Department, which includes the use of the field pouch drug testing system.

I have also participated in drug investigations on all levels, involving the possession, the use, and sale of controlled substances, with arrests involving such persons.

BACKGROUND

On 5-31-20, I was dressed in full Madison Police Department SWAT uniform and I was working in full capacity as a member of the SWAT team. At approximately 9 PM, I was assigned to work in the Central District due to a large crowd of protesters that had gathered in the area of the capitol square.

NARRATIVE

At approximately 9:55 PM, my team of four was given an update about the large crowd that was gathered near the intersection of E Washington Ave and Pinckney St. We were updated from the Command Post that a small number of officers were pinned down by the large crowd in the area near the Old Fashioned located at 23 N Pinckney St. I was given information via radio that the officers that were pinned down were being hit by members of the crowd and were having objects thrown at them. The team of four that I was with were directed to go to the intersection of N Pinckney St and E Mifflin St to assist the officers that were pinned down.

Upon arrival into the area of N Pinckney St and E Mifflin St, I observed a large crowd of approximately 200-300 people who were yelling and standing directly in front of the small contingent of officers that were pinned down. I could see objects being thrown toward the officers and as soon as we got out of our vehicle and into position near the intersection we started to have rocks and bottles thrown at us. After being out of our vehicle for approximately 1-2 minutes, I was hit by a rock on my left shin. I observed this rock once it was on the ground and it was about the size of a golf ball. The area on my shin where I was hit by the rock was red and had a bruise around it when I was able to look at it later in the night. I also observed the subject that threw this rock at me in the crowd. He is described as a black male, approximately 20-25 years old. He was wearing a light colored t-shirt and had on a red winter hat.

Shortly after being hit by the rock, I observed several more rocks and bottles being thrown in our direction near the intersection. At approximately 10:04 PM, I could see that the group of officers that were pinned down had



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JOSEPH WEBERPAL

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05/31/2020

SUPPLEMENTAL NARRATIVE (continuation)

been able to put their protective gas masks on and the crowd had moved back from them. At this time, we were still receiving projectiles being thrown in our direction that the rioters were being more aggressive towards us and our position at the intersection. At this time I removed the pin from my handheld chemical canister and deployed it in the direction of the rioters and more specifically in the direction in front of the subject who was throwing projectiles in our direction. I deployed this chemical canister based on my based on my training and it was rolling across the ground in front of the crowd. After the deployment of this chemical canister, I observed that the rioters around the area of the canister had moved back away from it.

While still in the area of the intersection of N Pinckney St and E Mifflin St, I observed a rioter pick up a chemical canister that had been deployed and throw it back in our direction. This canister was still active and delivering its product when it was thrown back. I watched as the canister went under our vehicle and continue to dispense its product. At this time the rioters were still standing about 20-30 feet in front of our location and throwing projectiles in our direction. We were then joined by a number of Special Event Team Officers that had walked to our location to assist. These officers had full protective gear on and were able to relieve us from our position.

Shortly after leaving the area of N Pinckney St and E Mifflin St, my team of four was directed by the Command Post to respond to the intersection of Lake St and State St to assist SET Officers and deliver chemical canisters. More specifically, we were directed to assist by deploying hand held chemical canisters in this area where the rioters were throwing projectiles at officers and were damaging property in the State St area. While we were responding to this area of Lake St, we had to go around several dumpsters that were set on fire and were in the middle of the road on Langdon St.

Once in the area of Lake St and State St, I observed a very large hostile crowd that was continually throwing rocks, bottles, and other objects in our direction. At this time I deployed two hand held chemical canisters in the direction of the ground in front of the crowd. I deployed both of these canisters based on my training and observed as they both landed successfully in front of the crowd and did not strike anyone. Shortly after deploying the chemical canisters, the SET Team arrived at our location from the State St area and we were directed to fall back to our vehicles.

It should be noted that all of the chemical canisters that I deployed during this operational period were department supplied Defense Technology CS.

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PO WEBERPAL #4232
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REPORTING OFFICER

KATHERINE BLAND

REPORT DATE

06/04/2020

SUPPLEMENTAL NARRATIVE

On 05/31/2020, I was working in my official capacity as a City of Madison Police Officer. I was assigned to the Justice for George Floyd Protest as a member of the Special Events Team (SET). I was wearing a SET issued uniform including hard protective gear as a result of continued projectiles being thrown at police officers by the crowd of protestors.

On 05/31/2020, in the area of State Street and Gilman Street in the City of Madison, PO Eckhardt and other officers arrested a subject. I arrived to the scene when the arrested person was on the ground being placed in handcuffs by officers. I placed my hands on the arrested person's left leg as officers secured the person in handcuffs. Other officers then walked the arrested person over to the transporting squad car.

I recovered a pair of glasses from the ground near the area the arrested person was secured in handcuffs. I placed these glasses into an evidence bag and handed it to the transporting officer, PO Brown. I then resumed my place in the movement line along with other SET officers.

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REPORTING OFFICER

ANDRES RIVERA

REPORT DATE

06/08/2020

SUPPLEMENTAL NARRATIVE

Special Routing: SGT TIEU

SUMMARY

On 5/31/2020 at approximately 10:20pm, I was in full MPD special event team hard gear and operating as part of Lieutenant Gary's element in the area of W Mifflin St and N Carroll St. Our directive was to support Lieutenant Zanders' platoon, who were in contact with an unruly crowd immediately following an altercation where another officer was punched by a subject resulting in the need for SET members to respond. Due to the crowd's unruly behavior and violation of city curfew, the crowd was advised through a City of Madison vehicle's PA system that they were in violation of curfew and partaking in an unlawful assembly.

HARD CLEAR OF W MIFFLIN ST

Ultimately, Lieutenant Gary's platoon was moved forward and on-line with Lieutenant Zanders' platoon in preparation to move the unruly crowd out of the area. While standing on-line with other officers, there were a number of individuals standing in front of us, approximately 10 ft away, screaming that they were going to kill us and have sexual intercourse with our mothers. There was one individual standing directly in front of me, a white male wearing all black clothing and shoulder length black hair. This particular individual screamed that he was going to kill us if we came any closer. This individual continued his tirade of verbal assault and threats up until just before the element began moving forward.

Just prior to the element moving forward, this individual sat down on the ground, crossing his legs and raising both hands in the air, displaying the universal sign for peace. Myself and numerous other officers gave numerous verbal commands to this subject as well as others, to get back. Upon receiving the order to move forward, I continued to give orders for this subject, who was still right in front of me to get back, but received no response nor did the subject move. Due to the subject's previous threats of killing me or other officers, I removed the pin from my Mark 9 canister and gave him another verbal order to get back. When the subject did not get back, I sprayed my Mark 9 directly at him. The subject put his face down at which point I gave another verbal command for the subject to get back. When the subject did not respond, I squatted down in order to spray the subject directly in his face, to ensure that my deployment of the Mark 9 canister was effective. Once this was unsuccessful in convincing the subject to move back, I reached down to pick the subject up and passed him to following officers. The subject rolled backwards with dead weight and at this point, I could see that the Mark 9 had in fact incapacitated the subject to the extent that I believed he was no longer an immediate threat. Due to the still very large and unruly crowd in front of the element, I stepped over this subject and continued to clear the crowd with my platoon.

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PO RIVERA, ANDRES 5347

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REPORTING OFFICER
ANTHONY FIORE

REPORT DATE
06/02/2020

SUPPLEMENTAL NARRATIVE

Saturday, 06/02/2020

On Saturday, 06/02/2020, starting at approximately 8:00pm, I was assigned to the Special Events Team (SET) and operating in my capacity as the Grenadier Commander. I was assigned Det. Masterson to assist in duties consisting of gathering grenadier munitions and supplies, water, respirator protection equipment, and other supplies that may be needed to assist SET. I and Det. Masterson also self-deployed to numerous high-risk incidents to assisting in resupply, command, or grenadier tasks.

I have been a Madison Police Officer for over 21 years. I have been a member of Special Events Team for approximately 18 years. I have been a grenadier, grenadier supervisor/sergeant, or the grenadier commander for approximately the last 15 years. I have attended training presented on the use of chemical (CS), OC and impact, munitions presented by both the FBI and Defense Technologies. I have numerous training deployments on all munitions utilized by the SET Grenadier Team. I have presented and conducted trainings for MPD Grenadiers and oversee all purchasing and munition selections. I was part of the team that wrote and finalized the SOP on SET Grenadiers. During the course of my service on SET, I have participated in numerous deployments on SET for crowd management and control, to include nearly every Halloween and Mifflin St block party for the last 18 years. As a grenadier and grenadier supervisor, I have had every tool and munition available for that entire period as those utilized by MPD currently. During all of those events, only during the Halloween riots in the early 2000's were chemical munitions and OC utilized by MPD grenadiers. I have advised outside agencies on the use, tactics, and consideration when utilizing grenadiers and chemical/OC munitions. I have never seen the level of property damage, projectiles directed at officers, injuries to officers, and open anger or aggression toward MPD personnel as I have witnessed since Saturday, 5/30, and through the writing of this report. My deployment, command, and supervision of impact, chemical/OC munitions have been consistent with my training and experience, as a direct result or response to violent or assaultive confrontations or to the degree that failure to utilize chemical/OC munitions would have made crowd management/control less safe for citizens and officers.

Upon our arrival in the State St area, I heard multiple reports of officers being targeted by projectiles and heard reports of officers injured as a result. At one point, I heard officers at the intersection of State St and Johnson St advising that officers were receiving projectiles. Upon arrival, I advised Det. Masterson that 40mm eXact Impact sponge rounds were authorized if he observed individuals throwing dangerous projectiles at the officers in the area. After resupplying several of the grenadiers on scene, we left the area.

