

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 7, 2016	BCA CASE #:	2016-433
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Jeronimo Yanez (JY) Attorney Tom Kelly (TK) Attorney Robert Fowler	INTERVIEWED BY:	SA Doug Henning (DH) SA Christopher Olson (CO)
REVIEWED BY:			

DH Okay the recorder is going. Uh my name is Doug Henning. I'm a Special Agent with the Minnesota of Be, the Minnesota Bureau of Criminal Apprehension. This, this is my partner Special Agent Chris Olson. Um the date today is 7-7 of 2016. The time right now is approximately 1:42. This'll be in reference to BCA case number 2016-433. Um and we will be speaking with Jeronimo, J-E-R-O-N-I-M-O, is that spelled correctly and you don't have a middle name?

JY No middle name.

DH Okay. Your last name is Yanez?

JY Yanez

DH Yanez?

JY Yeah.

DH And that's Y-A-N-E-Z?

JY Correct.

DH And your date of birth is [REDACTED]

JY Correct.

DH Okay. What is your address at work?

JY 3301 Silver Lake Road Northeast, St Anthony, Minnesota 55418.

DH Okay and your work phone number would be 612-782-3350?

JY Correct.

DH Okay. Um, and you work for the City of St Anthony?

JY Correct.

DH In what capacity?

JY As a patrol officer.

DH Okay. Um, how long have you worked for St Anthony?

JY I've worked for St Anthony for about four and a half years.

DH Okay. Prior to working for St Anthony did you work anywhere else?

JY Yes. Before I worked with St Anthony Police Department I worked for a contract company who was, who worked with Immigration Custom Enforcement and I worked as a, supervision case specialist which was just a um I watched over people who were here in the U.S. illegally.

DH Okay.

JY And then before that I worked for Whalen Security as a security guard, worked at Seagate Technology. And then, before that I was a student at Minnesota State University, Mankato.

DH Okay. So your only, law enforcement experience is with St Anthony Police Department?

JY Correct.

DH Okay. Um and you're assigned as a patrol officer?

JY Yes.

DH What shift are you assigned to?

JY I work the night shift. 6:00 am to 6:00 pm or 6:00 pm to 6:00 am.

DH Twelve hour shift?

JY Yes.

DH And how long have you been working nights?

JY I've been working nights for the past, four and a half years. There's been a couple, rotations where I've worked days but that was, during FTO and just this last rotation for about three months.

DH Okay so, so during your initial hire you were in a training period and you worked, you worked different shifts...

JY Correct.

DH ...to work with different training officers?

JY Yes.

DH Okay. Uh can you tell me about your training that you've had?

JY I have (inaudible)

DH Police related training.

JY Okay. Uh police related training I'm certified by POST board to be a police officer here in the State of Minnesota.

DH Okay.

JY I have skills training through Hibbing Community College. Um I've also done um some training through the Bureau of Criminal Apprehension um to keep my POST credits updated.

DH Okay.

JY And current. And, I did my four year degree at Minnesota State University uh Mankato. And got a four year bachelor of science in law enforcement.

DH Okay. What's your POST number? Do you know it?

JY My POST number is 21256.

DH Okay. And I forgot to say this right away when we started but you're, you're represented here by uh two attorneys?

JY Correct.

DH Um, Tom Kelly and Robert Fowler?

JY Correct.

DH Okay. Um why don't we keep going. So you do use of force?

JY Yes.

DH On a regular basis, how often do you do use of force with St Anthony?

JY Once a year.

DH Once a year?

JY We do a, a use of force once a year. Taser training once a year. Firearms training, multiple times a year. We shoot through uh Ramsey County Law Enforcement Center so we do there, I think quarterly training it is.

DH Okay.

JY And then we also have our own department training shoot.

DH Okay.

JY That we do yearly.

DH Okay so you go to several ranges a year?

JY Correct.

DH When's the last time you were at the range?

JY Um, May?

DH May?

JY Yes.

DH Okay.

JY And that was for training.

DH Okay. Have you had any specialized training? SWAT? Anything else? Anything like that?

JY No specialized training like SWAT.

DH No specialized training?

JY No.

DH Okay. Um you said you're a patrol officer?

JY Correct.

DH So in that capacity you wear a uniform?

JY Yes.

DH Can you explain that to me?

JY So...

DH Or describe it to me.

JY It's a, fully marked uniform with vest, badge on my uh left sh', left breast. Um a nametag. A states that I'm a police officer, my name on my right breast.

DH Okay.

JY I have a, pretty visible uh exterior vest carrier or bullet proof vest and I have a full utility belt. That's very observable. And it's obvious that I'm a police officer. I have patches on both arms that say I'm a representative of St Anthony Police Department and a police officer, St Anthony Police Department.

DH Okay so what color is your uniform?

JY It's navy blue.

DH Navy blue?

JY Yes.

DH And then you said you wear a gun belt as well?

JY Correct.

DH Can you tell me about the equipment that you carry on your gun belt?

JY Yes I have, for my depart my de, department uh firearm I have a Sig Sauer P20 45 caliber

DH Okay

JY That I carry on my right hand side. Uh I also have two sets of handcuffs. I have a Taser. I have mace. I have a baton. I have my portable radio. And I have a set of keys um that's all I can remember that I have on my...

DH Okay you wear...

JY ...utility belt for now. And I wear that every day that I work.

DH Okay.

JY Um and in the same position all the time. Everything is in the same position. Uh so I can keep track of where everything is.

DH Okay does your department have body cameras or anything of that nature?

JY Our department does not have body cameras but our fully marked uh squad vehicles have squad cameras. Um dash mounted cams.

DH Okay.

JY And they have a microphone as well for and it does audio and visual recording.

DH Okay. So that's, uh when you say it's got a microphone is that a remote mic?

JY Yes.

DH Is that something that you wear on your person?

JY Yes.

DH Okay. Is that policy that you wear that?

JY Uh I can't recall if it's policy.

DH Okay.

JY But I know there's something in our policy that states that we should wear it.

DH Okay.

JY Um, and yeah I wear it all the time.

DH So do you know if you were wearing it yesterday?

JY I was wearing my microphone last night.

DH Okay do you know if it was working?

JY I can't recall, if it was working or not.

DH Okay.

JY Um, I had my attention focused on uh suspect vehicle that I was pulling over. As I was pulling it out of the holster, I can't remember if I was pull, pulling it out of the holster or if I already had it in my vest but I know I had it, on my person.

DH So when you say holster it sits in a holster in the car?

JY In a charger.

DH In a charger?

JY Yes.

DH And stays in the car?

JY Yes.

DH So whoever drives, so your car is, is driven by more than just you?

JY Correct.

DH So, when your shift you, you'd pick it up and you put it on your person. Does it just clip on your uniform?

JY It's a little, two inch by two inch square that just, you can just put it anywhere. I put it inside my pocket with no obstructions over it so it can get clear audio.

DH Okay.

JY Um, for (inaudible)

DH And that's the piece of equipment that you showed me last night?

JY Correct.

DH Okay. Um, so at the beginning of your shift do you test this equipment to make sure it's working or not or?

JY Uh I do not test it. But I did make traffic stops beforehand.

DH Okay.

JY I made two traffic stops beforehand I believe and uh the audio was working (inaudible)

DH Okay so you reviewed those traffic stops after the fact?

JY I can't remember if I reviewed 'em or not.

DH Okay.

JY But I, I know I had the uh microphone on my person.

DH And it was...

JY In the same spot that I put it and it was recording and...

DH Okay.

JY ...it was saying that the mic was active on the um the video screen.

DH Okay so you can see some type of monitor or display that tells you this is working, this is operational and the two pieces equipment are...

JY Correct.

DH ...are hooked up and...

JY Correct.

DH Okay. Um so with that can you tell me about the car you drive?

JY Yes it's a 2015 Dodge Charger. Uh fully marked with St Anthony uh placards on each side. The squad that I was driving was marked as uh 700 and 4. It has a light bar, light bar on top. Uh push bumper in front. It's black and white. The door's on the passenger side and I think it's on the passenger side and driver's side I think they're both white.

DH Okay.

JY And then the rest of the vehicle is black.

DH Okay.

JY And then my squad vehicle is equipped with very bright LED lights. Red, blue and white flashing lights.

DH Okay so

JY That are visible...

DH On the top?

JY ...from I would say more than a mile away.

DH Okay. Are those, are is, is there more than just that light bar on top? You said there was an external light bar? Are there lights...

JY Correct

DH ...in the back

JY So there's a light bar on top and then the headlights flash on and off. And then when I turn all the way on there's a, opticom that blinks repeatedly and very fast and it's hard to miss. And then my tail lights also go on and off.

DH Okay.

