



# Waukesha County Sheriff's Department

Supplemental Narratives for Incident W17039322

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## SUPPLEMENTAL NARRATIVE:

**Supplement number:** 194

**Name:** WEPFER RE

**Date:** 13:24:36 08/09/17

REPORT OF INVESTIGATION // Detective Robert E. Wepfer

OFFICER INVOLVED DEATH OF TERRY WILLIAMS (OIS)

This report will serve as a summary of the Officer Involved Death (OID) investigation of TERRY WILLIAMS that occurred on 06-11-17 at approximately 7:41 p.m. near the intersection of N. Lincoln Memorial Dr. and E. Water Tower Rd., in the City of Milwaukee, Milwaukee County, Wisconsin.

WILLIAMS was shot by Milwaukee County Sheriff's Deputy Michael Truax after WILLIAMS, who was operating a 2007 Audi, drove towards Deputy Truax.

The Waukesha County Sheriff's Department (WKS0) was contacted and requested to respond as the lead investigating agency pursuant to Wisconsin Statute 175.47(3). This report was prepared pursuant to the statutory requirements of Wisconsin statute 175.47(5).

WKS0 responded with Lt. Phil Carini (Supervisor in Charge) and the following Detectives:

Det. Robert Wepfer  
Det. Marshall Jensen  
Det. Mark Conrad  
Det. Ross Seitz  
Det. Brian Fredericks  
Det. Erich Stubbe  
Det. Alex O'Toole  
Det. Courtney Bauer  
Det. Christina Rarick  
Det. Nate Plennes  
Specialist David Platta/City of Waukesha Police Department

WKS0 Deputy Lonzrick and Deputy Schroeder responded to the scene for traffic accident reconstruction. WKS0 Deputy Brian Skaar responded to the scene to investigate and document a resulting traffic accident.

Additional assistance was provided during the investigation by the following WKS0 Detectives:

Det. Jody Kropp  
Det. Margaret Herrmann  
Det. Chris Kohl  
Det. Tim Loberg  
Det. Shawn Friedbacher  
Det. Brad Busler

Lt. Carini met with supervisory personnel from the Milwaukee County Sheriff's Department, Milwaukee County Deputy District Attorney's Office Kent Lovern and with Milwaukee County District Attorney's Office Investigators Matt Gibson and Anna Linden.

This incident occurred at the Milwaukee lakefront. There were numerous pedestrians and there was significant motor vehicular traffic at the time of this incident. Milwaukee County Sheriff's Deputies identified approximately two dozen citizen witnesses. In addition, there were 14 Milwaukee County Sheriff's Deputies in the area at the time of the shooting.

The majority of the citizen witnesses and the Milwaukee County Sheriff's Deputies were all interviewed on the scene by WKS0 Detectives.

TERRY WILLIAMS was transported to Froedtert Hospital by the Milwaukee Fire Department. In addition, a front seat passenger in WILLIAMS' vehicle, Paula McEwen, was transported to Froedtert Hospital after suffering an apparent gunshot wound to the shoulder. Deputy Michael Truax was also transported to Froedtert prior to the arrival of WKS0 detectives.

Two other rear seat passengers of the 2007 Audi remained on the scene and were interviewed by WKS0 detectives.

Those individuals are as follows:

Brentneisha Pyant-Nord  
Daniel Nash

Detectives Fredericks, Stubbe and Bauer responded to Froedtert Hospital to interview McEwen and collect evidence. Det. Fredericks was advised by attending physician Dr. Kunkel that WILLIAMS had suffered a serious gunshot wound to the head.

While investigators were at the scene, a request was made through MCSO Captain Hughes to inquire as to whether or not Deputy Truax would be willing to return to the scene and provide a statement as to what occurred. After making the inquiry, Captain Hughes advised that on the advice of Counsel, Deputy Truax would not be making a statement that evening. During the subsequent follow up investigation, Attorney Chris McGillis advised Detective Wepfer that Deputy Truax would not be providing a statement to investigators.

Video footage was recovered from the following sources and later reviewed by WKS0 detectives: MCSO squad dash cam videos, cell phone video, social media and surveillance footage from nearby Northpoint Custard Stand. WKS0 Detective Christine Rarick photographed and processed the scene and collected various items of evidence.

A search warrant was later executed on the 2007 Audi at the WKS0 Evidence

Storage Facility and additional items of evidence were recovered. In addition Shooting Reconstruction on the Audi was conducted by Detectives Rarick and Kropp. Specialist Platta utilized the FARO 3-D crime scene processing equipment.

TERRY WILLIAMS was pronounced deceased on June 13th, 2017 and transported to the Milwaukee County Medical Examiner's Office. An autopsy was conducted on June 14th, 2017 at the Milwaukee County Medical Examiner's office by Dr. Jessica Lelinski (Assistant Medical Examiner). Det. Rarick attended the autopsy and learned that WILLIAMS had suffered a single gunshot wound to the head. The entrance was at the left parietal scalp and the exit was at the right front scalp. The trajectory noted was left to right, back to front and slightly upward relative to the position of the head (see Det. Rarick's supplement regarding trajectory analysis). Additional details on the wounds were documented by Dr. Lelinski. No bullet was recovered at the autopsy relative to the gunshot wound to the head.

Daily investigative meetings were conducted during the course of the investigation. In addition, requests through the local media were made asking any potential witnesses to contact the Waukesha County Sheriff's Department.

On June 15th, 2017 WKS0 received a letter from Attorney Walter Stern who advised that he was representing 'TERRY WILLIAMS' family and his estate. He stated that he had "massive amounts" of cell phone videos related to this incident. Numerous requests have been made to Attorney Stern to turn over the videos to WKS0 for review and the names of any witnesses. On 08-19-17 Det. Wepfer met with Attorney Stern and his private investigator, Daniel Storm. Another request was made to both Attorney Stern and Daniel Storm that if they had any videos and/or witness information that would be pertinent to this investigation, it was requested that they forward that information to investigators. Storm advised he had possession of a video from a Hispanic subject that would show the deputy in question (Truax) near the median with his handgun out of his holster. Storm was provided with Det. Wepfer's email address and he indicated he would email the video to Det. Wepfer. As of 08-24-17, no videos and/or witness information have been forwarded to investigators by either Attorney Stern or Daniel Storm.

As a result of witness interviews, the initial scene investigation, a review of video evidence, evidence obtained from the 2007 Audi and the autopsy, the following information was obtained:

#### REQUEST FOR POLICE SERVICE

On Sunday, June 11th, 2017 at approximately 8:00pm Lt. Phil Carini was contacted in regards to a request from the Milwaukee County Sheriff's Department for WKS0 to investigate an officer-involved shooting incident that occurred at approximately 7:41pm on the same date.

Captain Hughes of the Milwaukee County Sheriff's Department was the Division Commander during the evening hours of June 11th, 2017. Captain Hughes responded to the scene and obtained an Officer Safety Statement (location and direction of fire) from Deputy Truax. Captain Hughes also tasked deputies to locate witnesses, determine any vehicles associated with the witnesses and where the vehicles were located at the time of the incident.

While on scene Lt. Carini learned that a Milwaukee County Sheriff's Deputy

(Marlyn Tinsley) attempted to stop a 2007 Audi with Wisconsin registration 33574DS, for a traffic violation (Failure to Obey Sign) in the vicinity of E. Water Tower Rd. westbound just west of Lincoln Memorial Dr. The Audi, in an attempt to elude Deputy Tinsley, turned to the left and crossed the eastbound lane of E. Water Tower Rd. and then drove on the grass in a southeasterly direction. The Audi continued in a southeasterly direction across the grass and then crossed the southbound lanes of N. Lincoln Memorial Dr. The Audi then crossed the curbed concrete median and then drove northbound on N. Lincoln Memorial Dr. with the squad car directly behind the Audi. At some point the Audi drove at Deputy Truax who then used deadly force against the driver of the Audi. The Audi then struck a gray Nissan Versa which was stopped in northbound traffic on N. Lincoln Memorial Dr. where the Audi came to rest.

The events, including the shooting, were captured on the dash cam video of Deputy Tinsley's squad. WKS0 detectives did not review the dash cam video until June 12th, 2017.

At the time of this incident, there was a temporary felony warrant issued for TERRY WILLIAMS for Recklessly Endangering Safety as the result of a shooting in the City of Milwaukee on June 10th, 2017.

#### SHOOTING (RECKLESSLY ENDANGERING SAFETY) ON JUNE 10th, 2017

On June 10th, 2017 the Milwaukee Police Department (MPD) investigated a shooting in the area of 57th and Silver Spring Dr. During the course of their investigation, MPD investigators were able to identify TERRY WILLIAMS as the driver of the vehicle involved in the shooting. The actual shots were fired by a passenger in WILLIAMS vehicle (2007 Audi). As a result of the investigation, a Temporary Felony Warrant was issued for TERRY WILLIAMS for Recklessly Engangering Safety. Numerous shell casings were recovered at the scene. Those casings were identified as Hornady 9mm Luger casings. (Daniel Nash has since been identified as the passenger and charged in Milwaukee County Circuit Court with Recklessly Endangering Safety for his involvement in this incident).

#### DEPUTY TRUAX

Deputy Truax was hired by the Milwaukee County Sheriff's Department on August 15th, 2016. Deputy Truax attended the Sheriff Academy from August 16th, 2016 until his graduation on January 19th, 2017. Prior to that he was employed as a Correctional Officer at the Milwaukee County House of Correction from June 22nd, 2015 until he was hired as a Deputy by the Milwaukee County Sheriff's Department. He was currently assigned to the Courts, however on June 11th, 2017 he was working the Lakefront assignment in uniform and was assigned squad 846 partnered with Deputy Bradley Richardson.