We then heard officers were continuing to be targeted with projectiles. As we arrived back on scene, I observed approximately 30 officers in the area and the crowd had grown in size. I also noted that Dispatch was advising that fires were being lit in the area and did see smoke begin to rise just behind the first several rows of protesters. The crowd consisted of approximately 50 or more protesters, and although they were verbally engaging officers, the majority of the crowd was maintaining a safe distance from the officers. I observed several projectiles land in the area around the officers and observed that most of these were fist-sized or larger pieces of concrete or rocks. Those choosing to engage in throwing projectiles typically did so at distance and behind the crowd that was peacefully protesting. Given the active fire, dangerous projectiles, unblocked traffic I made the determination that we were going to attempt to move the crowd out of the area of the fire until it could be extinguished. As no other Lieutenant or Commander was on scene, I assumed



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ANTHONY FIORE

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SUPPLEMENTAL NARRATIVE (continuation)

command and advised the group of officers on the line for Johnson/State, on the east-side of the intersection of our goals and not to attempt to move the crowd until I had an opportunity to give audible warnings. I then made at least 5 verbal warnings utilizing my squad PA system, advising the crowd that due to the fire and projectiles they would need to disperse. In addition, I advised that chemical munitions may be deployed and that the use of impact munitions could be used if projectiles continued to be thrown at the officers. As I was making these announcements, my vehicle was struck with no less than 3 heavy/hard projectiles thrown from the area of the parking lot adjacent to the church located on W Johnson St. Officers in the immediate area also reported additional projectiles. After my verbal warning, I observed a noticeable difference in the density of the crowd in question and that numerous persons were heading my warning to disperse from this immediate area. I observed the fire was still active, officers were keeping vehicle traffic from the crowd, and officers continued to receive projectiles; I made the determination to immediately move the crowd beyond the active fire and attempt to disperse those throwing projectiles at officers. I did not feel at any point officers could safely disengage without presenting an unreasonable risk to those occupying the roadway or to the officers. I retrieved a protectojet containing OC that disperses in an aerosolized fashion. I have had hundreds of reps deploying the protectojets in both training and crowd control situations. I am familiar with the effects of aerosolized OC/Pepper Spray and know that the effects are greatly diminished as soon as individuals move into areas of fresh air. Decon responsibilities or needs are greatly diminished for aerosolized OC, and I have never observed any individual or officer display injuries or lasting discomfort as a result of its use. I deployed the protectojet consistent with my training and noted an immediate effect on the group. The OC was not directed at any specific individual. This effect allowed the officers to being to move the crowd back without physical confrontation. I directed the line to continue to move forward until the point that we were beyond the items that were actively burning. I utilized approximately 4 – 5 one-second bursts, and immediately ceased when I observed it have the desired effect of moving the crowd back away from the officers. Officers were then able to manually put most of the fire out. I observed approximately 8 – 10 plastic (petroleum-based) trash bins had been moved out in to the roadway, either to obstruct traffic or officers or to use as additional burning material. I then directed, and assisted in, moving those items towards the State St area so that when we moved the line back they would be behind our line and could not be used further by the crowd. At that point, I directed the line to move back towards State St, but maintain a position that we could safely block vehicle traffic and protect officers from additional projectiles.

I remained in command of this immediate area until my presence was no longer needed.

Sunday, 6/1/2020

On Sunday, 6/1/2020, I continued to serve in my capacity as the Grenadier Commander for the Special Events Team.

During our duties, I heard several radio transmissions from officers located at/near the intersection of N Pinkney and E Mifflin St, specifically by the "Old Fashion," a restaurant in that area. Officers described by "surrounded" by a hostile crowd, that one officer had been "punched in the face," and that they needed "immediate assistance." Det. Masterson and I responded to the area on Pinkney St from the area of E Washington Ave. I could see a crowd of approximately several hundred persons densely convened in the area directly in front of the "Old Fashion" restaurant. I have received no information that the officers that had been surrounded were out of harm's way, or that the violent behavior towards them had ceased. In my 21-year



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ANTHONY FIORE

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06/02/2020

SUPPLEMENTAL NARRATIVE (continuation)

experience, I have never been involved in a situation that more clearly presented an immediate and escalating risk to officers, or the potential for escalating use of force by those officers that had described themselves as being surrounded. I immediately exited my vehicle and deployed a CS 'Spede-Heat' canister towards the crowd. I observed the canister successfully deploy and immediately deployed a second to provide additional CS coverage to the area. I believe one of the canisters had been picked up and thrown back in our general direction, however, the CS deployment from the canister continued and wind-conditions allowed for the CS to continue to drift into the desired area. As the crowd dispersed and to allow for the CS coverage to prevent the crowd from re-convening in that immediate area, I threw a third canister into the area of the capitol lawn to provide a wider corridor of CS coverage. As the CS dispersed, I could see that the vast majority of the crowd had dispersed, that the officers appeared to be out of imminent threat, and that only non-violent or confrontational citizens were remaining in the area.

During my training and experience highlighted earlier in my report, I have deployed no less than 50 CS canisters. I have been exposed to CS gas on no less than a dozen occasions. I know the effects of CS, or tear-gas, are immediately and significantly reduced as soon as individuals find themselves in fresh air. I know the effects to be generally mild, causing irritation to the mucus membranes and eyes, and have no lasting effect. In my career, I was aware of only 1 other situation requiring the use of CS, and that was the first Halloween riot in early 2000s.

As part of this continuing event, I became aware that a line was being formed on Wisconsin Ave to attempt to move the crowd to the State St area. Det. Masterson and I proceeded to that area to provide any assistance we could. I also heard on the radio that officers were continuing to receive projectiles in this area. As we arrived, we followed the line of officers in my vehicle until the line stopped near the intersection with Dayton St. As I approached the line, I observed that the crowd of several hundred were situated generally across the street on Wisconsin Ave. I observed several projectiles land near me and observed them to be approximately baseball-sized rocks or concrete. At that time, Lt Zanders approached me and said he had been struck in the head/helmet area and it felt like he was "bleeding from the head." I continued to see and hear projectiles in the immediate area of officers. I felt that to effectively move the crowd back away from officers, continue to disperse the crowd and move those who would throw projectiles at officers at a greater distance, I deployed 4 40mm Skat CS rounds. Skat CS rounds are 40mm canisters that contain 4 mini-canisters of CS. These mini-canisters are about the size/weight of tealight candles and dispense a relatively small amount of CS. The Skat rounds can be safely 'direct fired' at individuals without causing serious injury. However, consistent with our training, the Skat rounds were "skip fired" at the crowd, meaning they are directed to impact approximately 10-15 feet in front of the crowd; if they are to strike anyone directly, they would do so generally in the shin area. This skip fire also allows a great deal of the energy to be dispersed before they reach the crowd. All for rounds were fired to different areas of the crowd. The report of the deployment and CS immediately dispersed the crowd and caused the vast majority of projectile throwing to cease. I did not observe any of the mini-canisters directly impact anyone, and I did not fire any of the Skat rounds with the intent of targeting any one individual. As soon as I observed the crowd dispersing, I ceased any other deployments of the Skat rounds. In my experience, the Skat round was the proper munition to use in this situation, had the immediate and desired effect, had no adverse impact on any of the crowd members, and did not cause and injuries. For the remainder of the evening, I continued to accompany several different clearing elements, but took no additional direct action or force.



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CASE REPORT SUPPLEMENT

REPORTING OFFICER

ANTHONY FIORE

REPORT DATE

06/02/2020

SUPPLEMENTAL NARRATIVE (continuation)

Monday, 6/2/2020

On Monday, 6/2/2020, I was assigned to lead the primary clearing element down State St. Prior to moving, we had been advised that subjects had been observed attempting to light "Molotov Cocktails," several reports of assaults involving bats, golf clubs, 2x4s and a "pry bar", in the general State St area. I formed a clearing team on Carroll St at W Washington. I had personnel from Madison PD, Dane Co Sheriff, State Patrol, Columbia Co Sheriff, Sauk County Sheriff, and National Guard. I advised the clearing teams of my decision to bypass the protesters at the top of State St and the Capitol Square as they appeared to be peacefully gathered and only verbally engaging officers from a distance. I was contacted by an approximately 25-year-old female who advised me she was one of the organizers of the protest and that she wanted to borrow my bullhorn to advise the people with her protest that their protest activity was over, they should go home, and that if they remained in the area, they could be arrested. I advised her we had no intention of clearing those gathered with the officers involved and thanked us repeatedly for allowing them to gather and leave without police involvement.

I did make several attempts to make a verbal announcement for those who had gathered, however, was advised by the officers immediately in our group that the bullhorn was not transmitting loud enough to be heard. I made several attempts, attempted to adjust the settings, removed my gasmask to speak directly into the microphone, but nothing was successful. I instructed the combined team to begin moving down State St. As we reached the 100 block of State St, I could see approximately 20 persons directly in front of us and could see, hear and had reported to me, projectiles falling in the immediate area of officers. I requested permission to use "gas" to move the crowd away from us and was advised by the CP to attempt verbal warnings first. I again tried to do so without success. I continued to have the teams moving forward, however, we continued to be assaulted with projectiles. At this point, officers had not deployed any gas, impact, or chemical munitions. We had not arrested anyone, nor come into physical contact with anyone. I again asked permission from the CP to deploy gas to move the crowd away from us to avoid physical confrontations with the crowd. We were repeatedly advised by the CP that additional damage was occurring down State St and to expedite our response. I felt that if we moved faster, we would have caught those in the immediate area and the likelihood of physical force would have increased greatly. Shortly after my second request to deploy gas, I was advised by the CP that we could deploy gas if we had attempted to give verbal warnings, which I had on at least 10 occasions. At that point, I observed several grenadiers within the various teams deploy different gas munitions. This had an immediate impact, and I felt that deployment of gas stopped nearly immediately after the crowd began to disperse. We were then able to deploy all the way to the 500-600 blocks of State St without significant interference. During this deployment, I made the determination to have the National Guard serve as our rear-guard, believing that not many people would remain in the State St area. However, once we began to move away from the intersection of State St and Gilman St, with the National Guard remaining, it was clear that crowds were confronting them. I advised Det. Masterson to join the National Guard and provide any assistance needed. Once the 500-600 blocks of State St were secure, we made another small move to the also secure the 400 block of State St.

I was then requested by the CP to have officers move to the area of Riley's Liquor as looting was being reported. I moved a small team to that area as well.

I had units continue to secure these areas until they were relieved by the CP.