JY And then there's a light bar I think on the back of the squad as well.

DH So when you activate all your lights it's very readily apparent that this is a police vehicle?

JY Correct.

DH Okay. Um I want to go back to your uniform for just a second.

JY Yes.

DH You've been wearing this uniform, the same uniform for the past four and a half years?

JY Yes.

DH Has, has uh anybody ever mistaken you for anything other than a police officer when you're wearing this uniform?

JY Nobody has mistaken me for anything else, other than...

DH Okay.

JY ...I'm a police officer.

DH You've approached people, you've had numerous contacts and it's always apparent to people that you're a law enforcement officer of some, of some type with, with St Anthony?

JY Correct.

DH Okay. Um, we'll continue with the car.

JY Okay.

DH Is there any special equipment that you carry in the car?

JY Uh there is a squad computer which also has a, mobile air card. I think it's through Verizon wireless.

DH Okay.

JY Which gives us internet access and we have um two computerized dispatch systems. In, one for Ramsey County and then one for Hennepin County. I use the one for Hennepin County the majority of the time. And uh we have all of our access to our primary weapon which is a M4 that's mounted on the roof of the vehicle.

DH Okay.

JY And then we have squad sirens, in the same place where I activate my lights. And then we have two squad radios. Um one for car to car and to listen to the opposite county that we're not in.

DH Okay.

JY And then one for the county that we're in.

DH Okay. Cuz, St Anthony services more than one, more than St Anthony?

JY Correct. St Anthony we, we work with Falcon Heights and Lauderdale. Which we're contracted with.

DH Okay.

JY And so we have one squad in Falcon Heights and Lauderdale.

DH Okay.

JY It's 24/7 coverage.

DH And, is that where you were working last night?

JY I was working in the City of Lauderdale last night.

DH Okay. Um, do you check all this equipment prior to starting your shift to make sure it was operational? Your lights, your sirens stuff like that before you rolled out of the...

JY I didn't test my sirens.

DH Okay

JY Um I know that my emergency lights were working.

DH Okay.

JY And active because I was able to pull over uh two other vehicles prior to the suspect vehicle that we're here talking about or interviewing about.

DH Okay.

JY Um and I remember going back to my squad and seeing that the lights are working. And I remember from this incident as well that the lights were on and they were active as well.

DH Okay. Uh just before we get too far before we start talking about what happened yesterday can you tell me about your education?

JY I, went to high school in South St Paul. Graduated and went to Minnesota State University, Mankato. Where I got my four year degree uh in law enforcement. Bachelor of science and then incorporated with that uh is our skills portion which is through Hibbing Community College.

DH But that was conducted down in Mankato though correct?

JY Yes.

DH Okay. So Hibbing hosts the training but they take it down to Mankato?

JY Yes.

DH Just to make it easy on the students?

JY Yes.

DH Okay. Um, why don't we go ahead and, tell me uh yesterday you got to work.

JY Yes.

DH So tell me about your day yesterday.

TK Before you get started on that if I may uh I wanted to make clear that um that the officer is going to be speaking here from the best of his recollection, um as, as you know this is only um less than fifteen hours uh since the time of this incident uh there's always stress related to that. In addition to that this would be the normal time that this officer would be um sleeping. And he's only had a couple hours of sleep. And I say that only because I, I know he's gonna make his best efforts here to give you an accurate uh recollection of the events but in the event that we do come up with something that we've forgotten or that has been misstated um we, we would like the opportunity to supplement or modify the

statement that he's giving now with something that occurs to him later or that he realizes that he has misstated now. So we'll do our best to make sure that, then. This is his, his uh most accurate recollection right now. But we want the opportunity to um supplement the record so to speak at a later time.

DH Absolut...

JY That is, that is true

CO And for the benefit of the transcriptionist that was Counselor Tom Kelly.

DH Okay.

CO Alright.

DH And absolutely if you, if you come up with something that you would like to clarify at a later time, anything we can, we can certainly sit down again and go over that.

TK So when he speaks he'll be speaking as to the best of his recollection right now and, and um and uh it's probably um unlikely that we'll have anything to um add later on but in the event that we do we'll, we'll notify both of you.

DH And Chris and I, Chris and I will certainly make ourselves available for that. So with that said um what time did you get to work yesterday?

JY I got to work at around 5:20...

DH Okay.

JY ...in the afternoon. And I went in to our locker room and I changed in my full uniform that I described to you earlier in the interview. And we had shift change and we uh, with the day shift and then...

DH What does that entail? Shift change.

JY Shift change...

DH Is there a rollo call or anything like that?

JY There's, rollo call if there is any rollo call um usually there's no rollo call unless it's, um something that's a critical incident or a burglary or a string of uh theft from autos in the area then we get notified about it um

DH Okay

JY We get notified about everything that's, um that we would expect to get called for.

DH Okay.

JY And what day shift finds important for us to know for night shift.

DH Okay.

JY Um after that it was only, we were at minimum so it was myself was working the City of Lauderdale. And then which is 6921 and then my partner, Joseph Kauser who was working in 69 as 6920 in the City of Falcon Heights. And then my other partner, Tressa Sunde who was 6910 in the City of St Anthony. And we were, my partner Officer Kauser and I were uh we give all of our radio traffic on the Ramsey County main so...

DH Okay

JY ...we monitor on our car to car and our, and Hennepin County on our car to car radio.

DH Okay.

JY Um, I we went to the, we went to our contract cities. Um dropped off our lunch at Falcon Heights Fire Department. And then we started patrolling. I was working the City of Lauderdale. I was running speed radar and just looking for vehicles to pull over and uh just driving around the city and just making contacts with our citizens.

DH Okay.

JY And uh I pulled over two vehicles that I can remember. And then uh...

DH Do you remember what you pulled 'em over for?

JY I pulled two vehicles over for speeding. They both received citations. And then um it was kinda slow for a little bit I think. And then I can't remember exactly where I was but I was keeping my eye on 2424 Larpenteur which is a convenience store on Larpenteur at the intersection of Larpenteur and Eustice. It's on the southwest corner of the intersection. Um, I wanted to pay attention to that because we had a strong armed robbery last week uh which involved two African American males um, one having a firearm and pointing it at the clerk and then the other uh the victim told me that he also had a firearm but I wasn't able to see it when the video was reviewed. Um, so I was sitting at a intersection and I see a white vehicle. I can't remember what kind of vehicle it was. Um but I see two occupants. What I believed was two occupants inside the car. And I couldn't make out the passenger. But I knew the passenger had a hat on. And I couldn't make out if it was a guy or girl I just knew that they were both African American and the driver uh appeared to me that he appeared to match the uh physical description of the one of our suspects from the strong arm robbery, gunpoint.

DH Okay.

JY Uh (inaudible)

DH What is that description?

JY Um it was a (sigh) I can't remember the height, weight but I remember that it was, the male had dreadlocks around shoulder length.

DH Um-hm.

JY Or longer hair around shoulder length. And, um it wasn't specified if it was corn rows or dreadlocks or straight hair. Um and then just kind of distinct facial features with like a kind of like a wide set nose and uh I saw that in the driver of the vehicle.

DH Okay.

JY That uh this incidents about uh at the intersection of about Larpenteur and Carl, Larpenteur and Eustice, that area. Uh so I get behind the vehicle to see if I can see any uh violations, to get a good ID on the, driver. I run the plate. And I can't remember who it comes back to. And uh I call out to my partner on my car to car radio because that's where we do all of our radio tr or our uh radio traffic is on car to car unless it's something like a in progress call then we go on our main to main, our main radio. So I got on my car to car radio. I let Officer Kauser know

that I was behind a, a suspect vehicle traveling eastbound Larpenteur and I told Officer Kauser that it was occupied two times and I couldn't make out who the passenger was. And, I told him that the driver appeared to, match the physical description of our suspect from the strong arm robbery and I told him that I wanted to wait for Officer, I told Officer Kauser that I wanted to wait for him um for backup. Uh just in case cuz I didn't know who I was pulling over.

DH Right.

JY I just knew that the driver matched the physical description. And we were approaching the intersection of Larpenteur and Snelling and it's a very busy intersection. Uh I can't remember what time it was specifically but I, believe it was around 8:45-ish to 9:00 o'clock-ish. Um and it's still pretty busy in that area. Heavy traffic. Uh would be a close heavy foot traffic with uh walkers, joggers. Um people living in the apartments in that area. Uh restaurants. And I decided to initiate the traffic stop just west of the intersection, on Larpenteur west of Fry Street.

DH Okay.

JY Because, just in case anything happened I wanted to make sure that, nobody's lives were in jeopardy and we were out of heavy traffic and innocent bystanders and uh all that. And uh so I initiated the traffic stop. At that point Officer Kauser got behind me. Um I was keeping my eyes on the vehicle and

DH Just let me stop you for just a second.