#### INTERVIEW OF DEPUTY MARLYN TINSLEY

Detective Wepfer conducted an on scene interview of Deputy Tinsley regarding his attempt to stop the 2007 Audi and subsequent observations relative to the shooting. Deputy Tinsley stated on June 11th, 2017, he was operating marked Squad 956. He stated that at approximately 7:30 p.m., he was parked in the Bradford Beach parking lot, which is located on the west side of N. Lincoln Memorial Dr. north of E. Water Tower Rd. monitoring traffic. The Bradford Beach Parking Lot is across the street from the Northpoint Custard Stand. Deputy Tinsley stated relative to the Bradford Beach Parking Lot there is an "ENTER ONLY" and an "EXIT ONLY" driveway to Lincoln Memorial Dr. Deputy Tinsley stated the 2007 Audi, which had been parked in the Bradford Beach Parking lot,

exited onto southbound Lincoln Memorial Dr. from the "ENTER ONLY" drive. Deputy Tinsley stated there are two clearly visible signs in the lot adjacent to the "ENTER ONLY" area that advise "DO NOT ENTER" and "WRONG WAY". He stated the driver of the Audi ignored those signs and exited onto southbound N. Lincoln Memorial Dr. Deputy Tinsley stated he exited the lot and began to follow the Audi southbound on N. Lincoln Memorial Dr. just north of E. Water Tower Rd. He stated he immediately activated the squad dash cam. Deputy Tinsley advised the Audi then made a right turn to travel westbound on E. Water Tower Rd., however due to heavy traffic and the narrowness of E. Water Tower Rd., Deputy Tinsley did not activate the emergency lights until the Audi was near a service drive that runs to the north from E. Water Tower Rd., west of N. Lincoln Memorial Dr. Deputy Tinsley stated traffic was stop and go in both directions. As the Audi approached the service drive, Deputy Tinsley activated the squad lights and then instructed the driver over the squad PA system to pull over to the right. Deputy Tinsley advised the driver of the Audi ignored his instructions. Deputy Tinsley stated after a moment, the Audi suddenly made a left turn and crossed the eastbound lane of E. Water Tower Rd. Deputy Tinsley activated the squad siren and the Audi continued through the grassy area located at the southwest corner area of E. Water Tower Rd. and N. Lincoln Memorial Dr. in a generally southeast direction. The Audi then crossed the southbound lanes of N. Lincoln Memorial Dr. and drove over the curbed concrete median. The Audi then started traveling northbound on N. Lincoln Memorial Dr. in the northbound lanes. The Audi was only able to travel a short distance in the northbound lanes due to heavy traffic. The Audi then attempted to drive back over the curbed concrete median.

Deputy Tinsley stated that he wasn't certain if the Audi was stuck on the median. He stated it appeared that the Audi had both wheels on either side of the median at the time. Deputy Tinsley stated it appeared the Audi stopped or slowed for a moment. He stated he had observed a Sheriff's Deputy on foot cross in front of the vehicle around this period of time. Deputy Tinsley stated he heard the Deputy shout "STOP" several times. He stated this particular Deputy had been assigned the gate area at the south end of the Northpoint Custard Stand which is located at 2272 N. Lincoln Memorial Dr. or on the east side of N. Lincoln Memorial Dr. at E. Water Tower Rd. He stated the Audi then appeared to accelerate towards the Deputy and the Deputy discharged his firearm at the Audi. Deputy Tinsley stated he believed the Deputy would have been struck by the Audi if the Deputy didn't have "fast enough feet". He stated the Audi was close to "killing the deputy".

Deputy Tinsley stated he was not certain if the shots fired slowed down the Audi, but he did state the Audi had crossed into the southbound lanes of N. Lincoln Memorial Dr. while traveling in a general northerly direction, however the Audi then crossed back over the curbed concrete median and struck a gray Nissan which had been traveling northbound on N. Lincoln Memorial Dr. Deputy Tinsley was unaware there was an active Temporary Felony Warrant for the driver, TERRY WILLIAMS.

Detective Jensen checked Deputy Tinsley's sidearm and magazine and indicated the magazine in his sidearm had 14 rounds within the magazine and the magazine itself had a 15 round capacity. There was one chambered round in the sidearm. The two magazines in his magazine pouch affixed to his duty belt were both loaded to their 15 round capacity. Deputy Tinsley advised that he recently had discharged his firearm at the firing range and that he could not explain as to

why the magazine in the sidearm was one round short of its maximum capacity, however he believed it to be error while loading his firearm prior to his tour of duty.

WITNESS (PEDESTRIAN) CHRISTOPHER P. NIELSON, M/W, 07/03/1985

Nielson was interviewed on the scene by Detective Wepfer. Nielson stated he had walked to the Northpoint Custard Stand from the marina to get something to eat. At approximately 7:30 p.m., he started walking in a southerly direction on the east side of N. Lincoln Memorial Dr. back towards the marina. He stated there were numerous pedestrians in the area, so he started walking on the grass. He stated he observed a marked Sheriff's squad with red lights activated behind a green SUV (Audi). He stated they were traveling across the grass and by his description the vehicles, were traveling in a southeasterly direction across a grassy area at the southwest corner of N. Lincoln Memorial Dr. and E. Water Tower Rd. He stated the green SUV crossed the southbound lanes of N. Lincoln Memorial Dr., then crossed over the curbed concrete median and started traveling northbound on N. Lincoln Memorial Dr. Nielson stated he then observed a Sheriff's Deputy on foot. He stated that the deputy was in the area of the median north of the SUV. He stated it appeared the driver of the SUV adjusted the vehicle's course of travel to drive directly at the Deputy whom Nielson stated was on the median at this point. He stated the angle of the car appeared to shift towards the Deputy, not away from the Deputy. He stated the Deputy was holding up his hands as if motioning the SUV to stop. He stated the Deputy then attempted to move out of the way of the oncoming SUV. He stated the Deputy moved to the southbound lanes of N. Lincoln Memorial Dr. Nielson stated at that point, the Deputy fired what he believed to be four shots at the SUV. He stated the SUV then veered back across the median into the northbound lanes of N. Lincoln Memorial Dr. and struck a gray vehicle (Nissan). Nielson stated he had a clear view of this incident and was just south of E. Water Tower Rd. at the time he made the observations.

VEHICLES ON N. LINCOLN MEMORIAL DR.

There were ten vehicles that remained at the scene after the shooting. Those vehicles were all in the process of traveling northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. at the time of this incident. The occupants of those vehicles were identified by Milwaukee County Sheriff's Deputies after the incident and were later interviewed on scene by the Waukesha County Sheriff's Detectives. In addition, dash cam video from Deputy Tinsley's and Deputy Freuck's squads assisted in identifying the witness vehicles and the relative location of those vehicles at the time of the incident. Please see the attached diagram for vehicle location reference. Relative to the diagram, the Audi is identified as vehicle #1 and Deputy Tinsley's squad is identified as Vehicle #2. In addition, N. Lincoln Memorial Dr. just south of E. Water Tower Rd. has three lanes of traffic including a left turn lane to travel westbound on E. Water Tower Rd.

VEHICLE #3 - ALEXANDRA R. WOOD, F/W, 12/06/1993

Alexandra Wood was interviewed on the scene by Detective Marshall Jensen. Wood was operating a Gray 2009 Nissan Versa, Michigan Registration DGN0348, northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. Wood stated McKenzie Brown was a passenger in the front seat of her vehicle. Wood stated that she had stopped at the stop light at E. Water Tower Rd. She stated that there were numerous other vehicles around her. She stated that she looked over her shoulder and observed an Audi being chased by a Sheriff's Department

squad car across a grassy area (southwest corner of N. Lincoln Memorial Dr. and E. Water Tower Rd.). She stated she believed that the squad car's red lights were activated. She looked forward and the Audi then struck the left side of her vehicle. She stated she then heard gunshots. Please note the Nissan had been in the left lane of northbound N. Lincoln Memorial Dr. at E. Water Tower Rd. when struck by the Audi.

VEHICLE #3 - MCKENZIE L. BROWN, F/W, 10/05/1993.

McKenzie Brown was interviewed on the scene by Detective Robert Wepfer. Brown was a front seat passenger in the gray 2009 Nissan being driven by Alexandra Wood. Brown stated they were northbound on N. Lincoln Memorial Dr. and were stopped at the stop light at E. Water Tower Rd. She stated that she observed an Audi driving across a grassy area. (Southwest corner of Lincoln Memorial Dr. and E. Water Tower Rd.). She stated a squad car was behind the Audi, but she did not recall if the red lights were activated. She stated that the Audi then hopped the median and struck the Nissan on the left side. Brown stated she heard approximately four gunshots. She could not say with any certainty whether the shots were before or after the Audi struck the Nissan. She stated she did not believe there was a vehicle in front of them at the time.

VEHICLE #4 - RODOLFO GARCIA, M/H, 05/30/1997

Garcia was interviewed on the scene by Detective Marshall Jensen. Garcia was operating a blue 2009 VW Jetta, Wisconsin registration 438-ZHM northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. He stated that there were two passengers in his vehicle at the time, however they left the scene prior to WKS0 arrival. Those passengers were identified as Carlos Hernandez and Fernando Hernandez. Garcia stated he observed a marked Sheriff's squad with the siren/red lights activated pursuing an Audi across a grassy area. He stated the Audi then drove over a curbed area (median). Prior to that, Garcia stated he heard anywhere from two to seven gun shots. He stated that he initially heard one to two shots then there was a brief lull and then he heard two to three more shots. Garcia had taken video from his cell phone at the scene. A copy of the video was obtained by WKS0. All of the video was post-incident, except for one brief video which showed the Audi striking the Nissan. It should be noted that at the time of the accident, the Jetta was in the right lane next to the Nissan being driven by Alexandra Wood, which was in the left lane.

VEHICLE #4 - CARLOS A. HERNANDEZ, M/H, 11/19/1992

Carlos Hernandez was later interviewed by Detective Ross Seitz. Carlos stated he was a passenger in a vehicle operated by his cousin Rodolfo Garcia. He was looking in an easterly direction towards Lake Michigan. He observed a number of Sheriff's deputies in the area of the southeast corner of N. Lincoln Memorial Dr. and E. Water Tower Rd. He stated at one point while observing the deputies they appeared to "freak out", at which time they entered their squads as if responding to a situation. He stated he then heard 6 to 10 gunshots off to the left (west). He stated that a Nissan then struck the Jetta.