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SUPPLEMENTAL NARRATIVE (continuation)

NFA
Lt. A. Fiore #2864

djt



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REPORTING OFFICER

CHRISTOPHER MASTERSON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE

Training and Experience

I have been employed with the Madison Police Department for the last 15 years, 13 of that as an officer and 2 as a detective. During my time with the Madison Police Department I have had numerous roles and responsibilities. One of those roles was as the lead Use of Force instructor for the department from 2013-2019. I was responsible for teaching Defense and Arrest Tactics in both the MPD pre-service academy and continued education for our current sworn personnel. During that time I was one of the lead instructors for Oleoresin Capsicum, Taser and impact munitions to include 12ga less lethal bean bag round and 40MM less lethal impact round. I have been assigned to the Special Events Team (SET) for the last 13 years and have been a Grenadier since 2016. As a SET grenadier I have attended trainings on chemical munitions and impact rounds. The trainings include Policy review specific to SET deployments, best practices in deployment, practice with the different munitions and use of force considerations.

Saturday May 30th 2020

On Saturday May 30th I was called into work through a Madison Police Department "All call" and arrived around 7:30pm where I was assigned to Lt T. Fiore and the SET munitions vehicle. My assignment was to deploy in the area of the protests and resupply and provide grenadier support for those assigned to the front lines. Throughout my shift I was wearing the full standard MPD uniform with an external vest carrier, if we were in an area where there was a potential for projectiles I wore a blue hard helmet on my head. There were points at night that I had to wear a full faced gas mask due to the release of CS gas (tear gas) and OC or pepper spray.

At approximately 8:30pm I responded to the bottom of 200 State St to provide additional chemical munitions to the grenadier assigned to the group. As I was doing so officers reported that rocks were currently being thrown and that a helmet face shield had been broken because of the rocks being thrown. Lt Fiore told me to move to the line and address those throwing rocks at the officers. As I approached the line I observed rocks varying in size from golf balls to baseballs laying on the ground. I stood next to the Noodles building and asked the officer standing there where the rocks were being thrown from. As the officer pointed out the parking lot I could see 10 people there in the lot across the street and one of them was making a throwing motion. Shortly afterwards I heard the rock land just past the line of officers, I noted it was a rock similar to the others laying on the ground nearby.

I know that rocks of that size being thrown in the manner that they were was a danger to the officers, even when they wear protective SET hard gear. The gear does not completely envelope the officer, it only covers the chest, head, back and legs of the officers. There are numerous areas that the equipment cannot cover and still allow the officers to move freely. I believe a rock, varying in size from a golf ball to a baseball, were to hit the officer in an unprotected area it could cause a broken bones, large lacerations, contusions or other injuries. If the rock struck the officers helmet it could, and on later dates did, cause head injuries. Based on these observations I believed that these subjects behavior was both assaultive and violent and that they were not stopping their behavior as the officers stood still at the end of the street protecting all of the officers that were located in the 200 block of State St.



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SUPPLEMENTAL NARRATIVE (continuation)

After the first rock landed behind me I confirmed that I had loaded a 40mm eXact iMPact foam round into my single 40mm launcher. I moved to the front of the line and looked into the parking lot to the north of my location, across Johnson St. As I did so I noted that some people began to run away, I believe that they had seen me raise my 40MM launcher and it in their direction at a low ready. I observed a white male approximately 100ft from me in the parking with brown hair in his 20's make another throwing motion that I would describe as similar to an outfielder in baseball throwing the ball to the catcher. The subject took a running start and the throwing motion indicated that he was trying to throw this as hard as possible. A few seconds later the rock again landed near the line. I could not fire at the subject at this point as there was traffic still moving on Johnson St. After the traffic cleared I could again see the subject and that there was some sort of wall behind the subject. I noted that there were others that were near the subject throwing, but none behind him. I saw that the traffic was stopped at the light on State St. and focused on the rock throwers in the parking lot.

I saw the same subject seen throwing rocks before begin to run forward with the same throwing motion. Based on my previous observations and current one, I believed that the subject intended to again throw a rock with the intention of hitting an officer with it. I brought up the 40mm launcher and placed the subject's stomach in my sight, knowing that at the distance the subject was the round would strike closer to the top of his thigh, I fired the round with the intent of ceasing the subjects throwing of the rock. As I fired it appeared as the subjects throwing motion was cut short, from the distance we were at I could not see where the 40mm round struck but based on his throw cut short I believe that the round struck the subject. The subject then ran back to the short wall that was behind him, climbed over it and I lost sight of him.

I reloaded the launcher with another eXact iMPact round as another subject threw a rock from about 30 feet to the north east of the last person. This individual appeared to be a black male wearing a backpack. When I brought the 40mm launcher up to target the suspect thrower he began to run north east away from our location. As he did so he stopped a few times and bladed his stance as if he were going to throw a rock but never did. He continued to run out of the range of the 40mm impact round distance. I noted that there was no one left in the parking lot areas and there were no additional incoming rocks. I returned to the munitions vehicle and Lt Fiore and I continued down State St to resupply other grenadiers.

Sunday May 31st 2020

On Sunday May 31st I was again assigned to Lt T. Fiore and the SET munitions vehicle. My assignment was to deploy in the area of the protests and to both resupply and provide grenadier support for those assigned to the front lines. Throughout my shift I was wearing the full standard MPD uniform with an external vest carrier, if we were in an area where there was a potential for projectiles I wore a blue hard helmet on my head. There were points at night that I had to wear a full faced gas mask due to the release of CS gas (tear gas) and OC or pepper spray.

At approximately 10:00PM Lt Fiore and I were out driving in the downtown area when we heard deputies calling out that they were surrounded and being assaulted by a crowd. We heard over the radio that they were being surrounded and a deputy had been punched in the face. The deputies advised that they were in front of the Old



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Fashioned restaurant. Lt Fiore and I pulled up to the intersection of East Washington Ave and Pinckney St and stopped our munitions car. We saw Sgt Loredo and his SWAT response team pull up behind us. Lt Fiore and I saw the crowd still gathered around the Old Fashioned business. We were still unable to see the deputies. At this point because we had no other options to move the crowd Lt Fiore threw a CS canister. See his report. I stayed next to Lt Fiore armed with a 40mm Less Lethal launcher loaded with an eXact iMpaCt round. I saw immediately after Lt Fiore threw his first canister a person that I believed was a male based on his build reached down and threw the canister back at us, the canister landed off to our side.

It should be noted that the canister Lt Fiore threw was a metal container that weighs approximately 1-2 pounds. It becomes extremely hot after being ignited to the point it will burn human skin on contact after a short time. When these canisters are thrown into a crowd by SET members they are intentionally aimed and thrown away from people to avoid hitting anyone, due to the propensity of injured if struck by the device.

Lt Fiore indicated that he was throwing another device so I continued to stand nearby. When he threw the device towards the crowd it landed approximately 50-100 feet from the crowd. I saw the CS canister ignite and begin to disperse CS. I observed a person that appeared to be the same person that previously had thrown the CS canister, run towards the device as before reach for the canister when it was on the ground. As soon as the subject did so I believed, based on the last canister being thrown towards us moment earlier, that this canister would be as well. I brought up my 40mm launcher and aimed at the side of the subject's thigh because he was standing in a bladed stance as he reached for the device, another indication that he was attempting to throw the device. I deployed 1 round to stop him from throwing it back at us. The round appeared effective in that the canister did not get thrown all the way back towards us. The subject ran back into the crowd that was off to the sidewalk on the city side of the street. Lt Fiore threw one last device and someone again ran towards the device but they never attempted to pick it up.

We stayed on scene after the crowd had dispersed. No one reported any injuries to myself or the officers that we were with. We observed the crowd move down Pinckney St towards Mifflin St and then towards Wisconsin Ave. We then proceeded to the corner of Pinkney St and Mifflin St and stood by for further orders.

A short while later Lt Fiore and I responded to the intersection of Wisconsin and Mifflin where a line formed and the team began to push the protestors down Wisconsin towards Langdon St. Lt Fiore and I had the munition vehicle 25-50ft behind the line. From our position we could see rocks and other objects continuing to be thrown by the crowd. At various times I observed officers on the line getting hit with those objects. It was around this time that I was standing near observed Lt H. Zanders get hit with an object thrown by someone in the crowd. I was approximately 5 feet from him when his head snapped back and to the side. I went over to him and he made a comment about his head bleeding. Shortly after that gas was deployed on the crowd and our team began to move forward on Wisconsin towards Langdon St. As we moved forward I threw approximately 3 CS Speed Heat canisters towards the crowd in an attempt to move them back. I noted that all of my canisters landed on the ground near the protesting group. I observed numerous officers getting hit with rocks and other objects as we moved up the hill. I helped one officer back away from the line after he was hit in the groin who was hit with a rock. I could see grenadiers up and down the line throwing gas canister and people attempting to throw the gas



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canister back at the officers or using a traffic cone in an attempt to cover the gas canister, which is a method used in an attempt to defeat the gas.

As we made our way up Wisconsin Ave our line stopped just before Gilman St. as we did this the National Guard troops stationed on the far left side of the line started to take projectiles again. I could hear the shields they were carrying getting hit with projectiles from the crowd and I could see rocks landing behind my position. I heard a nearby grenadier call out that he was throwing gas canister, he was 5 feet to my left. I observed a white male run forward from the crowd as soon as the gas landed and attempt to pick it up the canister. I observed him run forward, stop with his left foot forward in a 45 degree bladed stance and bend over I had a clear view of both his right and left legs. I believed the subject was attempting to pick up the canister to throw it back at the officers and myself on the line. The subject was 30-50 feet from the line when he did so. I came to the front of the line and raised my 40mm launcher and right as the subject picked up the canister that I believed he was going to throw based on his body positioning I fired an eXact iMPact round in the right hamstring of the subject in an attempt to stop his from throwing it. We were close enough that I saw the round strike his leg. Immediately after my round struck I observed another impact round fired by a non-MPD grenadier strike the subject in his buttocks. The subject dropped the canister jumped up and ran back towards Langdon St and the crowd. I did not see that subject again.