JY Yeah.

DH So the reason that you did all this stuff, uh you, you waited for a partner?

JY Yes I waited for a partner because...

DH Um, you waited for a safe area to make the stop?

JY Correct.

DH And this is based on information because this guy fit the description of an individual that had, had been armed and committed a robbery?

JY Correct.

DH The week prior or a couple days prior?

JY Uh the week prior. I...

DH Okay.

JY ...can't remember what day but it was last week.

DH Okay. But typically, under normal circumstances you conduct traffic stops on your own?

JY Correct.

DH Regular traffic stops?

JY Regular traffic stops on my own.

DH Okay.

JY And then I update my partners if I'm, if I'm okay code 4.

DH Yeah.

JY Um or if I need their backup.

DH And code 4 just for people that don't understand (inaudible)

JY Code 4 is, meaning you're okay.

DH (inaudible) okay...

JY Don't need assistance.

DH ...I'm safe, the situation has been deemed, stable.

JY Correct.

DH Okay.

JY And, I initiated the traf, what's that?

DH So but you waited for a partner? You called a partner?

JY Yes I waited for the partner. I waited to pass the partner and uh I was behind the vehicle and I saw my partner I was about, a quarter mile ahead of him. And he was still trying to catch up.

DH Okay.

JY To, get behind us. And I decided to, activate my emergency lights so we wouldn't be in that heavy foot traffic, vehicle area.

DH Okay

JY With innocent people at the intersection of Larpenteur and Snelling.

DH Okay.

JY I just wanted to be as safe as possible. And have everybody safe as possible. And uh...

DH Okay.

JY ... (sigh) I activated my emergency lights. I started getting out of my squad. Um, I can't remember I had my, eyes focused on the driver cuz that's what I always do. I get out of my squad vehicle and I approach the vehicle as I always do. Looking inside, looking for any furtive movements. Um looking to see who's inside the car. And as soon as I get up to the car I'm hit with a, odor of burning marijuana.

DH Okay.

JY And I know it's already been smoked and I've been around uh through my training I've been around burnt marijuana and uh as a police officer I've been around burnt marijuana and uh fresh marijuana.

DH Okay.

JY So I know the distinct smells between both.

DH Okay.

JY I smelled burnt marijuana. And then I see a female child in the back. And then I see a front seat passenger, adult female uh in the front seat. And then I see the suspect up driving, seatbelt on leaned back in his seat. He had his, left arm over the steering wheel and then he had both hands in view. And then...

DH Initially?

JY Initially. And then I told them the reason for the traffic stop and then I wasn't going to say anything about the marijuana yet because I didn't want to scare him or have him react in a defensive manner. Um, he didn't make direct eye contact with me and it was very hard to hear him. Uh he was almost mumbling when he was talking to me. And he was directing his voice away from me as he was speaking and as I was asking questions. Uh he kept his hands in view and then I uh I believe I asked for, his license and insurance. And then I believe they told me, they asked for the reason for my traffic stop. And I told 'em the reason was the only, I think I told 'em the only rea, the reason I pulled you over is because the only active brake light working was the rear passenger side brake light.

DH Okay.

JY And then I received the insurance and then...

(buzzing)

JY ...I can't remember if I asked for his ID or not but I, I know I asked for his ID or his driver's license. And then he goes I have a gun. And as I'm telling him or as he's telling me that he's reaching down between his right leg, his right thigh area and the center console.

DH Okay.

JY And he's reaching down and I believe I'm telling him something along the lines of don't reach for it, don't do it. Referring to the, uh the firearm.

DH Yep.

JY Because usually people that carry firearms carry 'em on their waistband. Um and or in between the seats and being that the vehicle smelled the inside of the vehicle smelled like marijuana um I didn't know if he was keeping it on him for protection, for, from a, a drug dealer or anything like that or any other people trying to rip him. Rip him meaning steal from him.

DH Rob him.

JY Um rob him. Um and I couldn't see uh the area wi, where he was reaching his hand down towards.

DH Okay.

JY And I, believe I continued to tell him don't do it or don't reach for it and he still continued to move. And, it appeared to me that he had no regard to what I was saying. He didn't care what I was saying. He still reached down.

DH He didn't stop moving his hand?

JY He didn't stop reaching, for his hand he, he didn't stop moving his hand and it still went down.

DH Okay.

JY As he was reaching down um he, turned his shoulder kept his left hand on the steering wheel and then canted his upper body and blocked my view of his right hand.

DH Okay.

JY And, at that point I, was scared and I was, in fear for my life and my partner's life. And for the little girl in the back and the front seat passenger and he dropped his hand down and, can't remember what I was telling him but I was telling something as his hand went down I think. And, he put his hand around something. And his hand made like a C shape type um type shape and it appeared to me that he was wrapping something around his fingers and almost like if I were to put my uh hand around my gun like putting my hand up to the butt of the gun.

DH Okay.

JY That's what it appeared to me.

DH Okay.

JY And then I lost view of it. Cuz he kept canting his shoulder and then I believe I told him again I can't remember don't do it. And then he still kept moving his hand and at this point I looked and saw something in his hand. It was dark inside the vehicle. I was trying to fumble my way through under stress to look and see what it was to make sure uh what I was seeing. But I wasn't given enough time and like I said he had no regard for what I was saying. Didn't follow my direction. And, uh he started reaching out and then pulling uh away from his uh his right thigh. I don't know if it was in his pocket or in between the seats or the center console. But I, I know he had an object and it was dark. And he was pulling it out with his right hand. And as he was pulling it out I, a million things started going through my head. And I thought I was gonna die. And, I was scared because, I didn't know if he was gonna, I didn't know what he was gonna do. He just had somethin' uh his hands and he, the first words that he said to me were, some of the first words he said is that he had a gun. And I thought he was reaching for the gun. I thought he had the gun in his hand, in his right hand. And I thought he had it enough to where all he had to do is just pull it out, point it at me, move his trigger finger down on the trigger and let off rounds. And I had no other option than, to take out my firearm and, and I shot. Um I shot him. I don't remember the first couple shots. I, believe I remember the last two shots. And I believe one of the shots went into his left arm. Um, as I was shooting uh I, I kept watching him. And I, I remember smelling the gun smoke and the bright flashes from the muzzle. And then I heard, a couple pops uh from my firearm. Um and then my partner was on the opposite side of the vehicle. Uh watch, looking in and I directed my gunfire down as best as I could. Away from, not trying to put the little girl's life at jeopardy or the passenger or my partner because they were, in the line of my fire.

DH Where is the little girl seated?

JY She was seated behi', directly behind the front seat passenger.

DH Okay.

JY But, diagonal

DH Okay.

JY . Uh from where I was standing.

DH Okay.

JY Um, so basically behind the driver. And then, so...

DH Behind the driver or the passenger?

JY So if I'm facing the driver.

DH Yeah.

JY She was di, she was diagonal from him. Behind the backseat or front seat passenger.

DH Okay.

JY So she was in my line of fire. Um but I, made sure that I directed my firearm down and as best as I could and let off rounds and as the rounds were going off I thought he was still moving for his gun and, (sigh) I it just seemed like he was pulling out the gun and the barrel just kept coming. It seemed like something was just coming out and I thought it was a gun and I thought it was a barrel just coming out it (inaudible)...

DH It appeared to you, it appeared he had his gun in his hand?

JY ...had his gun in his hand.

DH Okay.

JY And it, was big. It was to me it just looked big and apparent that he's gonna shoot you, he's gonna kill you. Um this is your, suspect from the robbery. And uh I let off the rounds and uh

DH Do you remember what...

JY I don't remember how many rounds I let off. Um I remember seeing the, last two rounds go off and I remember seeing one of those rounds hit him in the arm. Uh his glasses flew off. I'm not sure if it was from gunfire or from him uh whipping his head back or anything like that. Uh but uh as that was happening as he was pulling at, out his hand I thought, I was gonna die and I thought if he's, if he has the, the guts and the audacity to smoke marijuana in front of the five year old girl and risk her lungs and risk her life by giving her secondhand smoke and the front seat passenger doing the same thing then what, what care does he give about me. And, I let off the rounds and then after the rounds were off, the little girl was screaming. I held the suspect at gunpoint. His arms came up into view. And they were up by his chest. I can't remember what I said. But I acknowledged this little girl first. Cuz I wanted her to be safe and I told Officer Kauser or I told her one of the two to go run out of the car and run to Officer Kauser or Officer Kauser to get her. And then I turned my attention to the front seat passenger. I didn't, point my firearm at her. I still had it on the suspect. Cuz he was still moving. And he,

DH Did he respond to you in any way?