VEHICLE #4 - FERNANDO HERNANDEZ, M/H, 03/30/1998

Fernando Hernandez was later interviewed by Detective Ross Seitz. Fernando was the rear passenger in the blue VW Jetta. Fernando stated they were on N. Lincoln Memorial Dr. just south of E. Water Tower Rd. Fernando stated he heard a siren and looked to his left (west) and observed a Sheriff's squad pursuing a green Audi south across the grass from E. Water Tower Rd. and west of N. Lincoln Memorial Dr. He stated the Audi then crossed the southbound lanes of N. Lincoln

Memorial Dr. and then crossed the median. The Audi then began traveling northbound on N. Lincoln Memorial Dr. towards their vehicle. He stated the Audi then appeared to "cut it" and ultimately crashed into a Nissan which was directly to the left of the Jetta. Fernando stated he observed four deputies in the area of the southeast corner of E. Water Tower Rd. and N. Lincoln Memorial Dr. He stated that those four deputies then started shooting at the Audi. Fernando stated he believed the four deputies fired their guns based on their location relative to where the Audi had come to a stop with Fernando observing the bullet holes in the windshield of the Audi. He could not provide any other specific information relative to his observation such as the sound of gunshots or muzzle flashes. (Please note that there is no evidence any other deputy other than Deputy Truax discharged their weapons).

VEHICLE #5 - LUIS A. CRUZ, M/H, 07/06/1985

Luis Cruz was interviewed on the scene by Detective Nate Plennes. Cruz, who was operating a silver 2012 Chevrolet Silverado, Wisconsin Registration LV8298, was driving northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. Cruz stated he had entered into the left turn lane intending on turning westbound on E. Water Tower Rd. He stated he stopped at the red light. Cruz stated he observed a squad car with red lights and siren activated traveling behind an Audi. He stated the Audi cut across the grass (southwest corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.). Cruz stated he lost sight of the squad car and Audi on the grass because they were behind him. He stated a few moments later, he heard people yelling and he looked in the mirror and he observed the Audi driving the wrong way in traffic. Cruz stated that while continuing to look in his mirror, he observed a Sheriff's Deputy running with his firearm in his hand. Cruz went on to state that he then observed the Deputy standing in the median. He stated the Deputy had his firearm in one hand and his other hand was raised in what Cruz described as a "stop" motion. He stated the Audi was moving towards the deputy and he thought the Audi would strike the deputy. Cruz stated that he observed the deputy fire his weapon towards the Audi and at that point Cruz then ducked down, as he was uncertain as to what was happening. Cruz stated that the Audi stopped in front of his vehicle.

VEHICLE #6 - JASMINE A. JENKINS, F/B, 06/14/1980.

Jasmine Jenkins was interviewed on scene by Detective Alex O'Toole. Jasmine was the driver of a 2017 white Hyundai Sante Fe, Wisconsin registration "SOJAZZY". She stated she was northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. She advised she was in the left turn lane to turn left or west onto E. Water Tower Rd. Please note that her vehicle was behind the 2012 Chevrolet Silverado driven by witness Luis Cruz. Jenelle Jenkins was a passenger in her vehicle. Jasmine stated she observed an Audi driving on the grass (southwest corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.). She stated the Audi was traveling in a southerly direction and there was a squad car behind the Audi. She stated as the Audi approached N. Lincoln Memorial Dr., it appeared the Audi was going to go southbound, however the Audi then turned around and started traveling northbound behind and coming towards Jasmine's vehicle. She stated that it didn't appear the Audi could go anywhere (heavy northbound traffic). She stated that the Audi then jumped the median. She stated a deputy on foot had responded to the area of the median and he appeared to come from somewhere near the lakeside of N. Lincoln Memorial Dr. She stated a couple of seconds after the Audi jumped the median, the deputy on foot fired at the Audi and that the deputy was in front of the Audi at the time he fired his weapon. She stated that the shots went through the windshield of the Audi. She stated



the deputy fired approximately eight to ten shots. She stated that a Sheriff's squad (SUV) came up behind the Audi . She stated there was another deputy on foot who approached the passenger side of the Audi from the middle of the street. Jasmine stated the Sheriff's squad then rear-ended the Audi and the Audi then struck another vehicle. She stated the deputy then exited the squad and started firing at the Audi.

Please note there is no evidence that Deputy Tinsley's squad struck the Audi. In addition, there is no evidence Deputy Tinsley exited his squad and started firing at the Audi. Jasmine stated that she did not observe this deputy shooting but that the deputy who had fired the original shots had stopped shooting. She stated between the two sets of shots, she heard the following statements: "HE'S GOT A GUN, HE'S GOT A GUN", "FREEZE" and "GET DOWN". She stated it was approximately ten seconds after she heard those statements that she heard the second round of shots.

VEHICLE #6 - JENELLE N. JENKINS, F/B, 04/02/1956

Jenelle Jenkins was interviewed on the scene by Detective Mark Conrad. Jenelle stated she was a passenger in a 2017 White Hyundai Santa Fe driven by Jasmine Jenkins. She stated they were northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. She stated they were stopped in traffic. She stated she observed a green Audi driving over the grass (southwest corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.) with a squad car in pursuit. She stated the squad car lights/siren were activated. She stated the Audi was driving slow, however it was not stopping for the trailing squad car. Jenelle stated she observed the Audi initially go southbound on N. Lincoln Memorial Dr., however the Audi then turned around to travel northbound in the southbound lanes with the Sheriff's squad in pursuit. She stated she then observed a deputy on foot ahead of or north of the Audi. She stated the deputy fired at the Audi. She stated the deputy was in front of the Audi at the time he fired the shots. Jenelle also stated the Audi was moving forward at the time the shots were fired and she stated she then heard a second round of gunfire. Jenelle further stated that the Sheriff's squad then struck the Audi and the driver of the squad exited the vehicle. She stated she heard someone yell "HE'S GOT A GUN" however she never saw a gun, nor had she observed or heard shots fired from the Audi.

VEHICLE #7 - JULIE J. NOEL, F/W, 12/25/1955

Julie Noel was interviewed on the scene by Detective Mark Conrad. Noel was driving a bronze 2004 Buick Rendezvous, Wisconsin Registration 928-ZHN. She stated she was northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. Her vehicle was in the left lane. She stated she observed a vehicle traveling southeast (southwest corner of N. Lincoln Memorial Dr. and E. Water Tower Rd.) followed by a Sheriff's squad with red lights/siren activated. She stated she thought the vehicle would continue southbound on N. Lincoln Memorial Dr. Noel stated she was uncertain as to the next sequence of events, due to the fact her view was obstructed by two pickup trucks on either side of her (the 2012 Chevrolet Silverado driven by Luis Cruz to her left and a 2001 Ford F-150 driven by Frederick Acosta to her right). Noel stated she then observed a green vehicle (Audi) strike a Nissan Versa which was stopped directly ahead of her vehicle. She stated the Nissan was then pushed into a VW Jetta which was to the right of the Nissan. Noel stated officers approached from the right with weapons drawn. She stated that she heard approximately four gunshots coming from her left after the crash occurred.

VEHICLE #8 - FREDERICK M. ACOSTA, M/H, 03/07/1994

Frederick Acosta was interviewed on the scene by Detective Ross Seitz. Acosta was driving a green 2001 Ford F-150, Wisconsin registration NA8324. He stated that he was northbound on N. Lincoln Memorial Dr. in the right lane approaching E. Water Tower Rd. Acosta stated Marlene Martinez was a passenger in his vehicle. Acosta stated he stopped for a red light at E. Water Tower Rd. He believed there were two other vehicles in front of him at the time, one of those vehicles being a VW Jetta. Acosta stated he heard a siren, but did not pay much attention due to the large number of people that were at the lakefront, including a large number of law enforcement officers. Acosta stated he was talking to Martinez when he heard five to six gunshots. He stated that he and Martinez then got down in the vehicle. Acosta stated he first observed the Audi just prior to the Audi striking the Nissan. He stated the Nissan in turn struck a second vehicle that being the VW Jetta.

VEHICLE #8 - MARLENE S. MARTINEZ, F/H, 01/31/1995

Marlene Martinez was interviewed on the scene by Detective Marshall Jensen. Martinez was a passenger in the vehicle driven by Acosta. She stated she and Acosta were enroute to the beach and they were looking for a place to park. She stated that she observed a squad car with lights/siren activated. She stated she observed the Audi cross over the concrete median and strike a gray vehicle. She stated it appeared the Audi was having trouble driving over the median. She stated she observed the squad car directly behind the Audi prior to the Audi striking the gray car. She stated she did not hear gunshots prior to the accident, however she heard gunshots after the Audi struck the gray car.

VEHICLE #9 - DREACY J. ARMSTRONG, M/B, 02/25/1993

Dreacy Armstrong was interviewed on the scene by Detective Marshall Jensen. Armstrong was operating a purple 1998 Plymouth Voyager, Wisconsin Registration 904-YNF. Crystal Green and Camille Green were passengers in his vehicle. Armstrong stated he was driving northbound on N. Lincoln Memorial Dr. and was in the left turn lane to turn west onto E. Water Tower Rd. He stated his girlfriend Crystal Green was in the front seat and Crystal's sister Camille Green was in the back seat. He stated he heard a siren and observed an Audi coming up behind him. He stated the Audi then tried to drive over the median, however it appeared the Audi may have become stuck on the median. He stated he then observed a deputy on foot yell towards the Audi advising the driver to stop. Armstrong stated the deputy yelled "STOP" on multiple occasions. He stated the deputy was approximately fifteen feet away from the Audi at the time and that the deputy was on the concrete median. He stated that the Audi drove close to the deputy and the deputy fired his gun at the Audi.

VEHICLE #9 - CRYSTAL L. GREEN, F/B, 09/13/1991

Crystal Green was interviewed on the scene by Detective Ross Seitz. Crystal stated she was a passenger in the vehicle driven by Armstrong. She stated they were northbound on N. Lincoln Memorial Dr. and were approaching the left turn lane to travel west on E. Water Tower Rd. She stated she observed an Audi driving across the grass through the trees west of their location. She stated a Sheriff's squad was following the Audi. She stated the Audi then entered the southbound lanes of N. Lincoln Memorial Dr., crossed the median, and then started traveling northbound on N. Lincoln Memorial Dr. She stated the Audi came up behind their location and then drove onto the concrete median. She stated the Audi was along the left side of their vehicle. She stated she observed a deputy on foot directly in front of the Audi with his handgun

displayed. She stated the Audi continued driving towards the deputy, at which time the deputy fired his handgun. She ducked her head after the first round was fired. She stated she heard approximately three gunshots. She estimated the distance between the Audi and the deputy as being approximately ten to twelve feet. She stated when she looked up, the Audi had struck another vehicle.