We continued to push to Langdon St where we stopped. We turned around on the top of Langdon St and made our way back down Wisconsin Ave to Mifflin St again where we stood by. When the Air National Guard troops were picked up by the busses and left for the night we made our way down to the 100-200 blocks of State St to resupply them with munitions. While we were there with them we were advised that calls were coming in of a dumpster fires near Gorham on Wisconsin Ave. Lt Fiore and I headed back to that location to again provide grenadier support and resupply grenadiers.

Once we arrived and began to follow the line on Wisconsin I could see one dumpster fully engulfed in flames in the middle of Wisconsin Ave. Our line began to move forward when I observed a white male approximately 20 years old pushing a metal dumpster on wheels that was fully engulfed towards the line of officers. There were numerous officers that were in direct line of the dumpster and it looked like the subject pushing it was gaining speed. It was my belief at that moment that the subject was attempting to harm officers by the use of a very large and heavy object and with fire. Both the size and fire could easily cause injury or death to the officers if they were unable for whatever reason to get out of the way of the dumpster. The subject was alone and separated from the crowd approximately 200 feet. When he moved to within 75ft of our location I deployed a 40mm eXact iMPact round and his stomach area, with the intent on stopping his violent behavior. Due to smoke and my gas mask I was unable to see if the round struck the subject but he did continue for a few more steps to push the dumpster until he stopped and sprinted back towards the crowd.

We continued to move forward and I stayed on the left side of the line as we moved. We continued to take more projectiles from the crowd and I continued to hear rocks hitting shields and officers stepping back as they got hit with projectiles. I noted that there were again rocks on the ground that varied in size from quarters to softball size chunks.



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Once back on the line I observed an individual standing under a tree near 512 Wisconsin Ave. I observed the individual as the line move forward continue to throw projectiles at the line. Based on the location of the officer getting hit with a rock causing injury as well as others reports rocks hitting them I believed that this was the subject throwing the rocks. There was some sort of bush or shrub directly behind the subject and they would step out from the tree they were using as cover to throw. There was no one standing immediately next to or behind this individual. Our line had to stop at one point and I moved to the side closest to the rock thrower. When the individual stepped out from behind the tree in a bladed stance and pulled his/her arm back, as if to throw something, I deployed a 40mm eXact iMPact munition. I aimed for his upper thigh area and deployed 1 round. Due to how dark it was under the tree and the subject wearing dark clothing I was not only unable to see gender or race, I was also unable to see if the round struck the subject. The subject ran backwards past the bushes or shrubs and I lost sight of him.

As we continued our push up Wisconsin Ave I threw approximately 3 CS Speed Heat canisters towards the crowd at different points in our move up Wisconsin Ave towards Langdon St. Throughout the entire time I could hear projectiles, mostly rocks, landing near our line or hitting the shields being carried by officers. All of my canisters landed just short of the crowd to avoid hitting anyone with it while allowing it to be as close to the group as possible to disperse the crowd. It should be noted that when I threw my first canister near Gorham St I pulled the pin and held the spoon in. This should have allowed me to hold the canister indefinitely until the spoon came off. However, shortly after I pulled the pin the canister ignited and I was forced to throw it. I was able to do so safely towards an area where the group was still close to officers and not moving back, however, I did burn my right index finger.

As we made our way to the top of Wisconsin I was on the left side of the line standing behind the Wi Air National Guard. While doing so I was continuing to hear rocks hit shields and bounce off the ground nearby. There were fires both in front of us being lit and fully engulfed dumpsters littering the street. As I looked around the building on the southwest side of the intersection I observed 50-100 people scattered around parked vehicles and a fully engulfed dumper. Further down the street I could see smaller fires that were just being started by the group.

I observed a gas canister thrown towards the crowd and land short of them by 15-20 feet. The canister was approx. 40-50 feet from the front of the line. I observed a black male approximately 20 years old with a red or orange shirt run from the crowd towards the gas canister. Based on the repeated attempts of subjects to throw these canisters back at officers and this subject running from the crowd and towards the canister, as opposed to away from it like a majority of the crowd, I believed that he was going to throw this back towards the line in an attempt to hurt the officers with the heat of the canister or the mass of the thrown object. As he did so I made my way to the front of the line and brought my 40mm launcher up to target the subject's lower half of his body. I continued to watch him as he slowed at the gas canister which was ignited and producing gas/smoke. I watched as he stopped and began to reach down towards the canister. I noted that his stance was bladed towards the crowd, and that his left side was somewhat facing me. As the subject reached for the canister I targeted his left buttocks and thigh. I noted that directly behind him from my perspective was a car and the crowd was not near him. As soon as I saw the canister move because of the subject was picking it up, I deployed the 40mm eXact iMPact



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round. The round was immediately effective as the round struck the subject in the buttocks area. I observe the subject jump and turn to run, leaving the gas on the ground. I did observe the individual reach back and place a hand on his buttocks area where the 40mm round had struck. The subject continued to run towards the crowd and disappeared into the crowd. I did not see that individual again.

We continued down Langdon St towards Lake St. During this time we continued to have rocks and other objects thrown at officers and myself by the crowd, as I heard them hitting the concrete around us and the shields and protective gear carried and worn by officers. We passed numerous fires started by the crowd to include dumpsters, trashcans, round wood poster boards on the corner of streets and other unidentified flammable objects. I continued to watch as other MPD officers threw gas canisters and grenadiers from other law enforcement agencies shot gas from their 40mm launchers with the intent to continue to move the crowd down the street and slow the creation of fires.

Around 222 Langdon St I encountered a subject that I observed throwing rocks or other projectiles and hiding behind cars on the left side of the street. He was a white male, blonde hair and wearing a light colored shirt. Again, as all subjects who I had thus far deployed the 40mm impact round at, I believed that this subject presented a threat to the officers when he chose to throw projectiles at officers. As stated previously, the officers may have been wearing protective gear and may have been carrying shields but those protective items help to prevent injuries but as previously shown, they are not perfect. These hard projectiles could slip in between protective seams or articulating joints of the gear causing injuries such as (but not limited to) lacerations, contusions, broken bones, concussions or other soft tissue injuries. Specifically the canisters that were being used ignite and burn at extremely high temperatures in order to disperse the chemical agent. Just touching one of these canisters can cause burns to a subject's skin.

I observed this individual move from behind a vehicle and run towards the center of the street where I observed a gas canister emitting gas. The canister was approximately 75feet in front of our line with a dumpster directly behind it. I saw the individual quickly stop and reach down to grab something off the ground. I noted that his stance was bladed, similar to the stance that most people use to throw something. His left foot was facing our line, his shoulders were bladed and I saw him lean away from the line. As the subject began to throw the projectile I aimed for the upper thigh of the subject. As I deployed the eXact iMPact round from my 40mm launcher the subject threw the projectile. I heard a clear thud of the round hit the engulfed dumpster 10-15feet behind the subject, indicating that the round missed the subject and hit the dumpster. The subject then ran back to the area that he can come from and continued running towards the crowd. I saw that the canister was thrown in the lines general direction but did not see it land.

We continued to move down Langdon St and shortly after I fired my impact round I saw a deputy launch a 40mm round further up ahead of the crowd on Langdon St past Frances St. I am unsure if the round caused the crowd to move down Frances to State St or the crowd have voluntarily chosen to go down Frances St. We continued to follow this group and they broke through the windows of Brats in the 600 block of State St and then the UW book store in the 700 block of State St.



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SUPPLEMENTAL NARRATIVE (continuation)

Monday June 1st 2020

On Monday June 1st I was again assigned to the SET munitions vehicle, on this date with Madison Police Officer James Imoehl. My assignment was to deploy in the area of the protests and to both resupply and provide grenadier support for those assigned to the front lines. Throughout my shift I was wearing the full standard MPD uniform with an external vest carrier, if we were in an area where there was a potential for projectiles I wore a blue hard helmet on my head. There were points at night that I had to wear a full faced gas mask due to the release of CS gas (tear gas) and OC or pepper spray.

At approximately 2am on June 2nd there was a line formed at State St and the square. The line moved quickly down State St towards the 500-600 blocks. As we were driving by I could see that almost every business that we drove by it they did not have their windows boarded up they were smashed and there was glass on the sidewalk. As we made it into the 400 block of State St Officer Imoehl and I were still in our munitions vehicle and near the rear of the group moving down State St. The only people behind our vehicle protecting the flank of the line were the Wi National Guard (WiNG). As we moved into the 500 block of State St Lt Fiore ordered Officer Imoehl and myself to stop and deploy with the WiNG as their grenadier support as they did not have any.

I exited the vehicle and was able to get a WiNG soldier to sit in our munitions vehicle to ensure that it was protected. Due to noise and radio traffic I had not heard if CS gas had been approved by the CP to be deployed. I called out on the radio to permission to deploy the gas as I noted that the crowd coming towards the WiNG was growing in size and they looked agitated. There were individuals that were walking at a faster pace, almost hoping up and down screaming and pointing at the WiNG soldiers standing in the line. I was unable to hear specifically what was being said but facial features and body language made me believe they were angry or upset. As I stood behind the line of WiNG I heard the CP say that gas was approved but only after verbal warnings if possible.

Almost as I heard the CP authorizing gas over the radio a large glass bottle that I believed was a 1.75L "handle" style bottle filled with a liquid flew just over the head of the soldiers in the line and crashed to my left on the road shattering on the ground. This size of bottle, even with protective gear, can cause serious bodily injury due to its size and weight but also the shattering glass can cause lacerations or if it were to get into someone's eyes could cause serious injury or even cause someone to lose their sight. Based on these concerns that the group had thrown and may continue to throw these large objects, I removed the pin from the CS Speed Heat canister and threw it to the front of the crowd. I saw the canister ignite and then begin dispersing gas.

I observed a male run up to the front of the group and pick up the gas canister and throw it towards where we were standing. I did not see how it landed in its final position but it was directly in the middle of the line at our feet. I still had my 40mm launcher and an eXact iMPact round in it. I moved back to the front of the line and I observed Officer Imoehl throw a gas canister. When it landed a subject moved towards it from the crowd, due to other gas in the area I could not clearly make out gender or race. I did observe the individual attempt to pick up the canister. Due to the 2 pervious canisters being thrown back towards the line I believed that this subject was attempting to do so as well. I observed that they were mostly alone and the rest of the crowd was back a significant distance. I moved to the front of the line and aimed at the lower part of the subjects thighs. When the



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06/05/2020

SUPPLEMENTAL NARRATIVE (continuation)

subject reached down in an attempt to pick it up I deployed the impact round. I did not see the results because almost immediately after I shot I took a deep breath and inhaled CS gas. It completely filled my gas mask and I moved laterally away from the where I was standing I continued to be unable to see. Once off to the side I burped my mask and was able to see again.