JY She? He did?

DH He, after he, after the shots.

JY He, no he did not respond. Um he just kept his arms up and I don't remember hearing anything coming out of his mouth if he said anything. I just remember that...

DH Do you remember seeing anything in his hand?

JY Um, I don't remember seeing anything in his hand.

DH Okay.

JY Um I just know that I saw his hands in view and his hands were in my view and that uh I didn't see anyth', I, I didn't believe, I didn't see anything in his hands. And then um, I directed my attention to the front seat passenger with my gun still on the suspect. Made sure she was all right. I looked back to the little girl and I think she was in the arms of my partner. And I think she was all right. And then the front seat passenger was, screaming and then I heard her say something about four shots and then she had her cell phone out and, I don't know she, she had her cell phone out and I don't know what she was doing with it. But I told her to keep her hands in view. She complied with my direction. And she kept her hands in view, around the dashboard area and then she, and the uh Roseville officers arrived. Officer Kauser was the first one to say, go out on the Ramsey County main saying that there were shots fired. I know there was a little bit of confusion because dispatch was (coughs) dispatch uh called back uh for whoever was calling to say, did you say shots fired or something like that. And then uh that's when, a Roseville officer arrived and then uh I told them that I had the suspect at gunpoint. And two officers arrived behind me. I don't remember who they were but they were Roseville officers. And they stood behind me with their guns drawn on the suspect and they took the female front seat passenger out at gunpoint, detained her, put her in handcuffs, escorted her back to one of the squads. (pause) Excuse me, sorry.

DH That's alright.

JY And then, I stayed with the driver until I was relieved by two of the Roseville officers. And, I re, after um they were taking care uh of the driver um tending to his needs. I don't remember what they were doing but they, one of the officers escorted me to ah, little berm on the other side, away from the scene, away from everybody, and I remember holstering my gun and people were across the street videotaping and we called for a ambulance right away, or I assume they, they expected to send a ambulance. I can't remember. But I remember getting on the radio saying that there were shots fired. Um, and I remember, I can't remember if I said bring an ambulance um, um, and then I said page out supervisors as well. And then uh, they escorted me over to the other side of the berm and that's when I was escorted into a unmarked Roseville squad and I was escorted by Officer Brian Anderson from Roseville Police Department, um, in the front passenger seat while he was driving up to St. Anthony Police Department, where I was placed in our, one of our squad rooms and Officer Kauser ended up taking a separate vehicle from us and sitting in a different room. Um, we had no interaction. We still haven't had any interaction.

DH You haven't discussed this with Officer Kauser?

JY We haven't discussed this, I haven't discussed this with anybody.

DH Okay.

JY I.

DH Outside of your council.

JY Correct.

DH Okay.

JY And um, they took photos of my thumb, 'cuz I had blood running down my hand.

DH Okay.

JY On the inside of my thumb, and on the top of my hand.

DH Do you know how that got injured?

JY I don't remember how it got injured, but it looks like I may have, as I was drawing my weapon I was trying to get both my hands on the firearm um, and the slide came back and kicked back my finger and...

DH Cut your finger.

JY ... cut my finger.

DH Okay.

JY And that's what I remember to the best of my knowledge um, from all that.

CO You did a nice job articulating that. I just had a couple follow up questions?

JY Yes.

CO If that's all right? Um, and I don't know if we um, might have missed this, what's your badge number?

JY My badge number is 151.

CO Okay, alright. And um, your, your, we talked about your qualification but you've, you've passed and your fully um, firearms you currently qualified right?

JY Correct.

CO You haven't had any issues recently?

JY No issues.

CO Okay. And we just I think clarified that you have not had an opportunity to watch the video from your squad cam?

JY That is correct.

CO You have not, okay. And how did you become aware of the robbery suspect um, is that a briefing item is it, or something posted at the PD, is there...

JY I was actually dispatched to that call...

CO Okay.

JY ... I was the secondary Officer that arrived on scene and...

CO So your, okay. So you got, you were one of the officers that got the original description from the victim?

JY Correct.

CO Okay.

JY And I also set up a perimeter with St. Paul, Roseville Police Departments and gave suspect description to all them.

CO Okay.

DH You just, you briefly mentioned that you watched some surveillance video maybe?

JY I watched the security cameras inside of 2424 Larpenteur and um...

DH That's how you saw the...

JY That's, that's how I saw the...

DH Description of the suspect?

JY ... description of the suspects.

DH Okay.

JY And then I was also told that by the victim as well.

DH Okay.

CO The video on your squad's um, I know how most of them are triggered but I just want to confirm is yours triggered um, by hitting the emergency lights or is it triggered manually and...

DH That's correct it's triggered once I activate emergency lights.

CO Okay. And, and, and in this instance, in this event um, that's what happened right?

JY Yes.

CO Okay. The um, what was the distance that you followed the subject vehicle until you, or your backup was close, where, where did you first encounter...

JY Um, in the City of Lauderdale, near the intersection of Larpenteur and Eustis, that's the last main intersection that I initially see, seen um, the suspect vehicle and suspect.

CO Okay.

JY Um, and then...

CO So for my benefit what's the distance in terms of...

JY About two miles.

CO Okay.

JY That I followed 'em until my backup arrived.

CO And in your estimation um, and you may not have an answer to this, but in your estimation did the, the driver of this vehicle um, have any idea that he was being followed by a squad? Do you have any feeling about that?

JY I can't say that he did...

CO Okay, there's no obvious sign...

JY ...but I, yeah. I, I was behind 'em and it was apparent that I was behind 'em.

CO For a distance of approximately two miles?

JY Distance, I would, for about two miles and there was probably about um between my fully marked squad and his vehicle I would say there's about four to five car lengths and there was nobody around us.

CO Okay so there weren't any vehicles...

JY Or between us.

CO ...between the two of you for a distance of about two miles, is that right?

JY There were other cars in the, in the, in the roadway, I can't remember...

CO Okay, at any given point...

JY At any given point...

CO ... there may have been vehicles in between?

JY Yes.

CO Okay.

JY But I remember from Larpenteur and Fairview that we were the only vehicles um, in that area traveling east bound and all other um, regular traffic was behind us and um, from Fairview and Larpenteur to Fry Street and Larpenteur where the traffic stop took place, um, I would say it's about quarter mile?

CO Occasionally in your, in your patrol functions you've seen drivers that are aware that there being followed by virtue of seeing them look in there mirrors but that didn't happen in this case?

JY Correct.

CO That you remember? Okay.

JY I wasn't looking in the mirrors I was looking for him trying to stuff anything in the seats or...

CO Okay.

JY ... the front seat passenger was trying to do anything.

CO Furtive movements?

JY Yes. I was looking for that cuz I mean I, I do look to see if there looking in there side mirrors or rear view mirrors as well.

DH And you didn't see any of those?

JY And I didn't direct my attention to any of those cuz I, my main concern was to see if he had, was stuffing anything or reaching down anywhere or dropping his hands from the steering wheel or anything like that.

DH Okay.

CO Do you know if your car to car channel is um audio recorded?

JY I am not sure.

CO Okay.

DH And that would have been the Ramsey radio car to car, or Hennepin car to car?

JY No our car to car is, can be monitored basically by anybody, but St. Anthony Police Officers just use it and...

DH Okay.

JY ... Roseville, our neighboring agencies can monitor it...

DH Okay.

JY Um, but like I said we have two radios in our squad cars, basically the county were in, we put our main radio as, so I was in Ramsey County so I had my main radio, which is at the bottom near my left leg, left thigh, I have that on Ramsey County and then on the top radio, which we use for um, traffic and just talking car to car with our partners...

DH Um-hm.

JY ... um, have um, the opposite county so which would be yesterday I had Hennepin County as the main radio to be primary and I was on car to car um talking and advising Officer Kauser of um, my traffic and description and or, all the details entailing the, my traffic stop.

DH Okay.

CO I'm gonna go back to the fingers uh wrapped around the, the object and the hand uh that you observed uh I think that was your wording. How big was this object if you were trying to quantify that?

JY It was, to me it looked like it was uh wrapped around the butt of a gun so.

CO Okay.

JY Of um...

CO The sun...

JY ...butt of a gun.

CO This is occurring at roughly 9 p.m. Is that right?

JY That's around that time. I can't remember.

CO (inaudible) has set I mean the lighting conditions is what I'm getting at.

JY Ye-, yeah I can't remember. I...

CO Okay.

JY Around what time it was. I wasn't paying attention to that. My main concern was officer safety and citizen safety.

CO I understand, um was it hard for you to see because the of the lighting conditions uh inside the passenger compartment or was it uh...

JY Yes.