VEHICLE #9 - CAMILLE R. GREEN, F/B, 04/25/1994

Camille Green was interviewed on the scene by Detective Ross Seitz. Camille stated that she was a passenger in the rear seat of the Plymouth Voyager being driven by Armstrong. She stated they were northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. She stated she observed an Audi exiting a grass area to their left. She stated that the Audi then entered the southbound lanes of N. Lincoln Memorial Dr. She stated there was a Sheriff's squad in pursuit of the Audi. She stated the Audi then made a u-turn across the median and then began to travel northbound on N. Lincoln Memorial Dr. She stated at that point, the Audi was approaching their location from behind. Camille stated the Audi drove up along their left side, either on or near the median. She stated she heard three to five gunshots, however she did not see who was shooting. She stated Armstrong had swerved the vehicle to the right to avoid a collision with the Audi. She stated she ducked down upon hearing the gunshots.

VEHICLE #10 - JUAN F. AREVALO, M/H, 02/27/1999

Juan Arevalo was interviewed on the scene by Detective Robert Wepfer. Arevalo stated that he was operating a black 1996 Dodge Stratus, Wisconsin registration 654-YSS. He stated he was northbound on N. Lincoln Memorial Dr. in the right lane approaching E. Water Tower Rd. He stated there were other cars in front of him. He stated that he observed an Audi travelling in a southeasterly direction across the grass (southwest corner of N. Lincoln Memorial Dr. and E. Water Tower Rd.). He stated that he also observed a deputy near the median north of his location. He did not recall specifically when he first saw the deputy at that location in relation to the events but stated at some point he did observe the deputy near the median. He stated he initially did not see a Sheriff's squad behind the Audi. He stated when the Audi approached the southbound lanes of N. Lincoln Memorial Dr., the Audi then made what he described as a 90 degree turn. He stated the Audi drove over the median and then traveled northbound, however the vehicle had to slow because of traffic. He stated at some point the deputy on foot shouted at the Audi multiple times to "STOP". The Audi did not stop and the deputy fired his weapon at the Audi as the Audi drove at the deputy. He stated if the deputy wouldn't have shot, he would have been struck by the Audi. He stated when the deputy fired his weapon he was either directly in front of the Audi or barely diagonal to the Audi. He stated the Audi then crashed into a Nissan. Arevalo stated he heard approximately three gunshots and the deputy was near the area of the median when he fired his weapon.

VEHICLE #11 - PERCY L. ROBERTSON, M/B, 04/24/1974

Percy Robertson was interviewed on scene by Detective Mark Conrad. Robertson was operating a silver 2008 Honda Accord, Wisconsin registration 121-SNB. He stated that he was driving northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. in what he described as "bumper to bumper" traffic. Quincee Washington was a passenger in his vehicle. It should be noted that based on a review of squad dash cam Robertson's vehicle was in the right lane behind Arevalo's Dodge Stratus. He stated that he looked to his left (west) and observed a sheriff squad pursuing an Audi across the grass (southwest corner

area of N. Lincoln memorial Dr. and E. Water Tower Rd.). He stated that the squad lights/siren were activated at the time he made the observation. He stated the Audi crossed the southbound lanes of N. Lincoln Memorial Dr. and then made a u-turn to travel northbound on N. Lincoln Memorial Dr. He stated that the Audi was two lanes to his left. Robertson stated that the Audi then drove towards a deputy who had his handgun out of the holster. He stated that the deputy then fired at the Audi stepping to his right as he fired his weapon. He stated the deputy had to get out of the way to avoid being struck by the Audi. He stated the deputy had been standing in the left lane of southbound N. Lincoln Memorial Dr. at the time.

VEHICLE #11 - QUINCEE A. WASHINGTON, M/B, 04/30/1977

Quincee Washington was interviewed on scene by Detective Marshall Jensen. Washington stated that he was a passenger in Robertson's vehicle. He stated that they were northbound on N. Lincoln Memorial Dr. approaching E. Water Tower Rd. He stated that he observed an Audi travelling westbound on E. Water Tower Rd. and there was a sheriff squad car directly behind the Audi with the red lights activated. He stated that the Audi then turned left and drove across the grass area located at the southwest corner of N. Lincoln Memorial Dr. and E. Water Tower Rd. He stated that the vehicle then crossed the southbound lanes of N. Lincoln Memorial Dr. and then proceed to travel northbound on N. Lincoln Memorial Dr. Washington stated that he observed an officer(deputy) standing in the middle of the street with his gun drawn. He stated that as the Audi drove on the side of the officer that the officer opened fire and "shot the car up". He stated he ducked after he heard the gunshots. He stated that he heard five to seven shots. Washington stated that the officer opened fire after the Audi had passed a white SUV (2017 Hyundai Sante Fe). He stated the officer was approximately five feet from the Audi and that the Audi was close to the officer. Please note Washington had video on his cell phone which he willingly turned over to law enforcement. The video was post incident.

VEHICLE #12 - TRAVIS L. JONES, M/B, 04/05/1978

Travis Jones was interviewed on the scene by Detective Nate Plennes. Jones was operating a silver 2007 Acura, Wisconsin Registration 55027R. He stated Laramon Shackelford was a passenger in his vehicle. Jones stated he was northbound on N. Lincoln Memorial Dr., approaching E. Water Tower Rd. It should be noted that based on a review of squad dash cam, Jones' vehicle was directly behind Percy Robertson's vehicle (2008 Honda Accord). He stated he observed a Sheriff's squad car behind the Audi with the red lights/siren activated. He stated he observed the Audi drive over the median and travel northbound on N. Lincoln Memorial Dr. Jones stated there was a red light at E. Water Tower Rd., northbound, at the time. He stated the Audi then drove onto the median again and began traveling northbound in the southbound lanes. He stated he observed a deputy on foot moving towards the roadway and he appeared to come from the lakeside area of N. Lincoln Memorial Dr. He stated the deputy had his weapon drawn. He stated he heard the deputy say "STOP" to the Audi. Jones stated he then heard gunshots.

VEHICLE #12 - LARAMON L. SHACKELFORD ,M/B, 10/16/1977

Laramon Shackelford was interviewed on the scene by Detective Mark Conrad. Shackelford stated he was a passenger in the vehicle driven by Travis Jones. He stated they were northbound on N. Lincoln Memorial Dr. He observed a vehicle (Audi) travelling across a grassy area (southwest corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.) followed by a Sheriff's squad with

lights/siren activated. He stated the Audi then crossed the southbound lanes of N. Lincoln Memorial Dr., drove over the median, and then began to travel northbound on N. Lincoln Memorial Dr. He stated the Sheriff's squad then got behind the Audi and the Audi then attempted to drive back over the median into the southbound lanes of N. Lincoln Memorial Dr., however it appeared the Audi had gotten stuck "riding the rail" on the median. He stated when the Audi had gotten stuck on the median he observed a deputy walk in front of the Audi and it appeared the deputy might get run over. He stated at some point, the Audi started traveling forward or towards the deputy at five to ten miles per hour and that is when the deputy fired at the Audi. He stated he believed the deputy was in the southbound lane closest to the median when he fired at the Audi. Shackelford stated that he heard seven to eight shots.

VEHICLE #13 - TYLER M. RAMIREZ, M/W, 03/01/1999.

\*PLEASE NOTE THIS VEHICLE IS NOT IN ATTACHED DIAGRAM

Tyler Ramirez was interviewed on June 14th, 2017 by Detective Brian Fredericks. Ramirez and Alix Fogarty were not on scene when WKSO detectives arrived. Ramirez stated he was driving northbound on N. Lincoln Memorial Dr. He stated he was operating a 1997 green Acura Integra and Alix Fogarty was a passenger in his vehicle. He stated they were approaching E. Water Tower Rd. however there was a red light. It should be noted in a review of dash cam video, the Integra was behind the 2007 Acura driven by Travis Jones. He stated he observed an Audi driving down the hill (grassy area southwest corner N. Lincoln Memorial Dr. and E. Water Tower Rd.) with a Sheriff's squad behind the Audi. He stated the squad lights/siren were activated. He stated the Audi then approached N. Lincoln Memorial Dr. Ramirez stated the Audi then turned around by crossing over the median and started traveling northbound on N. Lincoln Memorial Dr. He stated the Audi would not have been able to drive through traffic and the driver of the Audi then attempted to cross over the median into the southbound lanes. He stated he observed a deputy on foot run out onto the road with his gun drawn. Ramirez stated the driver of the Audi appeared to hesitate to drive forward but then continued to drive towards the officer. Ramirez stated it appeared the driver of the Audi was attempting to run the deputy over. He stated the deputy then fired at the Audi. He stated he heard approximately eight shots before the vehicle slowly drove and came to a stop.

VEHICLE #13 - ALIX N. FOGARTY, F/H. 04/22/1999

Alix Fogarty was interviewed on June 14th, 2017 by Detective Fredericks. Fogarty stated she was a passenger in Ramirez' vehicle. She stated they were northbound on N. Lincoln Memorial Dr. and were stopped at a red light at E. Water Tower Rd.

She stated they were approximately four cars away from the intersection. She stated she observed an Audi driving across the grass from E. Water Tower Rd. She stated the Audi was speeding and driving recklessly. She stated there were two squads following the Audi and the red lights and sirens were activated. She stated the Audi crossed the southbound lanes of N. Lincoln Memorial Dr. She stated the Audi then crossed the median and drove northbound on N. Lincoln Memorial Dr. She stated the vehicle then crossed the median again and another squad had cornered the Audi. Fogarty stated she observed an officer on foot who was telling the driver of the Audi to stop. She stated the Audi drove at the officer and he would have been struck had the officer not moved to his right. She stated the officer then discharged his weapon at the Audi. She stated she believed the Audi had endangered the officer's life and the lives of others by the way the vehicle was being driven. She also stated there were many pedestrians in the area and she believed the officer acted properly to protect

others in the area. Fogarty stated from her point of view, there was no other way to stop the Audi from ramming and potentially harming other people's lives and she further believed the officer needed to do what was best in this situation. Fogarty had recorded a portion of the incident on her cell phone and willingly turned that recording over to WKS0.