When I looked back at where I had been standing so I observed a gas canister that I would have been standing directly over. With the canisters being thrown back, the crowd still close to the line and projectiles still landing around my position, I returned to the munitions vehicle and retrieved 4 x 40MM SKAT CS rounds. These rounds when fired out of the 40MM launcher fly a short distance and break into three smaller pieces approximately the size of a tea candle and ignite dispersing CS gas.

I returned back to the line and made my way to the front. The crowd was approximately 50ft in front of the line. I brought up my 40MM launcher and deployed 4 x 40MM SKAT CS rounds. Each round was aimed and fired at the ground. My aim point was 15-20ft in front of the closest person in the crowd. I did not specifically target individuals, rather point in the crowd that seemed closer to our line. The 4 rounds were successful in moving the crowd back over 100 feet and dispersing them in all directions. At this point I stopped and waited for further commands as what was left of the crowd was too far away to successfully throw rocks at the soldiers.

Approximately 30 minutes later I was assigned to again support the WiNG move down Broom St to Riley's Liquor as there were active reports of looting inside the business. We moved to the intersection of Broom St and Gorham St. We did not encounter and issues as we moved to that location. After we noted no issues Officer Imoehl and I began to leave when Capt. Tye, who was still at the intersection called us back because the soldiers there were taking projectiles from further down broom near Johnson St.

When I returned I noted that the area that the projectiles were being thrown from was on the left side of the street near the automotive store. It was at the edge of the range for the 40MM impact rounds and it would be too dark because of tree coverage to safely identify and deploy the impact rounds against. However, given that as I stood there I could see the clear outline of a multiple individuals wearing dark clothing somewhat backlit throwing projectiles that landed on the ground near my location behind the soldiers on the line, these individuals were a danger to the soldiers on the line. I noted that there was no traffic on Broom St and I waited for a break in traffic. Once I had that opportunity paired with an individual making a throwing motion I deployed a 40MM SKAT CS round. Due to the distance, approximately 75-100 yards I aimed for a spot on the ground that I could see was clear of people 25-30 feet in front of the group. The round skipped and landed near the group causing them to disperse. There were no additional projectiles thrown at the soldiers.

Follow up

Due to the nature of these protests and the lack of a computer to view video my timelines are very approximate. Further review of video at the locations listed above would help better identify the times that these events occurred and these individuals that I deployed the 40MM impact rounds against. If any these individuals is identified, their behavior in throwing projectiles was a clear intent to cause harm to other and myself. At no point did I give any of these individuals permission to throw projectiles at me and I want to pursue a charge of attempted battery to a law



MADISON POLICE DEPARTMENT

CASE# **2020-00191347**

CASE REPORT SUPPLEMENT

REPORTING OFFICER

CHRISTOPHER MASTERSON

REPORT DATE

06/05/2020

SUPPLEMENTAL NARRATIVE (continuation)

enforcement officer against them.
NFI

Detective Christopher Masterson #3817



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 08:32
Login ID: pdktg
Case Number: 2020-00194274

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00194274
Location: 100 STATE ST
Madison, WI 53703
Reporting Officer ID: -
Incident Type: Special Event
Occurred From: 05/31/2020 11:28
Occurred Thru: 05/31/2020 11:28
Disposition:
Disposition Date:
Reported Date: 05/31/2020 11:28 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
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Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

DET DAVENPORT - SET ACTIONS**MADISON POLICE DEPARTMENT**CASE# **2020-00194274****CASE REPORT SUPPLEMENT**

REPORTING OFFICER

MICHAEL DAVENPORT

REPORT DATE

05/31/2020**SUPPLEMENTAL NARRATIVE**

20-194274

Narrative

On 5/31/2020 at approximately 22:30 in the 10 block of W. Mifflin Street between Wisconsin and State Street, I was dressed in full MPD Military style Special Events Team (SET) uniform, including full Hard Gear including gas mask, face shield and protective armor, which prominently displays Police as well as having MPD style patches affixed to it.

At this time, the SET team as well as the Wisconsin National Guard and other agencies had formed a line on the capital square. Announcements had been given at this time stating that it was an unlawful assembly, and that the crowd was ordered to disperse. The crowd did not listen to or obey these orders at this time. The decision had been made by the command post that the line was to begin to push to safely disperse the crowd, as they had begun to throw projectiles, and I had been notified that just prior to that, the Wisconsin State Patrol had taken rocks, bottles, glass, and that an officer had been punched in the face.

Once the decision was made to begin to move, there were people that were flanking around towards the capitol side. I did yell to get back, and please disperse. These people then did continue to advance towards and approach the line. I did then deploy a short burst of a MK IX pepper spray deterrent at what appeared to be a group of 2-3 specific individuals that were approaching the line together after having been ordered to disperse. I did also observe and hear that other officers were also forced to deploy MK IXs as well as other deterrents as well. The short burst that I did use appeared to have a positive effect, and the 2-3 individuals that it was directed at did turn around, and not attempt to cause harm to myself or other officers in my immediate area.

This concludes my use of force for 5/31/2020.

NFA Det. M Davenport 4035

Please route a copy to self, Sgt. Tieu

SGT LUJAN - DEPLOYMENT OF CHEMICAL MUNITIONS**MADISON POLICE DEPARTMENT**CASE# **2020-00194274****CASE REPORT SUPPLEMENT**

REPORTING OFFICER NATHANIEL LUJAN	REPORT DATE 06/04/2020
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SUPPLEMENTAL NARRATIVE

SPECIAL ROUTING:
SGT TIEU

SUPPLEMENTAL NARRATIVE:

On Sunday, 5/31/2020, I was acting in my official capacity as a City of Madison police sergeant. I was serving as a SWAT assistant team lead and riding in the MPD armored vehicle, aka Bearcat. SWAT operator PO Jake Conrad was driving the Bearcat, and MFD Tactical Emergency Medics Howell and Ezzell were also riding in the vehicle. I was wearing MPD SWAT uniform with high-visibility patches.

I have been a police officer since May 2010 and served on the MPD SWAT team as an officer from December 2015 through May 2018. During that time, I was trained by members of the MPD SWAT grenadier cadre in the deployment of chemical munitions. I am currently a SWAT assistant team lead and have served in that capacity since November 2019.

DEPLOYMENT OF CHEMICAL MUNITIONS:

Starting at 9:30 PM on this date, a proclamation of emergency authorized by the Madison Mayor was in effect and prohibited vehicular and pedestrian traffic in the downtown area.

By 11:00 PM, there had been several deployments of chemical munitions by the MPD Special Events Team (SET) along with other agencies due to the civil unrest. The large crowd of looters continued to remain in the area, and dozens of businesses were destroyed.

Due to the ongoing protests, crowds, and civil unrest which resulted in hundreds of thousands of dollars of property damage, injuries, and riot-like behavior, Lt. Jason Ostrenga, who was serving as the MPD SWAT representative in the unified command post, approved the use of MPD SWAT to deploy chemical munitions in efforts to disperse the crowds.

Sometime around 11:30 PM, there was an effort to utilize chemical munitions to funnel the rioters out of the downtown State Street area. The Bearcat responded to the area of University Avenue and N Frances Street. I observed crowds of people flowing into the area. I made the decision to deploy a flameless Tri-Chamber CS gas handheld device in order to augment the efforts by MPD SET and other agencies that were trying to take control of the area. From the Bearcat's hatch, I made an attempt to ensure that no civilians were in the immediate path of where the device was deployed. Once deployed, it appeared to me that the device was non-operational as it did not have the desired outcome.

The Bearcat was then positioned towards the intersection of N Lake Street just south of State Street. I deployed two more handheld flameless Tri-Chamber CS devices; one was a successful deployment, the other also appeared to be non-operational. With each throw, I made an attempt to ensure that no civilians were in the immediate path of where the device was deployed.

For more information, please refer to the other reports under this case number.

NFA



MADISON POLICE DEPARTMENT

CASE# **2020-00194274**

CASE REPORT SUPPLEMENT

REPORTING OFFICER

NATHANIEL LUJAN

REPORT DATE

06/04/2020

SUPPLEMENTAL NARRATIVE (continuation)

SGT NATHANIEL LUJAN 4471

djt



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 08:14
Login ID: pdktg
Case Number: 2020-00194338

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00194338
Location: 400 STATE ST
Madison, WI 53703
Reporting Officer ID: 5690 - LA PORTA

Incident Type: Adult Arrest Resist/Obstruct
Occurred From: 05/30/2020 11:00
Occurred Thru: 05/31/2020 03:00
Disposition: eReferral - Sent
Disposition Date: 06/01/2020
Reported Date: 05/31/2020 12:33 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	90Z	946.41(1)	RESISTING/OBSTRUCTING AN OFFICER	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	BRENT, MYLES J	[REDACTED] Madison, WI 53711	[REDACTED]	Black	Male	[REDACTED] 18

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
164841 A	BRENT, MYLES J		05/31/2020 00:00	On-View Arrest	18

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

01 PO LA PORTA/ORIG - ADULT ARRESTED PERSON

	MADISON POLICE DEPARTMENT		CASE# 2020-00194338
	CASE REPORT		

DETAIL	REPORTED DATE/TIME 05/31/2020 12:33	OCCURRED INCIDENT TYPE Adult Arrest Resist/Obstruct	LOCATION OF OCCURRENCE 400 STATE ST
	OCCURRED FROM DATE/TIME 05/30/2020 11:00	OCCURRED THRU DATE/TIME 05/31/2020 03:00	Madison, City of
	REPORTING OFFICER JARED LA PORTA		

NARRATIVE

Special Routing:
Self

INITIAL INFORMATION

On May 30, 2020, I was on patrol as D402 out of the Central District, City of Madison, County of Dane, operating marked squad car C1905 and dressed in full military-style uniform. It should be noted that I was specifically designated as a traffic/strike team member for the George Floyd protest that was planned from 11:00 AM to 3:00 PM. In the course of patrol, at approximately 11:00 PM, I was dispatched along with Det. Jamie Grann to convey a recent arrest made by other Madison Police Officers at 400 State Street. Upon receiving this dispatch, I proceeded to the aforementioned address to contact the officers on scene and place the arrested individual in my squad car for transport to the Dane County Jail. It should be noted that this arrested individual was later verbally identified as **MYLES J. BRENT**.