CO Okay.

JY Yes.

CO Alright and this person in this car as we talked to you today do you know this person's name?

JY No, I do not.

CO Okay. Do you have any indications that you've had previous dealing with this person?

JY No, I do not.

CO Okay and approximately and time is hard especially when, when stresses uh apparent but what was, from the time he mentioned to you that he had a firearm,

weapon um what was that timeline? Did he immediately announce that at start moving...?

JY I can't remember if he immediate announced it but it caught my attention right away and it seemed like it was split second from the time he told me, to the time he was reaching down, to the time I gave him direction, to the time he had the his hand wrapped around it and then I gave him more direction and shots were fired.

CO Can you describe his att factor, his general disposition in terms of maybe a tone associated with that uh that when he said something about a firearm?

JY I, I know he said, I have a firearm and then uh as he began reaching for it his tone in his voice was very subtle and uneasy to me. Um, and as I was giving him direction about what to give me and to keep his hand in view um like I said I felt that he had no regard to what I was saying. He didn't care what I was saying. He didn't want to follow what I was saying so he just wanted to do what he wanted to do.

CO Did he at any point either make eye contact with you early on?

JY He was, he made contact with me, eye contact with me initially but then after that um I do remember distinctly also that he did at least one or two target glances down, down by his uh right thigh area where his right hand was. Um, and to me that's, that's sets off red flags for me that somebody's trying to hide something or somebody's gonna do something to you and there's a weapon or something down there that they don't want you to find and that's what kind of set me off at first and that was actually before um, before he reached down um I was reading his body language and uh he just, he was, its, his body language was, it appeared defensive to me, that I was just pulling him over. He may have thought that I was pulling him over for no reason but I already told him the reason I pulled him over. Um, the way he mumbled things under his breath appeared to me I could barely hear him. Um, and I know he said I have a gun and uh then (inaudible)

DH (inaudible) clear you told, you told them that you pulled them over for the, the tail light issue.

JY Correct and then I still had in the back of my mind...

DH But, but really the, the issue that started this is he fit the description of an individual that had been in an armed robbery ...

JY Correct.

DH ...earlier.

JY I don't tell people that, just in case. I don't, I don't them to run from the car. I don't want them to do anything stupid or anything like that.

DH So the reason you told them about that tail light was an attempt not to escalate the situation.

JY Correct.

DH Okay.

JY Yes. That is correct um and I kept at, I kept all those in the back of my mind. The robbery and that I was already gonna pull 'em out of the vehicle cuz of the odor of marijuana.

DH Okay but you didn't say anything about the marijuana....

JY I didn't say anything about that.

DH ...(inaudible)

JY I wanted to...

DH ...saying you didn't wanna...

JY I didn't wanna escalate the situation and I wanted to get everybody's proper id first to see if anybody had warrants or anything like that. Um, but I wasn't able to, to even get that information.

DH Okay.

CO And I understand that you may have had a flashlight with you or on your belt but it wasn't deployed or?

JY Yes.

CO ...or used. Is that right?

JY I can't remember.

CO Okay. Um, when you were uh discharging your firearm, what were you aiming at?

JY I was aiming at center mass, directed down, towards his like the, towards like the midsection, chest area, um, to direct gun fire at that area and away from the innocent people in the car.

CO Okay.

JY The little girl, my partner, who was outside of the car, and the front seat passenger.

CO Okay. I just got one more question. Um, who, uh who took the photo of your thumb? Was that someone that's on the scene or did that happen back at (inaudible)

JY That happened back at the PD.

CO Okay.

JY And Officer Kauser took the photo.

CO Okay.

JY Uh because they wanted me to get it cleaned up um so it wouldn't get infected and I had dry blood on, all over my hand.

CO Okay.

JY Um there were photos taken with a department um camera.

CO Yep.

JY And I'm pretty sure they were (inaudible) to the case and um they asked me if I wanted a ambulance to have it looked at and they asked me if I wanted any bandages and that's all that was said and then...

CO Okay.

JY ... after the photos were taken um Officer Brian Anderson was with us the whole time and he then directed Office Kauser into a squad room then me into another.

CO So he was your monitoring officer?

JY Yes.

CO Which is consistent with the procedures within your department?

JY Yes

CO Okay. Have you been involved in any previous uh critical incidents uh where deadly force, deadly force was deployed in your capacity at Falcon Heights?

JY Not in the City of Falcon Heights, on the City of St. Anthony I was involved as a witness at the trailer park shooting, 2501 Lowry Grove.

CO Sure.

JY And I was also dispatched to a murder suicide on 39th and Macalester which was about 4 ½ years ago.

CO Okay.

JY Um the shooting was about 2 years ago I think and then, I can't remember anything else other critical incidents.

CO Okay and I asked you about the driver of this vehicle and I guess I'm gonna ask the same question about the passenger, the female passenger. Do you have any knowledge of who that person is as I speak to you today?

JY No.

CO Or have you had any indications that you've had previous dealings with that person?

JY No.

CO Okay.

JY And then I was also involved in a critical incident about 3 years ago where uh person that we arrested uh tried going for my firearm and put his hands on my firearm, tried taking it out of the holster and we ended up fighting with him but we were able to arrest without any...

CO Was that deploying deadly force?

JY Yeah applying deadly force.

CO Okay. Do you have questions for us?

DH I've got one more.

CO Okay.

DH I got one more. I just wanna ask you and this is, and this is just an estimate. Um, when you started firing at this individual, the driver, what do you think the distance was between you and him?

JY Two to three feet.

DH Okay.

JY Maybe.

DH Okay.

JY I was standing right at, right at the door um...

DH And he was seated?

JY And he was seated in the driver's seat.

DH Okay.

JY So whatever that distance would be. I would say two to three feet, two to four feet.

DH So less...

JY And I can't...

DH ... than five?

JY Yeah, less than five and I believe uh I don't know I think I closed distance if you're talking about distance from my firearm to the suspect...

DH Right.

JY ...then less than that I think.

DH Okay. So your estimate would be two to three feet.

JY Yeah.

DH Okay.

CO Have you in your experience in the law enforcement, have you had an experience before where someone's told you they had a firearm, uh and then what (inaudible)

JY Yeah, plenty of times I've had that and, and I, I know from hundreds of traffic stops that I've done, people with conceal and carries or that are carrying a firearm, even if it's not on their person they tell me that they have a firearm in the vehicle or they tell me that they have it on their person where, where the firearm is located. They keep their hands in view. Some people even take the keys out of the ignition, set 'em on the dash and they keep their hands on top of the steering wheel and they tell me before I even say anything they tell me, officer I'm carrying a firearm or I have a firearm in the vehicle. They tell me where it's at and with that they always tell me that when they're gonna reach for something and where their wallets at or what they're gonna do. It's happened 100 percent of the time. I know that for a fact um when people have firearms and I've been comfortable with that being on a traffic stop with somebody that has firearm in the vehicle or on their person.

CO Okay.

DH You've had those people; you've directed those people to provide you with a driver's license.

JY Correct.

DH Proof of insurance.

JY Correct.

DH Normal requests during a traffic stop.

JY Yes.

DH Okay, without issue?

JY Without issue.

DH Okay.

CO And... just and I hate to be redundant but (inaudible) as you speak to us today believe that that was a firearm in this person's hand.

JY Yes.

CO Okay and it was, you described the color or maybe you didn't but it was uh...

JY I just knew it was dark and I could barely see and I thought it was a firearm and I thought he was gonna shoot and kill me and I thought he was gonna shoot and kill my partner right after that.

CO Okay, I understand.

DH Okay, one last thing I'm gonna ask you to do. Um, I'm gonna ask you to draw a diagram...

JY Okay.

DH ...of the scene so where his car was um and I'll ask you to make his car big enough so you can, you can uh place the people that were in that vehicle, where, you know essentially show us where they were.

JY Okay.

DH Um, I'll provide you with a piece of paper here and if you can write, this is not, a not to scale drawing.

JY Okay.

DH Um, if you could just write up there somewhere not to scale.

JY Okay.

CO Yep, right.

DH So this is just free, this is a free hand diagram by you basically just to lay out for us.

?? Orientation.

DH Orientation of the traffic stop. You can write what street was what just so people that were not involved in this are able to picture where everybody was during the incident.

CO So as you're doing that, I don't know if you can multitask.

JY Yeah.

CO I know I'm not real great at it. Did uh you run a registration on this vehicle on M, MCD uh...

JY Correct.

CO Okay alright.

JY Yes, I did.