VEHICLE #14 - TANNER D. TEIPEL, M/W, 01/10/1978

\*PLEASE NOTE THIS VEHICLE IS NOT IN THE ATTACHED DIAGRAM

June 12th, 2017 Teipel contacted WKS0 and advised that he was a witness to the shooting on June 11th, 2017. During a follow up interview with Detective Mark Conrad, he stated he felt it was important for him to provide a witness statement due to the fact he had an unobstructed view of the incident. He stated he was a passenger in a vehicle (2010 black Nissan Rogue, Wisconsin registration 762FGM) being driven by his girlfriend Alyssa Tessmer. It should be noted that when reviewing the dash cam video from Deputy Tinsley's squad, Tessmer's vehicle can be observed traveling northbound on N. Lincoln Memorial Dr. and then stopping just south of where the Audi crosses the median to travel northbound on N. Lincoln Memorial Dr.

Teipel stated that they were northbound on N. Lincoln Memorial Dr. when he observed a vehicle (Audi) driving across the grass followed by a Sheriff's squad car. He pointed the vehicle out to his girlfriend Alyssa Tessmer so she could stop her vehicle and avoid being struck by the fleeing Audi. He stated the Audi cut in front of them driving over the median. He stated it was apparent the vehicle was attempting to elude the officer. Teipel stated he observed the Audi nearly strike an officer who was on foot. He stated he then heard gunshots. He stated the deputy appeared to narrowly escape being struck by the fleeing vehicle. He stated that Tessmer's two children (ages 7 and 10) were also in the car.

VEHICLE #14 - ALYSSA A. TESSMER, F/W, 01/01/1980

On June 28th, 2017 Alyssa Tessmer was interviewed by Detective Brian Fredericks.

Tessmer stated she was operating a Nissan Rogue and northbound on N. Lincoln Memorial Dr. She stated Tanner Teipel was in the passenger seat and her two children in the back seat. She stated a green SUV (Audi) crossed the southbound lanes of N. Lincoln Memorial Dr. and drove over the median in front of her vehicle. She stated she then observed an officer on foot near the Audi. She stated the Audi was driving towards the officer. She stated the officer discharged his weapon at the Audi. She stated she heard approximately five gunshots. She then turned back to her children and had them put their heads down.

VEHICLE #15 - KAYLEIGH R. HOLMES, F/W, 10/06/1986.

\*PLEASE NOTE THIS VEHICLE IS NOT IN ATTACHED DIAGRAM

Holmes contacted WKS0 to advise she had witnessed the incident. She was interviewed on June 15th, 2017 by Detective Alex O'Toole. Holmes stated she had been parked in the parking lot north of the Northpoint Custard Stand. She stated she was driving a dark red 2011 Kia, Wisconsin Registration 423TJX, and she was with her friend Kao Vang and her 10 year old daughter and her daughter's 10 year old friend. She stated she exited the lot to travel southbound on N. Lincoln Memorial Dr. She stated that she was in the right lane approaching E. Water Tower Rd. and intended on turning right to travel westbound on E. Water Tower Rd. She stated because of heavy traffic on E. Water Tower Rd., she was only initially able to angle her car on the turn. She stated she observed a

green SUV (Audi) drive across the grass (southwest corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.) being pursued by a squad with the lights/siren activated. She stated the SUV approached N. Lincoln Memorial Dr. and then crossed the southbound lanes. The SUV then made a u-turn to travel northbound in the southbound lanes of N. Lincoln Memorial Dr. She stated the SUV was swerving while travelling northbound. She stated there were numerous vehicles in the northbound lanes. She stated she observed an officer on foot draw his handgun and yell at the Audi to stop. She stated she first saw the officer in the lane closest to the median (northbound lane). She stated that the Audi was close to the officer. She stated the SUV appeared as if it swerved and was going to strike the officer. She stated it appeared the driver of the SUV intended on striking the officer. She stated she observed the officer then fire his weapon at the vehicle. Holmes stated she heard six or seven shots. She stated after the shots were fired, the SUV then swerved the other way, crossed the median, and struck another vehicle traveling northbound on N. Lincoln Memorial Dr.

VEHICLE #15 - Kao Vang, M/A, 02/08/1983.

Kao Vang was interviewed by Detective Loberg on July 3rd, 2017. Vang stated he was a passenger in Holmes' vehicle. He indicated Holmes had exited a parking lot north of the scene and was going to drive him back to his vehicle. He stated they were southbound on N. Lincoln Memorial Dr. and as they approached the intersection of E. Water Tower Rd. there was heavy traffic. He stated Holmes started to make a right turn to travel westbound on E. Water Tower Rd. but became stationary due to heavy traffic. He stated he then heard sirens. He stated he looked towards N. Lincoln Memorial Dr. where he observed a green SUV "popping the median". Vang stated he observed a deputy on foot literally dodge the SUV and then open fire on the SUV. He stated he was not aware of anything going on until he saw the green SUV northbound on N. Lincoln Memorial Dr. as it was approaching E. Water Tower Rd. He stated that he never saw the deputy approach the SUV, he only observed him "dodging" the SUV while on the median. Vang thought the deputy was either on the median or in the lane closest to the median. He stated he could clearly see the deputy trying to move out of the way of the path of the SUV.

PEDESTRIAN - ANTHONY F. SCOTTON, M/W, 11/02/1997

Anthony Scotton was interviewed by Det. Chris Kohl. Scotton stated that he was walking eastbound on E. Water Tower Rd. west of N. Lincoln Memorial Dr. He was walking with [REDACTED] and Kara Ziebelman. It should be noted while reviewing the dash cam video on Deputy Tinsley's squad, the three above witnesses can be seen walking eastbound on E. Water Tower Rd. near the service drive to the pumping station around the time period that Deputy Tinsley activated the squad lights and attempted to pull over the Audi. Scotton stated he observed the Audi driving west on E. Water Tower Rd. He observed a fully marked Sheriff's squad behind the Audi. He stated his attention was drawn to the vehicles when the deputy instructed the driver of the Audi to pull into the pumping station access road. He stated he believed the deputy twice instructed the driver to pull over. He stated the Audi then made a sharp left turn crossing eastbound E. Water Tower Rd. onto a grassy area. He stated the squad pursued the Audi with the red lights activated. He stated the Audi reached N. Lincoln Memorial Dr. and appeared to travel southbound momentarily before the Audi made a u-turn while crossing the median to travel northbound on N. Lincoln Memorial Dr. Scotton stated the Audi was blocked by traffic northbound on N. Lincoln Memorial Dr. He stated he then observed the Audi drive onto the median and the

Audi appeared to straddle the median. Scotton stated he observed a uniformed deputy on foot approximately ten to fifteen feet north of the Audi on N. Lincoln Memorial Dr. He stated the deputy drew his firearm as the Audi proceeded north. He stated the deputy fired several times into the windshield.

PEDESTRIAN - [REDACTED]  
[REDACTED] was interviewed by Det. Chris Kohl. [REDACTED] stated she along with Anthony Scotton and Kara Ziebelman were walking eastbound on E. Water Tower Rd. towards N. Lincoln Memorial Dr. She stated when they were in the area of the access road to the pumping station, she observed an Audi travelling westbound on E. Water Tower Rd. She stated traffic was heavy at the time. She further stated a Sheriff's squad was attempting to conduct a traffic stop on the Audi. The squad lights were activated and the deputy had instructed the driver of the Audi to pull onto the access road. She stated that the Audi then turned left and drove across the grass to N. Lincoln Memorial Dr. She stated the Audi then crossed the southbound lanes of N. Lincoln Memorial Dr. and then drove over the median and ended up facing northeast on N. Lincoln Memorial Dr. She stated she heard numerous gunshots but did not see who was shooting. She stated the Audi struck a small white colored vehicle and stopped.

PEDESTRIAN - KARA ZIEBELMAN

\*IT SHOULD BE NOTED THAT ZIEBELMAN HAS NOT COOPERATED WITH LAW ENFORCEMENT  
Numerous attempts have been made by Detective Jensen to interview Kara Ziebelman with negative results. Attempts were made at her residence, with her mother, at her school and by leaving her phone messages. She has not returned any calls. It should be noted that shortly after the incident, Kara and [REDACTED] were interviewed on the scene by the local news media. Both stated they were witnesses to the incident. Ziebelman told the reporter among other things that after the incident, the police grabbed the two females inside the Audi by the hair and threw them down in the street and then dragged them through the street. There is no evidence to indicate that in fact occurred.

INTERVIEWS WITH THE OCCUPANTS OF THE AUDI

PAULA S. MCEWEN, F/B, 05/20/1994

McEwen was interviewed by Detective Courtney Bauer at Froedtert Hospital after the incident and the following day. She stated "they" had gone to the lake earlier in the day. She stated they had gotten food at the ice cream stand (Northpoint). She stated after purchasing the food, they left because they were going to eat in the car. She stated TERRY WILLIAMS was driving and she identified the other two passengers in the rear as "Boss" (Daniel Nash) and "Bebe" (Brentneisha Pyant-Nord). She stated she didn't recall anything prior to or leading up to the shooting. She stated the officer stood in front of them and shot through the windshield multiple times. She stated she didn't think the officer said anything or approached their vehicle to talk to them prior to the shooting.

It should be noted on June 12th, 2017 a bullet was removed from the left shoulder of Paula McEwen and placed on property inventory at WKS0.