OFFICER ACTIONS

Upon arriving at the vicinity of 400 State Street, I made contact with the officers on scene who had Brent detained on the sidewalk. It should be noted that while I contacted the officers who had Brent detained, given the volatility of the ongoing protest, I was ultimately unable to ascertain the name of the actual arresting officer. As such, I completed all requisite paperwork, including the PC Affidavit, in my name for filing purposes.

That being said, upon contacting the arresting officer(s), I was informed that they had contacted Brent on the 400 block of State Street while he was actively participating in the George Floyd protest. At the time, members of the Madison Police Department, including some from the Special Events Team ("SET"), were in the process of moving the protest crowd further down State Street, originally having started from the 100 block. As members of SET and other Madison officers were in the process of moving the protesters down State Street, Brent was on State St. in the 400 block where the officers were proceeding to. Upon contacting Brent in the street, officers gave Brent a lawful command to "get back," indicating that they wanted him to proceed further down State Street and move along with the other protesters involved. After repeatedly instructing Brent to "get back," however, Brent ultimately refused to do so. Given Brent's utter refusal, Madison Police officers converged on his position and placed Brent into physical custody, during which Brent struggled to break free from the officers' grasp. As such, Brent was ultimately informed he was being placed under arrest for resisting arrest.

After obtaining the above account from the arresting officers on scene, Det. Grann and I proceeded to place Brent in the back of my squad car, securing him with a seatbelt for transport to the Dane County Jail. Said transport went without incident, as did Brent's booking process at the jail. It should be noted that Brent had a bag with him, the contents of which were itemized on a safekeeping property receipt and then taken to the Central Police District for property-tagging (as safekeeping), which was performed by Det. Grann.



MADISON POLICE DEPARTMENT

CASE# **2020-00194338**

CASE REPORT

REPORTING OFFICER

JARED LA PORTA

REPORT DATE

05/31/2020

NARRATIVE (continuation)

Upon completing the booking process, it should be noted that I briefly consulted with Lt. Dan Nale as to what I should document in my report, given my primary role as a transport unit for Brent to the Dane County Jail. Having done so, I thereafter documented my actions taken with respect to Brent's arrest and transport in this report. I then took no further action regarding the matter.

NFA
PO Jared La Porta, 5690

djt



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 08:50
Login ID: pdktg
Case Number: 2020-00194586

ORI Number: *MADISON POLICE DEPARTMENT
WI0130100

Case

Case Number: 2020-00194586
Location: 300 STATE ST
Madison, WI 53703
Reporting Officer ID: 5772 - DUDEK

Incident Type: Threats Complaint
Occurred From: 05/31/2020 16:14
Occurred Thru: 05/31/2020 16:14
Disposition:
Disposition Date:
Reported Date: 05/31/2020 16:14 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Person Mentioned	1	[REDACTED]	[REDACTED]	[REDACTED]	Black	Female	[REDACTED]
Reported By	1	[REDACTED]	Madison, WI 53711 Sun Prairie, WI 53590	[REDACTED]	White	Female	22 28

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

PO DUDEK / ORIG - THREATS COMPLAINT

	MADISON POLICE DEPARTMENT	CASE# 2020-00194586
CASE REPORT		

DETAIL	REPORTED DATE/TIME 05/31/2020 16:14	OCCURRED INCIDENT TYPE Threats Complaint	LOCATION OF OCCURRENCE 300 STATE ST
	OCCURRED FROM DATE/TIME 05/31/2020 16:14	OCCURRED THRU DATE/TIME 05/31/2020 16:14	Madison, City of
	REPORTING OFFICER TYLER DUDEK		

NARRATIVE

SPECIAL ROUTING: SELF, SGT STRAKA, PD CIS

ATTACHMENTS: SCREENSHOTS OF FACEBOOK POSTS

INITIAL INFORMATION

On Sunday 05/31/2020 at approximately 5:22 pm, I was dressed in full MPD military style uniform and operating fully marked squad C1912. C1912 is equipped with a fully functioning digital video recorder that is synced with a body work microphone.

I was advised by dispatch that the Command Post was requesting an officer call back a caller who mentioned that she might have information regarding "threats of violence on State Street for tonight." Call notes advised to call the caller and report to the Command Post what information was provided.

CONTACT WITH [REDACTED]

I made contact via my department issued cellular phone with a [REDACTED] who was identified verbally and confirmed through DOT record's check. [REDACTED] advised me that she was invited to a Facebook group titled "Justice Support Squad." [REDACTED] told me that the group was headed up by a [REDACTED] (prefers to go by [REDACTED]). [REDACTED] also told me that this group has 226 members. Since this is a Facebook Group and not an event, we were not able to see how many people were planning on attending, only the number within the group.

I was able to find what I believed to be [REDACTED] information based off a DOT Driver's License Photo and a picture of [REDACTED] in a screen shot sent to me. [REDACTED] also advised me that [REDACTED] prefers to go by [REDACTED] and refers to herself as "he". I will refer to [REDACTED] as "he" for the remainder of my report.

[REDACTED] told me that she knows [REDACTED] to be a violent person, however, was not able to provide specific examples as to how [REDACTED] advised me that [REDACTED] also knows how to get people together for events. [REDACTED] told me that she knew of two events that were planned. [REDACTED] told me one event was going to be peaceful and that one was to be held in the morning. [REDACTED] told me the event in the evening was the one that was going to become more violent.

[REDACTED] advised me that after looking through the Facebook Group again to take screen shots and provide me with times, that there were going to be two different events. [REDACTED] told me that one event was supposed to happen tomorrow (06/01/2020) at 11:00 am and everyone was to meet up in front of the Children's Museum (100 N. Hamilton) in the City of Madison. [REDACTED] said the second location for this was then State Street.

[REDACTED] told me the other event was to be held on State Street. [REDACTED] advised that this was the violent event and she did not know of a set time that everyone was going to meet up and get together. [REDACTED] also was not able to provide a meet up location for the State Street meet that is supposed to happen tonight.



MADISON POLICE DEPARTMENT

CASE# 2020-00194586

CASE REPORT

REPORTING OFFICER

TYLER DUDEK

REPORT DATE

05/31/2020

NARRATIVE (continuation)

[redacted] told me that some of the posts involved people preparing for violence. Some of the comments that [redacted] told me about where people preparing to come with medical kits and goggles as well as face masks to protect them from pepper spray [redacted] told me she believed that they were also "divvying up responsibilities" for the event such as preparing medical stations/individuals and having people prepared to bail people out of jail.

[redacted] told me that her understanding was that there was an event that was going on in Janesville, Wisconsin as well close to the same time [redacted] told me that based off of some of the messages she was seeing, that she believed the group was transporting people from Janesville to Madison between the two events. I received screen shots from [redacted] that showed a protest was going on in Janesville.

[redacted] told me while the Facebook Group does not directly mention violence in the page, it is implied. [redacted] also told me that [redacted] made comments that she believed to be promoting violence and escalation, but mentioned at the end of the post not to be violent to "protect himself."

CONTACT WITH COMMAND POST

I contacted the Command Post and provided them with the information provided to me by [redacted] forwarded the emails sent to me by [redacted] to Sgt. Onsgard, PD CIS, and LT. Jugovich. I also attached the screen shots to this report.

NFA / jdl

PO Tyler Dudek #5772



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:05
Login ID: pdktg
Case Number: 2020-00195112

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00195112
Location: 104 LANGDON ST
Madison, WI 53703
Reporting Officer ID: 4220 - JOHNSON

Incident Type: Disturbance
Occurred From: 05/31/2020 23:53
Occurred Thru: 06/01/2020 00:30
Disposition:
Disposition Date:
Reported Date: 05/31/2020 23:53 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Reported By	1	PARKS, NOAH G	[REDACTED] Madison, WI 53703	[REDACTED]	White	Male	[REDACTED] 21

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

DET R JOHNSON /ORIG - DISTURBANCE

	MADISON POLICE DEPARTMENT	CASE# 2020-00195112
CASE REPORT		

DETAIL	REPORTED DATE/TIME 05/31/2020 23:53	OCCURRED INCIDENT TYPE Disturbance	LOCATION OF OCCURRENCE [REDACTED]
	OCCURRED FROM DATE/TIME 05/31/2020 23:53	OCCURRED THRU DATE/TIME 06/01/2020 00:30	Madison, City of
REPORTING OFFICER RODERICK JOHNSON			

NARRATIVE

On 6/1/2020 at 3:26pm, I was working in my full capacity as a detective for the City of Madison Police Department assigned to the Burglary Crime Unit.

On 6/1/2020, I contacted Noah G. Parks. Parks wanted to report that during the protesting on 5/31, some protesters were being pushed towards Langdon Street. Parks stated some of the protesters saw his friends in the windows of their residence and began yelling at them. Parks stated he did not know exactly what was being yelled but the group continued on. Parks told me the group returned a short time later. Parks stated the group flipped over a table in their yard and spray painted what looked like a "peace sign" on the sidewalk. Parks told me someone told him someone in the group threw a rock at their residence but it did not hit anything or cause any damage. Parks stated the group started a fire in the street in front of his residence. Parks told me the police arrived and moved the group along.

I advised Parks that I would document the incident.