CO Do you remember who that came back to?
JY No, I do not.
CO Okay, alright but it was clear? it wasn't stolen?
JY Correct.
CO Okay.
JY Checks came back for, through NCIC saying that there were no warrants or no...
CO Okay.
JY ...stolen uh hits on the vehicle.
(drawing noise)
CO As you talk to us today do you have information uh whether or not a firearm was recovered at the scene?
JY Uh
?? (inaudible)
JY Yeah.
CO Yes.
JY Yeah.
CO Okay and that's where you learned is through council?
JY Yep.
CO Alright.
DH That's good.
(drawing noise)
DH Can you just show me which way north is?
JY Alright.
DH Perfect. Uh so I just wanna go through this with you. This is the suspect vehicle?
JY Yes.
DH This is the driver?
JY Yes.
DH This is the individual that you said that had a gun in his hand?
JY Yes.
DH This is the front seat?
JY Yes.
DH Female passenger?
JY Yes.
DH Rear seats of the vehicle is a female child?
JY Yep.

DH You have a person over here, that's your partner?
JY Yeah, Officer Kauser.
DH Okay and this is you at the driver's side door?
JY Yes.
DH Okay, first, first vehicle you're showing behind the suspect vehicle. This is your squad?
JY Yes.
DH St. Anthony Police Vehicle, marked?
JY 704, yep.
DH And behind you is another...
JY Officer Kauser's squad.
DH ... squad?
JY (inaudible)
DH And that's another marked St Anthony Police vehicle?
JY (inaudible) squad.
DH Okay. Do you have any questions?
CO I don't. Uh do you have any questions uh do you wanna stay on the record, council?
DH Okay.
?? No, we're good.
DH The time right now is 2:42 and this will be the end of the interview.

END OF TAPE

~~GA~~
Not to Scale

Officer Vance

Suspect Vehicle

Suspect

Female Driver

Female Child

Off. Kanzer

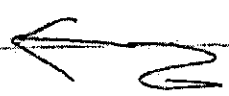
J. Vance 2
Squad

704

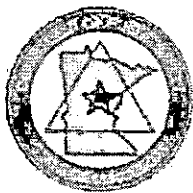
J. Kanzer
Squad

700

Larp. Ave.



MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1246 University Avenue, St. Paul, Minnesota 55104-4197

Phone: 651.642.0610 FAX: 651.642.0618 TTY: 651.282.6555

Internet: <http://www.dps.state.mn.us/bca>

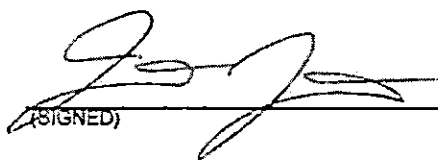
CRIMINAL INVESTIGATION WARNING

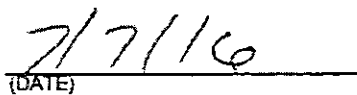
You are hereby advised that you are being interviewed by a Special Agent of the Bureau of Criminal Apprehension as part of an official criminal investigation. This investigation is separate from any internal investigation that may have been conducted by your employer. You may already have been interviewed pursuant to an internal investigation. If so, you may have been told that your statements could not be used against you in any criminal proceeding. It should therefore be clarified that any statements you give to BCA agents as part of this criminal investigation can be used against you in a subsequent criminal proceeding. If any representation has been made to you that you must or should answer to questioning by BCA agents as part of an internal investigation, you should disregard that representation.

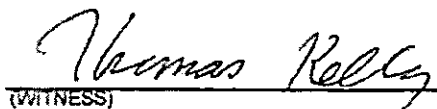
ACKNOWLEDGMENT

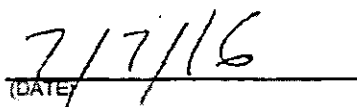
This statement is given by me voluntarily. I am not making this statement because of threats made or pressure exerted on me by my employer, anyone associated with my employer, or any other individual. No consideration or reward has been promised to me in exchange for my agreement to make a statement.

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.


(SIGNED)


(DATE)


(WITNESS)


(DATE)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/13

Report Date: 07/07/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Officer Joseph Kauser
Occurrence From: 07/07/2016 00:00
Occurrence To: 07/07/2016 00:00
Reporting LEO: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 07/22/2016
Approved By: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 07/07/2016 SAIC Mueller and SA Henning interviewed Officer Joseph Kauser after an Officer involved shooting in Falcon Heights on 07/06/2016. SA Henning acquired exhibits 2016-433/13.1-2.

Address #1 - Occurred #1 - 3301 SILVER LAKE RD

Primary Information

Address: 3301 SILVER LAKE RD, ST ANTHONY, Minnesota 55418

Address #2 - Occurred #2 - Larpenteur Ave just west of Underwood St.

Primary Information

Address: Larpenteur Ave just west of Underwood St., Falcon Heights, Minnesota 55108, United States
Description: Location of officer involved shooting of Philando Castile

Subject #1 - WITNESS #1 - Kauser, Joseph

Primary Information

Exempt From Disclosure: YES
Subject Name: Kauser, Joseph
Record Type: Law Enforcement Official
Bio: 32 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Subject #2 - SUBJECT #1 - Castile, Philando Divall

Primary Information

Subject Name: Castile, Philando Divall
Record Type: Person
Bio: 33 yr. old, Black, Male

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/13

Report Date: 07/07/2016

Subject #2 - SUBJECT #1 - Castile, Philando Dival - Continued

Primary Information - Continued

Birth Date: 07/16/1983

Juvenile: NO

Personal Information

Ethnicity: American

Height: 511

Weight: 170

Eye Color: Brown

Hair Color: Black

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	970 Reaney Ave E #3, St. Paul, Minnesota 55106 , United States

Subject #3 - MENTION IN REPORT #1 - Yanez, Jeronimo

Primary Information

Exempt From Disclosure: YES

Subject Name: Yanez, Jeronimo

Record Type: Law Enforcement Official

Bio: 28 yr. old, Hispanic, Male

Birth Date: [REDACTED]

Rank/Position: Officer

Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	[REDACTED] Minnesota [REDACTED] United States

Subject #4 - MENTION IN REPORT #2 - Reynolds, Dae-Anna Faith

Primary Information

Exempt From Disclosure: YES

Subject Name: Reynolds, Dae-Anna Faith

Record Type: Person

Bio: 4 yr. old, Black, Female

Birth Date: 08/18/2011

Juvenile: YES

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	970 Reaney Ave E #3, St. Paul, Minnesota 55106 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/13

Report Date: 07/07/2016

Subject #5 - MENTION IN REPORT #3 - Reynolds, Diamond Laraye

Primary Information

Subject Name: Reynolds, Diamond Laraye
Record Type: Person
Bio: 27 yr. old, Black, Female
Birth Date: 07/14/1989
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	970 Reaney Ave E #3, St. Paul, Minnesota 55106 , United States

Vehicle #1 - Related #1 - 203TTM

Primary Information

Vehicle Type: 4DR
Vehicle Description: 1997 OLDSMOBILE 88
Exterior Top Color: WHITE
Exterior Bottom Color: WHITE
Interior Color: BLUE
Vehicle Style: 4 DOOR
Vehicle VIN Number: 13GHN52K8V4856095
Tag Number: 203TTM
Tag State: MN
Tag Type: INDIVIDUAL

Property #1 - CD containing an audio recording of an interview with Officer Kauser

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD containing an audio recording of an interview with Officer Kauser
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 07/07/2016 13:49

Property #2 - diagram of scene by Officer Kauser

Primary Information

Property Class: Evidence
Property Type: Documents
Description: diagram of scene by Officer Kauser
Quantity: 1

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/13

Report Date: 07/07/2016

Property #2 - diagram of scene by Officer Kauser - Continued

Primary Information - Continued

Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 07/07/2016 13:49

Officers

LEO

Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 07/09/2016 13:49
Last Update Operator: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 07/22/2016 09:15

Reporting LEO	Date	Supervisor	Date
Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	10/12/2016

Narrative begins on the following page.

On 07/07/2016 SAIC Mueller and SA Henning conducted a recorded interview, acquisition of exhibit 2016-433/13.1 with Officer Joseph David Kauser, DOB: 07/10/1984. The interview was conducted at the St. Anthony Police Department. Agents began the interview by obtaining biographical information for Kauser. Kauser told agents that he has been employed as a Patrol Officer for St. Anthony Police Department for the last 3.5 years. Kauser told agents that he has received training in use of force and firearms. Agents had Kauser describe his uniform and duty equipment. Kauser told agents that he is currently assigned to work the night shift, which is 6:00 PM to 6:00 AM.