BRENTNEISHA PYANT NORD, F/B, 06/02/1995

Brentneisha Nord was interviewed on the scene by Detective Seitz. Nord stated that earlier in the evening she attended a baby shower with her friend Paula McEwen. She stated at approximately 7:00 p.m., she and McEwen were picked up



from their friend's house by TERRY WILLIAMS , who was driving the Audi. Nord stated that another individual (Daniel Nash) was already with Williams when Williams picked up she and McEwen. She stated Williams then drove to the Northpoint Custard Stand at the lakefront in order to purchase food. She stated she was only in the company of WILLIAMS for approximately 30 minutes until the time of the incident. She stated after arriving at the lakefront, Williams parked the vehicle and the four of them walked to the Northpoint Custard Stand. Nord stated after purchasing the food they returned to the Audi. She stated she had observed a MCSO squad come to a stop near the parking lot. She stated she was seated in the rear driver's side passenger seat. She stated they got into the Audi and Williams drove out of the parking lot making a right turn to travel southbound on N. Lincoln Memorial Dr., at which time Nord stated the previously mentioned MCSO squad began following their vehicle. Nord stated that WILLIAMS made a right turn to travel west onto E. Water Tower Rd. She stated as the vehicle continued west, the MCSO squad did activate the squad emergency lights. She stated all the windows in the Audi were rolled up and the air conditioning was on, however she was aware that there was a squad directly behind them. Nord stated that WILLIAMS then abruptly drove over a grassy area which was on the southwest corner of the intersection of E. Water Tower Rd. and N. Lincoln Memorial Dr. Nord stated WILLIAMS did not make any statements at that time, but she stated she was screaming at WILLIAMS to stop the vehicle. Nord stated WILLIAMS continued traveling on the grassy area towards N. Lincoln Memorial Dr. where the vehicle crossed the southbound lanes and made a u-turn and began travelling northbound on N. Lincoln Memorial Dr. Nord stated she had no idea why WILLIAMS was eluding the MCSO squad. She stated she did not know WILLIAMS very well. She stated while traveling northbound on N. Lincoln Memorial Dr., WILLIAMS drove onto the median, at which time she observed a deputy on foot standing directly in front of the Audi. Nord stated that at that time WILLIAMS' vehicle had come to a stop. She stated she observed the officer pointing his firearm at the vehicle. She stated the deputy was "close" to the Audi. She could not provide an approximate distance. She stated she then ducked down. She stated she heard what she believed to be approximately three or four gunshots. Nord stated the Audi never moved and remained in the same position after the gunfire. Nord stated that the next thing she recalled was hearing McEwen screaming that WILLIAMS had been shot, at which time she observed WILLIAMS lying back in the driver's seat. She did not recall the collision.

DANIEL M. NASH, M/B, 04/26/1990

Daniel Nash was interviewed on scene by Detectives Wepfer and Plennes. Nash stated that TERRY WILLIAMS is his "cousin". He stated WILLIAMS picked him up earlier from a swimming pool party at Lincoln Park. He stated that he had just been picked up by WILLIAMS, at which time WILLIAMS drove to the lakefront to get "his girl" (Paula) some food. Nash stated that WILLIAMS parked at the Bradford Beach parking lot. He stated when they left the parking lot a squad pulled out behind the Audi. He stated he was seated in the rear passenger side seat. He stated the emergency lights on the squad were activated and the officer instructed WILLIAMS (the driver) to pull on the "slab". He stated WILLIAMS did not want to park the Audi there. He stated WILLIAMS was going to turn around and let the cop get behind them. Nash then stated "long story short" when they came off the curb that "they" started shooting. He stated he did not know why the officer was attempting to pull WILLIAMS over. He stated the last thing he remembered "clearly" was when the deputy instructed them to pull over on the "slab". He recalled the shots being fired. Nash then stated he was going to

tell the truth. He stated he was falling asleep in the car. He stated it was essentially the end of the day and it was time for him to go pick up his children and return home. He did not recall WILLIAMS driving across the grass. He stated he woke up when the shots were fired. He stated he observed a Sheriff's deputy with his gun drawn. Nash stated this was around the time the Audi was coming to a stop. He stated there were at least five or six shots.

On June 13th, 2017 Nash was interviewed by Detective Bender of the Milwaukee Police Department. During the course of the interview, Nash admitted to being in the Audi with WILLIAMS on June 10th, 2017 when shots were exchanged with another individual. He stated WILLIAMS did the shooting. He stated the Audi was struck by a bullet from the other subject shooting. He stated the bullet struck a rear window where the metal and rubber weather stripping meet. He was asked about the incident at the lakefront and he said "they" killed his "'cuz". He stated that they were leaving the Northpoint building where they had gotten something to eat. He stated WILLIAMS and Paula had been "feuding". He stated WILLIAMS hadn't been going home. He said they walked back to the car and WILLIAMS pulled out of the parking lot. He stated the Sheriff followed them. He stated that WILLIAMS turned right and the Sheriff activated the red lights and instructed WILLIAMS to pull over on the "slab". He stated it was all a "blur" after that. He said there was no conversation with WILLIAMS. Nash denied knowing why WILLIAMS fled. He also was not certain where WILLIAMS had the handgun but stated that the last he knew WILLIAMS had it wrapped in a towel. He stated it was a black Sheriff's deputy who tried to pull them over. He stated that a Sheriff's deputy ran from the parking area of Northpoint and "gunned us down". He stated that his black and blue iPhone was in the Audi. He did not give Detective Bender consent to download the contents of the iPhone.

Nash was re-interviewed on June 13th, 2017 by Detective Draeger of the Milwaukee Police Department. During the course of the interview, Nash admitted to being the individual who fired the shots from a handgun on June 10th, 2017. He also reiterated that the Audi was struck by a bullet relative to that incident. He referenced bullet damage to the top of the back window where the metal and rubber meet.

#### ON SCENE DEPUTY WITNESS INTERVIEWS

##### DEPUTY DEAN ZIRZOW

Deputy Zirzow was interviewed on the scene by Detective Mark Conrad. Deputy Zirzow stated that he was partnered with Deputy Thompson. At the time of the incident, Deputy Zirzow and Deputy Thompson were on a traffic stop on N. Lincoln Memorial Dr. north of E. Water Tower Rd. Deputy Zirzow heard six to eight gunshots with a brief pause between the groups of shots. He also monitored radio traffic of a fleeing vehicle. He responded to the scene and assisted with medical care. In reviewing dash cam video, his traffic stop occurred at 7:36 p.m. At 7:41 p.m., there is radio traffic of "shots fired".

##### DEPUTY TRAVIS THOMPSON

Deputy Thompson was interviewed on scene by Detective Ross Seitz. Deputy Thompson stated that while on the traffic stop with Deputy Zirzow he monitored radio traffic that he believed Deputy Tinsley was attempting to stop a vehicle. He stated he then heard multiple gunshots.

##### DEPUTY BEN CMELAK

Deputy Cmelak was interviewed on scene by Detective Mark Conrad. Deputy Cmelak was working the lakefront assignment and at the time of the incident was writing a crash report at Lake Park which is north of the scene. He stated he monitored radio traffic by Deputy Tinsley advising of a fleeing vehicle. While responding to the area he monitored radio traffic of shots fired. Once on scene, he observed an apparent bullet hole in the driver's side window prior to the window being broken out by Deputy Geason. In reviewing dash cam video for Deputy Cmelak's squad, it was learned he arrived on the scene at 7:43 p.m. Daniel Nash was placed into the rear of his squad car.

DETECTIVE JAMIE ARNOLD

Detective Arnold was interviewed on the scene by Detective Mark Conrad. Detective Arnold was on Parks assignment and partnered with Deputy Karweik. At the time of the incident, he was in the parking lot across from Northpoint when he monitored radio traffic by Deputy Tinsley reference a fleeing vehicle. He did not witness the incident but heard gunshots.

DEPUTY TRAVIS KARWEIK

Deputy Karweik was interviewed on the scene by Detective Marshall Jensen. Deputy Karweik stated that he was partnered with Detective Arnold. He stated he and his partner were in the process of checking the parking lot north of the scene on the west side of N. Lincoln Memorial Dr. (Bradford Beach Parking Lot). He stated that he monitored radio traffic of a pursuit. He stated that Detective Arnold then started driving southbound on N. Lincoln Memorial Dr. Deputy Karweik stated that he then heard gunshots. He indicated that they then arrived on the scene. He further stated that after clearing the vehicle (Audi) he was approached by Deputy Truax. He stated Deputy Truax made a statement something to the effect of he had just unloaded his magazine. Deputy Karweik advised that at the time they were west of the immediate scene and that Deputy Truax had further advised "the guy was gunning me down" or something to that effect.

DEPUTY BENJAMIN LYYSKI

Deputy Lyyski was interviewed on the scene by Detective Mark Conrad. Deputy Lyyski was assigned foot patrol with Deputy Larson. Deputy Lyyski stated he was on N. Lincoln Memorial Dr. at E. Water Tower Rd. when he observed a vehicle driving southeast through the grass field to the west of his location. He stated he observed the vehicle drive over the median. He stated Deputy Truax made a "bee line" towards the vehicle. He stated the vehicle was northbound at this point. He stated he then heard three to four shots, at which point the Audi was hopping the curb towards the west and then the vehicle hopped the curb again crashing into multiple vehicles. Deputy Lyyski stated he did not witness the shooting as it was just out of his line of sight.

DEPUTY BRANDON LARSEN

Deputy Larsen was interviewed on the scene by Detective O'Toole. Deputy Larsen was standing on the southeast corner of N. Lincoln Memorial Dr. and E. Water Tower Rd. He observed the Audi fleeing across the grass. He stated when the pursuit started, Deputy Truax began running towards traffic. He stated the Audi then started heading back towards the Northpoint lot. He stated he then heard gunshots.

DEPUTY ERIC METZNER

Deputy Metzner was interviewed on scene by Detective Mark Conrad. Deputy Metzner was assigned to foot patrol and partnered with Deputy Cox. Deputy Metzner

stated he was waiting in line for food at the Northpoint Custard Stand near the intersection of N. Lincoln Memorial Dr. and E. Water Tower Rd. Deputy Metzner stated he monitored radio traffic and heard sirens regarding a fleeing vehicle. He stated he heard a series of gunshots and turned to see muzzle flashes and puffs of smoke south of his location on N. Lincoln Memorial Dr. He stated he did not have a visual on who was shooting or the pursuit of the vehicle.