NFA Detective R. Johnson 4220



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:16
Login ID: pdktg
Case Number: 2020-00195279

ORI Number: *MADISON POLICE DEPARTMENT
WI0130100

Case

Case Number: 2020-00195279
Location: W GORHAM ST / STATE ST
Madison, WI 53703
Reporting Officer ID: 5689 - KIMBERLEY
Incident Type: Traffic Incident
Occurred From: 06/01/2020 02:09
Occurred Thru: 06/01/2020 02:09
Disposition:
Disposition Date:
Reported Date: 06/01/2020 02:09 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	90Z	346.175(1)(A)	VEHICLE OWNER'S LIABILITY FOR FLEEING A TRAFFIC OFFICER	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	WALKER, WILLIAM S	[REDACTED] Sun Prairie, WI 53590		White	Male	[REDACTED] 31

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	General Vehicle	2009	Honda	CIVIC	Blue	AFB2880	WI

Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

PO KIMBERLEY/ORIG - TRAFFIC INCIDENT

	MADISON POLICE DEPARTMENT		CASE# 2020-00195279
	CASE REPORT		

DETAIL	REPORTED DATE/TIME 06/01/2020 02:09	OCCURRED INCIDENT TYPE Traffic Incident	LOCATION OF OCCURRENCE GORHAM ST STATE ST Madison, City of
	OCCURRED FROM DATE/TIME 06/01/2020 02:09	OCCURRED THRU DATE/TIME 06/01/2020 02:09	
REPORTING OFFICER RYAN KIMBERLEY			

NARRATIVE

Routing:
Self

Initial Information:

On 06/01/2020 at approximately 2:00 am, I was working in my official capacity as 4D16, riding double with PO Amber Flores. We were in unmarked squad 119 and were wearing full MPD uniform. We were sitting on State St when I observed a newer blue Honda Civic, later revealed to be WI plate AFB-2880, at the intersection of State St / W Gorham St.

It should be noted due to ongoing protests, I was unable to intervene with the disregard for traffic laws and human safety. I did have my emergency lights activated at the time but this did not change the behavior of the driver.

Observations of car:

I first observed a blue Honda Civic drive the wrong way on W Gorham St (a one way street) with passengers hanging out the window. I was unable to move due to protesters. This vehicle shows up approximately a minute later.

I observed the blue Honda Civic driving in circles at the intersection of State and W Gorham. I observed approximately 10 persons on the sidewalk near the Honda Civic. The Honda Civic had a person sitting on the window/door area leaning outside the car with the window down. The Honda Civic drove recklessly in circles approximately 2-5 times in the intersection honking. I heard tires squealing while I was watching this.

The Honda Civic then drove onto State St; which is a boulevard and doesn't allow for personal vehicles to be driven on. The Honda Civic approached my squad car by driving toward the Capitol onto State St driving directly at me and activated their high beam lights. I was blinded by the headlights of the car. Due to safety concerns, I activated my siren because my lights were already on and my brights to create a distraction. I then reversed backwards to get in a better position. At some point, the blue Honda Civic left the area after I turned around.

The City camera at State & Gorham captured some of the incident and I was able to view the plate from there. I have submitted a request to save this footage from 6/1/20, 2:05am-2:30am.

Due to not being able to identify the driver, I mailed the citation to the registered owner of the blue Honda Civic with WI plate AFB-2880.

Upon looking at DOT records, the car is leased out of "Honda Lease Trust" to **William S. Walker**.



MADISON POLICE DEPARTMENT

CASE# 2020-00195279

CASE REPORT

REPORTING OFFICER
RYAN KIMBERLEY

REPORT DATE
06/01/2020

NARRATIVE (continuation)

OWN Owner Detail:
OWN1 1st: Honda Lease Trust
OWN3a POB 997518
OWN3d SACRAMENTO CA 95899
LES Lessee Detail:
LES1 WALKER WILLIAM SETH
LES2 DOB: [REDACTED] DID: [REDACTED]
LES3a [REDACTED]
LES3d SUN PRAIRIE WI 53590-9636

Citation #BF290286-0 was mailed to William Walker's last known DOT address on [REDACTED] included a municipal citation brochure in the letter. I was unable to mail the citation sooner due to ongoing protests.

Disposition:

During the protests on 6/1/2020 with heavy pedestrian volume, the suspect vehicle drove extremely recklessly with no regard for safety. Walker was mailed citation for Owners liability-Flee/Elude officer. I requested to save City camera footage of this incident.

NFA

PO Kimberley #5689

aas



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:26
Login ID: pdktg
Case Number: 2020-00195386

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00195386
Location: 400 STATE ST
Madison, WI 53703
Reporting Officer ID: 4368 - SCHWARZ
Incident Type: Information
Occurred From: 05/31/2020 23:00
Occurred Thru: 05/31/2020 23:00
Disposition:
Disposition Date:
Reported Date: 06/01/2020 04:35 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
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Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

SGT SCHWARZ/ORIG - INFORMATION

	MADISON POLICE DEPARTMENT	CASE# 2020-00195386
CASE REPORT		

DETAIL	REPORTED DATE/TIME 06/01/2020 04:35	OCCURRED INCIDENT TYPE Information	LOCATION OF OCCURRENCE
	OCCURRED FROM DATE/TIME 05/31/2020 23:00	OCCURRED THRU DATE/TIME 05/31/2020 23:00	400 STATE ST
	REPORTING OFFICER BENJAMIN SCHWARZ		Madison, City of

NARRATIVE

REFERENCE CASE: 20-191347 (Special Event)

On 5/31/2020, I was working as a sergeant in my official capacity for the City of Madison Police Department. On this evening, I was tasked as a sergeant on the Special Events Team and I was working the 400 block of State St. and dealing with several resistant subjects as part of the riots which were taking place on State St.

This was the second night in a row of such riots and I had worked over 12 hours on both of the days working to address the problems that were occurring throughout the city. On this particular night at approximately 11PM, I was working to take a resistant subject into custody. That subject had been sprayed with OC spray and was directed towards the ground. When the subject refused to comply with commands to place his hands behind his back, the subject began to resist and push. Other officers were involved in this process, during the course of which I had my gas mask dislodged and was knocked to the side. During that time, I felt a strain or a pull on my inner hip and groin area. I continued through the remainder of my shift and prior to separation with the SET Commander Lt. Zanders, I made notification that I would not be in the next day pending an appointment with the doctor as a result of this.

NFA
SGT Schwarz 4368
res



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:30
Login ID: pdktg
Case Number: 2020-00195509

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00195509
Location: LANGDON ST / WISCONSIN AVE
Madison, WI 53703
Reporting Officer ID: 5108 - TURNER
Incident Type: Battery
Occurred From: 05/31/2020 23:00
Occurred Thru: 05/31/2020 23:45
Disposition:
Disposition Date:
Reported Date: 06/01/2020 08:12 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Contact	1	MIMS, KNADIAH C	[REDACTED] Madison, WI 53713	[REDACTED]	Black	Female	[REDACTED] 18
Person Mentioned	1	[REDACTED]	[REDACTED] Madison, WI 53713	[REDACTED]	Black	Male	[REDACTED] 19

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

PO TURNER/ORIG - BATTERY

	MADISON POLICE DEPARTMENT	CASE# 2020-00195509
CASE REPORT		

DETAIL	REPORTED DATE/TIME 06/01/2020 08:12	OCCURRED INCIDENT TYPE Battery	LOCATION OF OCCURRENCE LANGDON ST WISCONSIN AVE Madison, City of
	OCCURRED FROM DATE/TIME 05/31/2020 23:00	OCCURRED THRU DATE/TIME 05/31/2020 23:45	
	REPORTING OFFICER TRAY TURNER		

NARRATIVE

INITIAL INFORMATION
 On 6/1/2020 at 8:12am, I was assigned patrol as 1C3, I was dressed in full military-style MPD uniform, and I was driving marked squad Midtown 1843. I was dispatched to [REDACTED] in the City of Madison, reference a battery complaint. Call notes indicated the incident occurred in the Langdon Street area the previous night.

CONTACT WITH KNADIAH C MIMS
 When I arrived at [REDACTED], I made physical contact with the complainant, who was verbally identified as **Knadiah Mims**. Mims stated she had just awoken from the previous night. It should be noted that the previous night was a night of civil unrest for the City of Madison, with a large number of riots and civil disturbances. Mims indicated that she was taking part in the civil disturbances in downtown Madison when a friend of hers pointed out that a male was looking at her. Mims stated she observed the male and identified him as her ex-boyfriend, [REDACTED]. Mims stated that once she observed [REDACTED] he approached directly towards her, making statements to the effect that he was "off his pill." Mims stated that [REDACTED] was with two other male subjects. Mims stated that [REDACTED] and his two companions were wearing all black and wearing white face masks. Mims stated that one of the friends was a white male with curly hair. Mims stated the other male was someone she recognized as a [REDACTED] (no spelling or identification provided). Mims stated that [REDACTED] made his statements regarding being off of his pill and began punching and fighting her. Mims stated that [REDACTED] was carrying a bat which he retrieved from one of his two companions. Mims stated that [REDACTED] did strike her in the back with a bat, at least two times. Mims stated the altercation which ensued resulted in the two of them going to the ground. Mims stated that she was not able to strike [REDACTED] at any point, but was able to kick [REDACTED] while he was still on the ground. I asked Mims if there was anything that she believed led to the altercation. Mims stated that [REDACTED] made a statement regarding her hitting him with a bottle. I asked Mims if prior to the altercation, she or anyone around her were throwing objects in protest. Mims stated that people around her were throwing items to the direction where [REDACTED] was standing. Mims stated she was not the one who threw anything in his direction as he was holding her phone in one hand and a purse in the other hand.