Kauser was asked to tell agents about the incident involving his partner. Kauser said that he was contacted by his partner Jeronimo Yanez on the radio. Kauser said that Yanez requested his assistance with a traffic stop. Kauser said that Yanez was following a car and the driver fit the physical description of a suspect involved in an armed robbery of a convenience store in the area. Kauser told agents that he parked at the intersection of Prior Avenue and Larpenteur Avenue. Kauser said he observed his partner drive by his location. Kauser said he pulled out and followed Yanez until Yanez stopped the car he was following in the area of Larpenteur Avenue and Fry Street.

Kauser told agents that as he approached the vehicle on the passenger side he observed a female child in the rear seat, an adult female in the front passenger seat and an adult male driving the car. Kauser told agents that the driver did appear to fit the description of the robbery suspect. Kauser told agents that Yanez approached the vehicle on the driver's side. Kauser told agents that he heard Yanez say "don't reach for it." Kauser said that the driver had shifted himself in the seat and was leaning on his right butt cheek. Kauser said the driver had put his right hand on his hip. Kauser told agents that he wasn't sure what the driver was reaching for. Kauser said he heard gun shots being fired. Kauser said that he called out that shots had been fired on his portable radio. Kauser was asked to provide the description of the driver. Kauser indicated that the driver was a black male in his mid to late twenties. Kauser said that the driver had long dreadlocks and was wearing glasses. Kauser said that he believed that he heard 3-8 gun shots.

Kauser told agents that after the shooting had stopped he removed the female child from the back seat of the car. Kauser said he placed the child in his squad. Kauser said that Roseville Police Officers arrived on scene to assist them. Kauser told agents that the Roseville officers removed the adult female from the car and placed her with the child in his squad. Kauser then noted that paramedics arrived and cared for the male driver.

Kauser said that the ranking St. Anthony Police Officer Tressa Sunde arrived on scene. Kauser told agents that Sunde directed him to return to the St. Anthony Police Department, which he did. SAIC Mueller asked Kauser when he noticed that Yanez had drawn his duty gun. Kauser responded telling the agents that his view of his partner was obstructed by the car and that he didn't know that Yanez had drawn his duty weapon until he heard the shots being fired. SAIC Mueller asked Kauser if he was near when the subject was removed from the car, Kauser said he wasn't. SAIC Mueller asked Kauser if the child had said anything to him as he removed her from the car, Kauser said she that

she was screaming and crying. Kauser said the child had said things however he couldn't recall what they were. Kauser was asked if the adult female had said anything to him. Kauser told agents that she had told him the driver had a permit to carry a concealed gun. The female told Kauser that her boyfriend had told the other officer (Yanez) that he had a permit to carry. SA Henning asked Kauser if he had spoken with his partner, Kauser said that he had asked Yanez if he was ok because he could see Yanez was upset, Kauser noted that when he spoke with Yanez, Officer Sunde was present. Kauser said that he hadn't spoken with anyone in reference to the shooting. Kauser told agents that he had driven Officer Sunde's squad car back to the police department and Yanez was transported to the St. Anthony Police Department by a Roseville officer.

SAIC Mueller asked Kauser if he could see the driver's hands. Kauser said that when he heard Yanez say don't reach for it the subject had his hand near his right hip. Kauser said that he had not seen any sudden movements but that the subject had continued to move after being told not to reach for it. SAIC Mueller asked Kauser if the female had been talking during the traffic stop. Kauser said that he wasn't sure and that he couldn't hear her from where he was at. SAIC Mueller asked Kauser if he had any previous contact with any of these people, Kauser indicated that he hadn't had contact with any of the people involved. SA Henning asked Kauser if any of the windows on the subject's car were down, Kauser said he wasn't sure. Agents completed the interview at about 1:26 AM. Kauser was asked if he would complete a diagram of the scene which he agreed to do, acquisition of exhibit 2016-433/13.2. Prior to finishing the interview agents asked to inspect Officer Kauser's duty pistol which he was still wearing. Agents found that his pistol was fully loaded with a round chambered. The agents also asked to inspect the extra magazines which Officer Kauser was wearing on his duty belt. Agents found that the extra magazines were fully loaded as well. The pistol and magazines were returned to Officer Kauser.

It should be noted that this report is a summary of this interview. For complete detail please see attached transcript.

(NFT)

Not to scale
EN ST

Hansen

Center

1/51
Hansen

Hansen

Larpenteur Ave

Joseph Hansen
Joseph Hansen

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	July 7, 2016	BCA CASE #:	2016-433
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Joseph Kauser	INTERVIEWED BY: (JK)	SAIC Scott Mueller (SM) SA Doug Henning (DH)
REVIEWED BY:			

DH Okay the recorder is going. Uh my name is Doug Henning I'm a Special Agent with the Minnesota Bureau of Criminal Apprehension. I'm here with my partner uh Scott Mueller, Special Agent in Charge of the uh Metro Regional Office. Uh, today's date is 7-7. Time right now is 0110 hours. Uh the case number here is 2016-433. Um we'll be, interviewing Joseph, J-O-S-E-P-H middle name [REDACTED] last name Kauser, is that correct?

JK Yes.

DH K-A-U-S-E-R. Your date of birth is [REDACTED] Is that correct?

JK That's correct.

DH Spelling of your name and date of birth?

JK Yes.

DH Okay for the purposes of, of this report um the address for you is 3301 Silver Lake Road, St Anthony, Minnesota 55418. Is that correct?

JK That's correct.

DH Uh and your phone number is 612-782-3350?

JK That's correct.

DH Your POST number which is your peace officer number is 21694?

JK Correct.

DH Is that correct? Okay. Um, why don't we start with can you tell me how you're employed?

JK I'm employed with the city of St Anthony as a patrol officer.

DH Okay. And then how long have you been with St Anthony?

JK Uh since January of 2013. So three and a half years.

DH Okay. So three and a half years.

JK Yes.

DH Um you're currently assigned to?

JK Just the patrol division.

DH The patrol division working what shift?

JK Uh 6:00 pm to 6:00 am.

DH Okay do you work a specific, district all the time or?

JK No we rotate between the three cities.

DH Okay. Being what? What cities?

JK Uh primary city is St Anthony. We're contracted with Falcon Heights and Lauderdale.

DH And Lauderdale?

JK Yes.

DH Okay. Which is out by the State Fairgrounds?

JK Uh, Falcon Heights is by the State Fairgrounds and Lauderdale is a little bit west of that.

DH Okay. Um, were you assigned well can you tell me about your training as a police officer?

JK Uh we do, use of force training once a year. We have an in service. We do firearms qualifications approximately four or five times at Ramsey County every year.

DH Okay.

JK And we do a department wide uh shoot every year also.

DH Okay. Now when you said you're a patrol officer do you wear a uniform?

JK Yes I do.

DH Can you describe that for me?

JK Uh it's a, typical navy blue slacks um navy blue shirt with a, a bullet resistant vest and a black braided duty belt.

DH Okay. And do you carry any equipment on your duty belt?

JK Yes I carry a Glock 21 pistol, handcuffs, pepper spray, taser uh an asp baton a radio and a flashlight.

DH Okay. Do you carry any other equipment on you? Any kind of uh recording device or any body cam or anything like that?

JK No we have, squad microphones that are attached to specific squad cars.

DH Okay and the car that you were driving tonight was that, did that have a, a recorder or a dash cam on it?

JK It did. It was not recording at the time of incident.

DH Okay um, is it, is it normal that they aren't recording?

JK Uh typically if you're backing up someone on a traffic stop their squad is obstructing your view.

DH Okay.

JK So it's not, all the time where you're recording on a backup traffic stop.

DH Okay. Okay um so, today is the 7th but there was an, an incident the day prior on the 6th. Were you scheduled to work on that day?

JK Yes I was.

DH Okay and you reported for your shift at what time?

JK At 1800 hours or 6:00 pm.

DH 6:00 and your shift is what 6:00 to?

JK 6:00 pm to 6:00 am

DH Okay so you work a twelve hour shift?

JK Yes.

DH Okay so during that shift did you, can you tell me about the incident in question? How you were made aware of it and...

JK Um I don't recall the exact time. Somewhere around 9:00 pm um my partner informed me that he was behind a vehicle and he believed that the driver of the vehicle physically resembled a robbery suspect.

DH Okay.

JK From a robbery that we had uh had last week. Um he advised me that he was eastbound on Larpenteur and I pulled out from Larpenteur and Prior as they passed.

DH Um-hm.

JK And my partner initiated the traffic stop around Larpenteur and Frye Street. I positioned my squad behind my partner. And my partner approached on the driver's side. I approached on the passenger side. I observed a juvenile female in the backseat. An adult female in the passenger seat, front seat, and a male driver. Um I couldn't hear the conversation going on inside the vehicle. I could hear what my partner was saying. And, I, I don't remember the entire conversation. I know my partner said don't reach for it. And the passenger kinda leaned on his right butt cheek and he put his hand on his right hip. I don't know if he was reaching for a firearm or wallet. I, I couldn't see. I just saw that he had his right hand on his hip. Like I said my partner said don't reach for it. And then there were shots fired. After the shots were fired I called out on the Ramsey County West main channel that there were shots fired and our location. Um, I ran up to the car after the shots had subsided. And I grabbed the juvenile female out from the rear passenger seat and I brought her back to my squad for her safety.