DEPUTY GLEN COX

Deputy Cox was interviewed on the scene by Detective Ross Seitz. Deputy Cox stated he was patrolling in the area of the exercise equipment, which is located just south of Northpoint on the east side of N. Lincoln Memorial Dr. He stated at the time of this incident he was waiting in line at the Northpoint Custard Stand. He stated he first observed an Audi involved in a pursuit with a MCSO squad on the hill of E. Water Tower Rd. west of N. Lincoln Memorial Dr. Deputy Cox stated he could not recall any information regarding the direction of travel of either vehicle. He stated several moments later he heard four or five gunshots followed by a loud crashing sound which he attributed to the Audi striking the Nissan.

DEPUTY STEVEN GEASON

Deputy Geason was interviewed on the scene by Detective Nate Plennes. Deputy Geason stated he was on patrol assigned motorcycle unit 73. He stated he was northbound on N. Lincoln Memorial Dr. south of E. Water Tower Rd. He stated he monitored radio traffic that Deputy Tinsley was attempting to stop a fleeing vehicle. He stated he then heard radio traffic of "shots fired". He arrived on the scene after the incident. Deputy Geason observed an apparent bullet hole in the front drivers' side window. Deputy Geason advised he broke the window in order to unlock the driver's door, remove the driver and place him in a recovery position.

DEPUTY MICHAEL FREUCK

Deputy Freuck was interviewed on the scene by Detective Ross Seitz. Deputy Freuck advised he was assigned lakefront patrol and his squad was parked on the grass southeast of the intersection of N. Lincoln Memorial Dr. and E. Water Tower Rd. with the squad facing to the west. He stated he first observed the Audi jump the curb from E. Water Tower Rd. to travel south across the grass. He stated a squad with red lights and siren activated was following the Audi. He stated the Audi continued south across the grass approaching N. Lincoln Memorial Dr. and he believed the Audi continued southbound on N. Lincoln Memorial Dr. Deputy Freuck then entered his squad and drove to the intersection of N. Lincoln Memorial Dr. and E. Water Tower Rd. Deputy Freuck stated he heard what he believed to be approximately four gunshots. He stated he then observed the Audi which was northbound on N. Lincoln Memorial Dr. He stated the Audi jumped the curb and struck the Nissan.

DEPUTY BRADLEY RICHARDSON

Deputy Richardson was interviewed on the scene by Detective Ross Seitz. Deputy Richardson stated just prior to the incident he had been sitting in the passenger seat of a MCSO squad (Deputy Freuck's squad), which was parked on the grass southeast of the intersection of N. Lincoln Memorial Dr. and E. Water Tower Rd. with the squad facing west or southwest. He stated his partner Deputy Truax was standing outside the squad closer to the intersection. Deputy Richardson indicated that he and Deputy Truax were not assigned a squad. He stated he monitored radio traffic in which a squad was attempting to stop a

vehicle. He stated he then observed a green Audi traveling across the grass from E. Water Tower Rd. towards N. Lincoln Memorial Dr. closely followed by a MCSO squad. He stated the last time he saw Deputy Truax was when he was running towards the direction of the green Audi as it was traveling across the grass south towards N. Lincoln Memorial Dr. He stated Deputy Freuck ran towards his squad and got in the driver's seat. He stated Deputy Freuck drove towards the intersection, at which time Deputy Richardson observed the Audi enter southbound on N. Lincoln Memorial Dr. from the grassy area and immediately proceeded to cross the median and begin traveling northbound on N. Lincoln Memorial Dr. He stated he then lost sight of the Audi due to numerous other vehicles in the area obstructing his view. He stated he then heard several gunshots, but did not know who was firing the rounds. Deputy Richardson stated while attempting to identify the source of the gunfire, he observed the green Audi had come to a stop in the northbound lanes of N. Lincoln Memorial Dr. just south of E. Water Tower Rd. He observed several bullet holes in the windshield

#### DEPUTY MICHAEL MURPHY

Deputy Murphy was interviewed on the scene by Detective Alex O'Toole. Deputy Murphy had just cleared a traffic stop on N. Lincoln Memorial Dr. north of the incident. He monitored on the radio that Deputy Tinsley was attempting to stop a vehicle. A few seconds later, he heard on the radio that shots had been fired. He then responded to the scene. He did not witness the shooting.

#### MAGAZINE/FIREARM CHECKS

Detective Jensen checked the magazines/handguns of all the deputy witnesses. All weapons had one round in the chamber and all magazines were loaded to capacity, with the exception of Deputy Tinsley (noted earlier in summary).

#### NORTHPOINT CUSTARD VIDEO

7:31 p.m.

TERRY WILLIAMS can be seen on surveillance footage along with the Paula McEwen and Brentneisha Pyant-Nord.

7:32:57

Daniel Nash is visible on surveillance footage.

7:33:16

All four individuals appear to leave the immediate area of the custard stand and exit the view of camera #2. The four subjects exit the field of view to the north and are briefly captured on camera #6.

#### DASH CAM VIDEOS

The dash cam in the below squads are Panasonic Arbitrator 360. According to Panasonic Technical Support the time stamp on the dash cams are associated with the time stamp on the squad computer. The time stamps on the dash cam of Deputy Tinsley's squad and Deputy Freuck's squad coincide with each other as the gunshots can be heard at the same time.

7:38:45

(Dash cam Tinsley)

The video begins with Deputy Tinsley following the Audi southbound on N. Lincoln Memorial Dr. north of E. Water Tower Rd. The Audi then signals and turns right to travel westbound on E. Water Tower Rd.

7:39:15

(Dash cam Tinsley)

The in-squad audio recording is activated. Deputy Tinsley's radio can be heard in the background. Both the Audi and squad continue westbound at a slow rate due to traffic congestion.

7:40:24

(Dash cam Tinsley)

Deputy Tinsley activates the squad emergency lights. The emergency lights are visible in the reflection of the Audi's bumper and the dash cam software also indicated that the emergency lights were activated.

7:40:30

(Dash cam Tinsley)

Deputy Tinsley can be heard instructing the driver of the Audi to "pull over into the drive to the right, let the car out first" on the squad PA System. The squad and Audi slowly continue westbound.

7:40:39

(Dash cam Freuck)

Deputy Freuck's squad car is parked at the southeast corner of N. Lincoln Memorial Dr. and E. Water Tower Rd. Deputy Freuck and Deputy Truax can be seen standing in front of squad facing N. Lincoln Memorial Dr.

7:40:43

(Dash cam Tinsley)

Deputy Tinsley advised the driver of the Audi a second time on the squad PA System to "pull to the right". The Audi then comes to a stop in heavy traffic.

7:40:49

(Dash cam Tinsley)

The Audi makes a sharp left turn, crossing eastbound E. Water Tower Rd. The Audi then drove over the curb and proceeded in a southerly/southeasterly direction across a grassy field, with Deputy Tinsley following.

7:40:53

(Dash cam Tinsley)

Deputy Tinsley activated the siren on the squad as he pursued the vehicle across the grassy area.

7:40:54

(Dash cam Freuck)

Deputy Truax points in the direction of the Audi driven by TERRY WILLIAMS as it cuts across the grassy area at the northeast corner area of N. Lincoln Memorial Dr. and E. Water Tower Rd.

7:40:55

(Dash cam Freuck)

The Audi is briefly visible over Deputy Truax's right shoulder as it continues southeast across the grassy area.

7:40:56

(Dash cam Freuck)

The Audi is more clearly visible

7:40:58

(Dash Cam Freuck)

Deputy Tinsley's squad can be seen pursuing the Audi with the emergency lights activated.

7:41:00

(Dash cam Tinsley)

The Audi reenters N. Lincoln Memorial Dr. in southbound traffic lanes, but is perpendicular to the flow of traffic and driving due east. At this time Deputy Tinsley's squad reached the maximum speed during the incident of 28 mph.

7:41:03

(Dash cam Tinsley)

The Audi continued east and drove over the median while turning left and proceeded north on N. Lincoln Memorial Dr. At this time several pedestrians are visible on the sidewalk on the east side of N. Lincoln Memorial Dr.

7:41:03

(Dash Cam Freuck)

Deputy Truax is visible from the right side of the screen and begins moving on foot towards the pursuit (N. Lincoln Memorial Dr.).

7:41:04

(Dash Cam Freuck)

Deputy Freuck begins to operate the squad.

7:41:05

(Dash Cam Freuck)

Deputy Truax draws his handgun and is seen running towards the pursuit in a southwesterly direction towards N. Lincoln Memorial Dr.

7:41:07

(Dash Cam Freuck)

Deputy Truax is seen entering the roadway of northbound N. Lincoln Memorial Dr., at which time the squad operated by Deputy Freuck turns sharply to the right and Deputy Truax is no longer visible.

7:41:08

(Dash cam Tinsley)

The Audi briefly goes off camera as it continues north on N. Lincoln Memorial Dr. while Deputy Tinsley crossed the median of N. Lincoln Memorial Dr.

7:41:11

(Dash cam Tinsley)

The Audi came back into view of the dash cam and the Audi is seen attempting to again cross the median of N. Lincoln Memorial Dr. into the southbound lanes.

#### Alix Fogarty Cell phone video

Fogarty was in the Green Acura Integra which is stopped in the right lane of traffic northbound N. Lincoln Memorial Dr. The Audi can be seen coming into view of the camera and is northbound on N. Lincoln Memorial Dr. in the left turn lane. The 1998 Plymouth Voyager, Wisconsin Registration 904-YNF is in front of the Audi. A siren can be heard in the background. The Audi then turns to the left driving onto the median. Deputy Tinsley's squad then comes into view behind the Audi onto the median. There is no time stamp.

19:41:12

(Dash cam Tinsley)

Deputy Truax is briefly seen moving in an easterly to westerly direction across N. Lincoln Memorial Dr. Deputy Truax was visible as he passed in front of a dark colored minivan(1998 Plymouth Voyager driven by Dreacy Armstrong) and the Audi, which is on the median still travelling north. The Audi then slightly straightens out on the median and proceeds north on the median.

Alix Fogarty Cell phone video-The Audi appears to slow or stop for a brief moment once it is on the median. The Audi then appeared to increase speed.

7:41:14

(Dash cam Tinsley)

As the Audi continued north on the median Deputy Truax discharged his firearm. At this time Deputy Truax is in front of the vehicle with the vehicle moving towards him, but is not visible on the dash cam video. Smoke believed to be from Deputy Truax' firearm can be seen rising over the roof of the Audi. Deputy Truax' gunshots can be heard on the dash cam audio and five shots are initially fired.