I asked Mims to explain what occurred next. Mims stated that the altercation ended with her brother attempting to break the fight up. Mims stated that [REDACTED] and [REDACTED] began fighting with her brother and struck her brother with a bat. Mims originally stated that her brother who she did not identify, would be willing to provide a statement. Mims later stated that her brother was no longer willing to provide a statement. I asked Mims if there was anything else that resulted from the altercation. Mims stated that her whole body was in pain and that [REDACTED] had pulled her hair, resulting in her scalp bleeding. I did not observe any blood. Mims stated that after the altercation and her brother's interference, that [REDACTED] began chasing her and her friend. Mims stated she ran for approximately 30 minutes, at which point she heard [REDACTED] indicate that he would show up at her residence as he had a key. Mims stated she had previously given [REDACTED] a key to her residence, but this key was stolen out of her car. I asked Mims when [REDACTED] might have had the opportunity to go to her car. Mims stated she did not know for sure. Mims stated she that she believed [REDACTED] was in the area most of the night. I asked Mims if there was anything additional she could provide with regards to the altercation. Mims stated that her friend who she verbally identified as Tashanti Henderson, who she could not provide a phone



MADISON POLICE DEPARTMENT

CASE# 2020-00195509

CASE REPORT

REPORTING OFFICER

TRAY TURNER

REPORT DATE

06/01/2020

NARRATIVE (continuation)

number for, would be willing to give a statement as a witness. Mims stated that the car was left open, which possibly gave [REDACTED] the opportunity to go into the car and take the keys that she believed she was now missing. Mims was not perfectly clear on when this occurred, as she stated it was a very long chase and much occurred during the night.

ATTEMPT TO CONTACT [REDACTED]

I did make an attempt to contact [REDACTED] in order to understand his statement. [REDACTED] did have a jacket in LERMS which indicated that he lived at the address provided by Mims. I attempted to call the phone number provided in his LERMS jacket and leave a message. [REDACTED] did not return my call. Based on the passion in which Mims provided her statement, I did believe that an altercation had occurred. I could not confirm that [REDACTED] had gone through the lengths that Mims described. I did note that Mims was involved in the civil unrest, leaving her in a position to be unprotected. I did observe that Mims' physical condition appeared in a healthy status with only an abrasion to her knee. My assessment was that the abrasion was a result of a possible fall onto the concrete.

I requested an investigator to photograph Mims' knee, but investigators were busy at the time. I explained to Mims that I would describe her injuries in my report and not have the photos taken by the investigator. Based on the totality of the evening when the incident occurred, I decided I did not have probable cause for [REDACTED] based on Mims' statement alone. It was my decision to complete this report without probable cause.

NFA

PO T. TURNER 5108

jkt



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:41
Login ID: pdktg
Case Number: 2020-00195798

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2020-00195798
Location: 89 EAST TOWNE MALL
Madison, WI 53704
Reporting Officer ID: 3790 - HARRIS

Incident Type: Burglary Non-Residential
Occurred From: 05/31/2020 02:00
Occurred Thru: 05/31/2020 02:10
Disposition:
Disposition Date:
Reported Date: 06/01/2020 12:44 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	220	943.10(1M)(A)	BURGLARY TO BUILDING OR DWELLING	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Contact	1	KIM, KANG J		[REDACTED]	Unknown	Male	[REDACTED]
Victim	1	SPRINT	89 EAST TOWNE MALL T13 Madison, WI 53704	(608)244-1758			36

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
06/05/2020	Stolen	Merchandise			VARIOUS ELECTRONIC ITEMS - LIST TO COME		

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:41
Login ID: pdktg
Case Number: 2020-00195798

ORI Number: *MADISON POLICE DEPARTMENT
WI0130100

Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

DET HARRIS/ORIG - BURGLARY NON-RESIDENTIAL

	MADISON POLICE DEPARTMENT	CASE# 2020-00195798
CASE REPORT		

DETAIL	REPORTED DATE/TIME 06/01/2020 12:44	OCCURRED INCIDENT TYPE Burglary Non-Residential	LOCATION OF OCCURRENCE Sprint Kiosk - East Towne Mall 89 East Towne Mall
	OCCURRED FROM DATE/TIME 05/31/2020 02:00	OCCURRED THRU DATE/TIME 05/31/2020 02:10	
	REPORTING OFFICER JUSTINE HARRIS		

NARRATIVE

REPORT CONTENTS

- Contact with Kang Kim, Sprint Kiosk Manager

NARRATIVE:

On 06/01/20 I was asked to follow up with a burglary that had occurred at the Sprint Kiosk located at East Towne Mall. This burglary was part of a larger pattern of burglaries and destruction of property that had started on the evening of 5/30/20 and continued overnight. I contacted Kang Kim, manager of the Sprint Kiosk by phone. Kang identified himself verbally.

Kang explained he and his co-workers have not been staffing the kiosk lately due to COVID-19 concerns. He stated they were instructed by regional management to work from home.

Kang stated he was contacted by the district manager yesterday morning and asked to check on the security of the kiosk. The district manager was aware of the rioting and looting that had occurred the night before. Kang stated, before he went into the building, he became aware that East Towne Mall was one of the businesses that had been broken into and looted.

Kang checked the security cameras for the store and observed that at approximately 2:00 am on 05/31/20, 3 males entered the kiosk area and began smashing cabinets and prying open locks. Kang described the males as African American, but could not offer any more detail. Kang stated the males used force to "bust" into the cabinets and then removed multiple items which they took with them. Kang stated they did not have permission from Sprint to do this.

Kang was still in the process of determining what items had been stolen and what the value of them was. Kang explained he has to compare any remaining items to the inventory sheet and then submit all missing items to the district management office to have a value determined. Kang agreed to provide us with this information when it is completed. I asked Kang to obtain serial numbers as part of his inventory of missing items.

Kang stated cell phones, tablets and smart watches were among the items taken. Kang identified 3 Apple watches (an Apple Watch 5, a 40 mm Pink and a 44 mm) that were missing as well as a Samsung Galaxy S10 +, blue in color. Kang stated that some of the items may have a "find my phone" feature that would allow them to be tracked, but the district management would be the ones getting any alerts. I asked Kang to request that information if it was available.

Kang estimated that at least \$5,000 worth of merchandise is missing, but believes the total value will likely be higher. Kang was unable to give an estimate on the damage at this point.

Kang stated he is able to view the video of what occurred from an app on his cell phone. Kang stated the quality of the video is very poor and between that and the darkness of the mall, the images are blurry and lack



MADISON POLICE DEPARTMENT

CASE# **2020-00195798**

CASE REPORT

REPORTING OFFICER
JUSTINE HARRIS

REPORT DATE
06/01/2020

NARRATIVE (continuation)

detail. Kang stated the video is much clearer if viewed by the regional security department. Kang stated he would request a copy of the video from the regional security director and would provide it to us.

I thanked Kang for his time and willingness to speak with me. I provided him my phone and email contact information so that he could get me the requested information. I encouraged him to contact me if he had any questions.

NFA

DETECTIVE JUSTINE HARRIS #3790

INTERNET SELF REPORT

Case Number: 902303

Submitted: 05/31/2020 - 12:01 PM

Incident Information:

Incident type: Damage to Property
Incident date: 05/31/2020 08:00 AM
Incident end date: 05/31/2020 10:45 AM
Incident address: 6657 6657 Odana rd Rd

Your Information:

Name: Brittany Renee Hughes
Sex: F
Race: Not indicated
Birthdate: [REDACTED]
Address:
No address entered

Contact Information:

You indicated:
We **CANNOT** contact you by phone.
We **CAN** contact you via email.
Email [REDACTED]

Business Information:

Business #1
Business name: Obsessions

Vehicle Information:

No vehicle information entered.

Suspect Information:

No suspect information entered.

Property Information:

Property #1
Description: Broken into
Property reported as **DAMAGED**.
Qty: 1
Property belongs to: Business: Obsessions.

Essay:

Incident Description:

Property broken into pretty bad due to looting filing this for insurance.

Supporting material:

You indicated that you **DO NOT HAVE** additional supporting material.

Did you give consent to someone to steal or damage your property? No

Do you wish to pursue a complaint? No, I am filing this for insurance only purposes and do not wish to be contacted.



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 06/09/2020 09:00
Login ID: pdktg
Case Number: 2020-00902316

ORI Number: *MADISON POLICE DEPARTMENT
WI0130100

Case

Case Number: 2020-00902316
Location: 18 PLOVER CIR
Madison, WI 53717
Reporting Officer ID: 2529 - REPORT

Incident Type: Information
Occurred From: 05/31/2020 20:30
Occurred Thru: 05/31/2020 20:30
Disposition:
Disposition Date:
Reported Date: 05/31/2020 21:47 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Reported By	1	WILDMAN, SCOTT	[REDACTED] Madison, WI 53717	[REDACTED]	White	Male	[REDACTED] 48

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Routing:

- Animal Control
- Building Inspection
- Commitment
- DCHS
- Death Investigation
- Fire Investigation
- Non-Disclosure
- Outside LE Agency
- Other
- Traffic Engineering

INTERNET SELF-REPORT

Case Number: 902316

Submitted: 05/31/2020 - 09:47 PM

Incident Information:

Incident type: Information
Incident date: 05/31/2020 08:30 PM
Incident end date: 05/31/2020 08:30 PM
Incident address: [REDACTED]
Incident District: West
Incident Sector: 125

Your Information:

Name: Scott Wildman
Sex: M
Race: White
Birthdate: [REDACTED]
Address:
[REDACTED]
Madison, WI 53717

Contact Information:

You indicated:
We CAN contact you by phone.
We CAN contact you via email.
Phone: [REDACTED]
Best time to contact you: Daytime
Additional phone: [REDACTED]
Email: [REDACTED]

Business Information:

No business information entered.

Vehicle Information:

Vehicle #1
Vehicle applies to: Suspect
License plate: Unknown
Vehicle make: Chevy
Vehicle model: Blazer
Vehicle style: Sport Utility Vehicle
Vehicle color: Tan/Camel/Sand/Champagne

Suspect Information:

No suspect information entered.

Property Information:

No property information entered.

Essay:

Incident Description:

At approximately 8:30pm, a neighbor rang our doorbell and alerted us that someone had put a large TV under a tree in our front yard, and had sped into and out of the neighborhood. I got a flashlight, and went outside to confirm that there was a 65" Samsung TV under the tree. The TV was new, still in the unopened box and based on the behavior, had apparently just been stolen. Before I had an opportunity to call the police, two young black women wearing sweatpants and sweatshirts sped up in a tan/gray SUV, an older Chevy Blazer with no license plate, put the TV into the back of the SUV and sped off back through the neighborhood. The entire incident took 5 minutes or less.

Supporting material:

You indicated that you **DO NOT HAVE** additional supporting material.

Did you give consent to someone to steal or damage your property? No

Do you wish to pursue a complaint? Yes, and you may contact me for follow up if necessary.