7:41:15

(Dash cam Tinsley)

The front passenger tire of the Audi is visible and appears to be turned sharply to the left, in the immediate direction of Deputy Truax. The Audi then drove over the median in a northwesterly direction into the southbound lanes of N. Lincoln Memorial Dr. towards Deputy Truax who continued to move in a westerly direction towards the drivers side of the Audi as the Audi accelerates towards him.

#### ALIX FOGARTY CELL PHONE VIDEO

As the Audi appeared to increase speed on the median a series of gunshots are heard. Around the time of the third to fourth shot the Audi turns to the left into the southbound lanes of N. Lincoln Memorial Dr. Around the time period of the fourth to fifth shot Deputy Truax can be seen coming into view. He is moving from an easterly to westerly direction in the southbound lanes. He appears to narrowly avoid being struck by the Audi. As the Audi was along side and driving past Deputy Truax he fired three more rounds. The Audi then crossed back over the median in a northeasterly direction.

7:41:16

(Dash cam Tinsley)

It is inconclusive whether Deputy Truax is struck by the Audi as an unidentified object can be seen which appeared to become dislodged from Deputy Truax' uniform. The Audi appears to be extremely close to striking Deputy Truax. Deputy Truax then discharges three more rounds from his firearm towards the drivers side of the Audi as the Audi drives alongside and past him.

According to the time stamp on the dash cam all eight shots are fired in less than three seconds.

7:41:19

(Dash cam Tinsley)

After the vehicle passes Deputy Truax the Audi turned back to the right in a northeasterly direction and back towards the northbound lanes.



7:41:21

(Dash cam Tinsley)

Immediately after crossing the median the Audi struck the Nissan Versa and came to rest

7:41:23

(Dash cam Tinsley)

Deputy Tinsley pulled up behind the Audi.

7:44:36

(Dash cam Tinsley)

Deputy Tinsley can be heard speaking to another unknown officer. He stated "I was stopping him just for failing to stop for a stop sign, then he hopped the grass. I hit my lights, hopped the curb and came this way. Hopped the curb and one of the new guys had his gun out. He kept going and was coming right towards him."

7:48:00

Milwaukee Fire Department Med 5 arrived on scene. Med 5 was staffed by Lt. Darrell Zietlow, Paramedic Firefighter Aleah Ellis and Emergency Medical Technician(EMT) Jonah Rodriguez. South Milwaukee Paramedic student Ryan Kurz was also present. Med 5 transported WILLIAMS, who had an apparent gunshot wound to the head, to Froedtert Hospital.

7:57:00

Milwaukee Fire Department Med 7 arrived on scene. Med 7 was staffed by Heavy Equipment Operator Jan Sanchez and Lt. Christopher Brock. They were met at the scene by Engine 27 that was staffed by Firefighter EMT Michael Hinickle, Firefighter EMT Donald MacKenzie, Lt. Jeremy Schaefer and Heavy Equipment Operator Scott Vilter. Med 7 attended to Paula McEwen who suffered a gunshot wound to the left shoulder and her right thumb/forefinger. She was transported to Froedtert Hospital.

8:08:00

Milwaukee Fire Department Med 6 arrived on the scene. Med 6 was staffed by Paramedic Firefighter Justin Shock, Lt. Kristin Ticcioni, EMT Kandace Fons and EMT Carmello Aguilar. Med 6 transported Deputy Truax to Froedert Hospital. According to the run report, Deputy Truax was visibly shaken. He was crying and extremely agitated. Deputy Truax had no physical complaints but he stated that they "tried to run him over". Deputy Truax also said that he got brushed by a car as he tried to roll off the hood. The Fire Department Report indicated Deputy Truax was transported with emotional distress.

#### SCENE

This incident occurred on N. Lincoln Memorial Dr. just south of E. Water Tower Rd. N. Lincoln Memorial Dr. runs generally north and south while E. Water Tower Rd. runs west from N. Lincoln Memorial Dr. N. Lincoln Memorial Dr. has three lanes of traffic northbound just south of E. Water Tower Rd. The third lane would be a left turn lane to travel west on E. Water Tower Rd. E. Water Tower Rd. has two lanes of traffic only. There is a curbed concrete median between the lanes of traffic for N. Lincoln Memorial Dr.

While examining the Audi, Det. Rarick noted multiple apparent bullet perforating defects to the Audi. There was one defect in the hood, three defects in the

windshield, one apparent ricochet on the upper rear left side passenger door, one perforating defect in the rear left side passenger door and one perforating defect in the driver's door. In addition, the driver's side window was broken out, however portions of the window were intact due to aftermarket tint. There was no evidence that Deputy Tinsley's squad struck the Audi.

Regarding the perforation associated with the ricochet, it is uncertain if this was the result of a round fired from Deputy Truax's handgun or from a round fired by the complainant in the shooting investigated by the Milwaukee Police Department on June 10th, 2017. Regarding that shooting, the complainant believed he struck the Audi when he returned fire. Daniel Nash told both Detective Bender and Draeger the Audi was struck by a bullet in the rear upper window.

A single spent round was observed in plain view on the front passenger floorboard. In addition, a Springfield Armory XD-9 Sub Compact 9MM handgun was observed in plain view By Detective Mark Conrad wedged between the driver's seat and the "B" pillar. The firearm contained seven 9mm Hornady Luger rounds and an additional 9mm Hornady round was recovered from the chamber.

Eight shell casings were recovered from the southbound lanes of N. Lincoln Memorial Dr. south of E. Water Tower Rd. in the general vicinity of where Deputy Truax discharged his firearm. Two of the casings were located in the southbound right lane and the remaining six were located closer to the curb on the west side of N. Lincoln Memorial Dr., along with a leather bound day book belonging to Deputy Truax. All of the casings were Speer 40mm Smith and Wesson casings. These casing are purportedly from Deputy Truax's firearm. There were no other casings recovered at the scene.

The Audi was towed to the Waukesha County Sheriff's Department Evidence Storage Facility pending the issuance of a search warrant. In addition, Deputy Tinsley's squad was transported to the Waukesha County Sheriff's Department Evidence Storage Facility to preserve the dash cam video pending the completion of a download.

There was no physical evidence to indicate that any other deputy other than Deputy Truax fired their handgun. In addition, there was no evidence that any shots were fired after the accident.

#### EVIDENCE RECOVERED AT FROEDTERT HOSPITAL

Detective Fredericks and Det. Stubbe responded to Froedtert Hospital and recovered Deputy Truax's handgun. Deputy Truax was armed with a Glock .22 Gen 4, 40 caliber semiautomatic pistol. The handgun contained a magazine with a 15 round capacity. The magazine contained seven live SPEER 40 cal Smith and Wesson bullets. In addition, there was a live round in the chamber. In addition Deputy Truax's gun belt and clothing was recovered and placed on inventory. Deputy Truax also consented to a blood draw.

\$4,171.00 in cash along with two cell phones and clothing were recovered by Detective Fredericks from WILLIAMS' person.

#### SEARCH WARRANT AND SHOOTING RECONSTRUCTION

On June 14th, 2017, a search warrant was executed on the Audi. Numerous cell phones along with cocaine, marijuana, a scale and a ballistic vest were found in the vehicle.

## AUDI BULLET TRAJECTORY ANALYSIS

Detective Kropp and Rarick along with Specialist Dave Platta performed trajectory analysis of the Audi. For further information please refer to their supplemental reports.

A total of eight bullet defects were identified.

The following more specifically identifies the location of the bullet defects:

Bullet defect #1: Perforating hood  
Bullet defect #2: Perforating lower left windshield  
Bullet defect #3: Perforating lower right windshield  
Bullet defect #4: Perforating upper left windshield  
Bullet defect #5: Perforating lower driver's side door  
Bullet defect #6: Perforating left rear passenger side door  
Bullet defect #7: Penetrating ricochet upper left rear passenger side door  
Bullet defect #8: Perforating driver's side window

Regarding the interior of the vehicle, a single bullet defect was identified in the upper left front passenger seat as well as a single bullet defect in the rear passenger headrest. A single spent deformed bullet was recovered on the floorboard of the left rear passenger compartment as well as partial bullet fragments in the right rear passenger compartment. A spent deformed bullet was also recovered lodged in the rear passenger headrest.

In addition, it should be noted that bullets were recovered from inside the left rear passenger door as well as inside the driver's side front door. Regarding bullet defect #1, it was determined that the round failed to penetrate through the firewall of the engine compartment and likely fell to the ground during transport. Relative to the driver's side window that had been broken out by Deputy Geason, due to the fact the window was laminated with window tint the majority of the shattered glass was held together. The window had what appeared to be a defect possibly caused by a projectile fired into the window.

## CRIME LAB

All cartridge casings, spent bullets and Deputy Truax's handgun were submitted to the Crime Laboratory. The handgun recovered from the Audi was submitted to the Crime Lab at the request of the Milwaukee Police Department due to the fact the firearm was believed to be used in a shooting in the City of Milwaukee on June 10th, 2017.

The firearms examination was conducted by Firearms and Toolmarks Examiner Mark Simonson of the Wisconsin State Crime Lab. Simonson indicated that the eight fired .40 caliber cartridge cases recovered at the scene were fired from Deputy Truax's firearm. In addition, examination of the six fired jacketed bullets revealed that they were .40 caliber, however it should be noted they could not be positively identified or excluded as being fired through Deputy Truax's firearm due to impact and/or penetration damage along with the shallow rifling type.

Regarding DNA analysis of two fired bullets recovered from inside the Audi, that examination was conducted by DNA Analyst Sharon Polakowski. Specifically the report referenced a bullet recovered in the front passenger floor board and a second bullet recovered from the left rear passenger floor board. The results of her analysis indicated that Terry Williams Jr. was the source of the DNA

obtained from these items.

ACCIDENT RECONSTRUCTION

Accident Reconstruction was completed by Deputy Lonzrick. For further information regarding the details of her investigation, please refer to her report.

The investigative reports will be forwarded to the Milwaukee County DA's office for their review and consideration of any potential charges relative to this matter.

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