DH Okay so during, the course of this uh traffic stop where were you exactly?

JK I was on the passenger side near the rear passenger door.

DH Okay. And this was a four door vehicle?

JK Yes it was.

DH Can you describe the vehicle? If you remember.

JK (sigh) I, I can't remember I can't even remember what color it was I just remember it was a, a four door vehicle and the, the description of the occupants.

DH Okay. Um, sss-so was, tell me about your view of the driver.

JK Uh, do you want me to describe the, the driver?

DH Yeah.

JK Was a black male, mid to late twenties. He had long dreads. He had glasses on. I don't recall exactly what he was wearing. Um, and I remember the description of the suspect of the robbery last week one of 'em had, long dreads.

DH Okay.

JK Um and also was wearing glasses. So when I got...

DH (inaudible)...

JK ...up...

DH ...black male?

JK Yes.

DH Okay.

JK Yes. And so when I got on scene to the traffic stop and I observed from the passenger side I thought this could be our suspect from our robbery.

DH Okay. And where did that robbery occur?

JK 2424 Larpenteur.

DH Okay.

JK At Super USA Convenience Store.

DH Okay.

JK Right on the southwest corner of Larpenteur and Eustis in Lauderdale.

DH Okay so about how far away from where this traffic stop was would that have been?

JK Maybe a mile and a half.

DH Okay so in proximity tonight, fairly close.

JK Yes.

DH Okay. Go ahead.

JK Um like I said he, the gentleman leaned on his right, I saw him reach toward his right hip. I don't know, I didn't see what he grabbed for.

DH Okay.

JK And I heard my partner say don't reach for it. And then there were shots fired. Multiple shots. I don't know how many. Somewhere, I would guess between three and eight. But I don't, I don't know.

DH Okay.

JK Um like I said I grabbed the, the juvenile female from the rear passenger seat. Brought her back to my squad. At that time uh Roseville officers were arriving on scene to assist.

(knocking)

JK They...

DH It's alright keep going.

JK They, ordered the, adult female front passenger out of the car. She got out of her car. Um she was, instructed on the sidewalk and she was handcuffed by Roseville officers.

DH Okay.

JK Her and the juvenile female were then put in the rear seat of my squad car.

DH Okay.

JK After that, medics arrived. My officer in charge arrived.

DH And who was that?

JK Officer Sunde.

DH Okay.

JK And we were advised to, come up to the PD for a statement at a later time.

DH Okay. And that's, and that's the last involvement you had?

JK Correct.

SM When uh when you were standing at that, that rear passenger door.

JK Yes.

SM At what point did you see your partner's gun out? Do you remember? In reference to when he ss, when you heard him say don't reach for it.

JK Um-hm.

SM Was his gun out then? Was he,

JK To be honest with you I don't, I don't remember seeing his gun. I think the B pillar, the pillar between the front driver's seat and the rear driver's side passenger seat

SM Um-hm

JK Um was obstructing his, right side and my partner's handed so I didn't see the firearm until I heard shots fired.

SM Okay.

DH So is it fair to say that the shots being fired surprised you?

JK Yeah, absolutely.

DH Okay.

SM Um, after you took the girl back to your car.

JK Um-hm.

SM Were you, were you there when the male was brought out of the vehicle?

JK No I was not.

SM Okay. Did uh, um did the uh younger female, the one in the rear passenger did she talk to you at all? Did she...

JK No she's...

SM ...say anything, make any comments to you?

JK She screamed a little bit. She was crying. And I don't remember exactly what she said. Um, the adult female when she was in my rear, the rear of my squad she said something about the driver having a permit to carry. And that he, had told my partner that. And like I said I didn't hear the conversation on the inside of the car. Just, my partner's responses.

DH Did you have any conversations with your partner after the shooting?

JK No I walked over and I asked him if he was okay. He was, you know, visibly upset. Disturbed, by what had just occurred. And uh my OIC, Officer Sunde was there. She, spoke with him. Told him everything was okay.

DH Okay.

JK And then I was instructed to come up to the St Anthony Police Department.

DH Okay. Were you two brought up here in the same car?

JK No. I drove my, I drove Officer Sunde's squad car.

DH Okay.

JK Up here and Officer Yanez was transported by a Roseville officer up here.

DH Okay.

JK Once we got up here we separated. One of us was in the rollcall room and one of us was in the squad room.

DH Okay. And you haven't had any discussions with anybody about this incident until this morning?

JK Correct.

DH Okay.

SM Uh from your vantage point uh could you see the uh anything that uh, um the male's hands, the driver's hands. Could you see where they were going? If they had anything in the hands?

JK I couldn't see his left hand. Uh when I heard my partner say don't reach for it my main focus was his right hand which like I said as he leaned onto his right butt cheek he put his right hand down toward his right hip. And that's...

SM Would that have been towards the center console?

JK Correct towards...

SM Okay.

JK ...the center console. I don't know if he was reaching, to his hip or down in between the seat and the center console. I just saw his hand go toward his right hip. And, then I heard the, the shots.

DH So did he, when you heard your partner say, don't, don't reach for it did the male stop?

JK He,

DH Or did his movement continue?

JK His movement, his movement continued. His hand was still by his right hip. He didn't, I couldn't hear the conversation inside the car so I don't know if he said what he was reaching for.

DH Okay.

JK Um and I, I didn't see a, a sss, a sudden movement. But he was reaching on his right side.

DH Okay.

SM Could you uh, (sigh) could you tell anything from your training experience on the demeanor of anybody inside that car? Um,

JK Uh(sigh) physical demeanor, without being able to hear the conversation from inside the vehicle, no. Um, other than you know the male leaning to his right and putting his hand toward his right side. His right toward his right hip. I don't really, I couldn't hear if anybody was saying anything or mouthing anything. My, focus was his right side right at that time.

SM Um do you know what the uh what the female was doing? The, the adult female was, was she animated at all? Was she just sitting there with,

JK At the, at the time of the stop? Or after...

SM (inaudible)

JK ...after the incident?

SM During the incident.

JK I couldn't hear if she was saying anything at the time of the incident.

SM Okay.

JK After the incident occurred she was hysterical.

SM Um-hm.

JK Um, and I don't, I don't remember what she said the, the driver's name was. But she said something about her boyfriend, is my boyfriend okay or something to that liking.

DH Okay.

SM Have a you or your partner uh seen that male uh other than believing that was a, a suspect from that robbery? Have you ever had any contact with that person either female or the male...

JK Not...

SM ...that you remember?

JK ...not that I can recall. No they didn't look familiar to me at all.

DH Okay. Um, the female or the passenger side windows on this vehicle were the rolled up or down?

JK I don't recall.

DH Okay. If they were rolled down just from past experience with other traffic stops do you think you would have been able to hear the exchange?

(pause)

JK Typically you hear some of the exchange.

DH Yeah.

JK It all depends on how loud you know the driver is speaking.

DH Okay.

JK But, I didn't on this...

DH Okay.

JK ...on this incident.

DH Okay and you don't remember if the windows were up or down?

JK I can't recall.

DH Okay. I don't have any more questions. Is there anything that we haven't asked you that you think is important we should know?

JK Not that I can think of no.

DH Okay. The time right now is 1:26 and that'll be the end of the interview.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/14

Report Date: 07/08/2016

Primary Information

Description: Interview of St. Paul Firefighter Zachary Johnson
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 07/27/2016
Approved By: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On July 8th, 2016 Special Agent Michelle Frascone and Senior Special Agent Luke Hanegraaf conducted an interview of St. Paul Firefighter Zachary Johnson at the Station 23 St. Paul Fire Department. The interview was audio recorded, transcribed and attached to this report. As a result of this activity exhibit 2016-433/14.1 was obtained.

Address #1 - Business #1 - 1926 COMO AVE

Primary Information

Address: 1926 COMO AVE St. Paul Fire Department Station 23, St. Paul, Minnesota 55108 , United States

Subject #1 - WITNESS #1 - Johnson, Zachary

Primary Information

Subject Name: Johnson, Zachary
Record Type: Person
Bio: White, Male
Juvenile: NO

Employment Information

Employed: YES
Occupation: St. Paul Firefighter

Subject #2 - MENTION IN REPORT #1 - Goodman, Larry

Primary Information

Subject Name: Goodman, Larry
Record Type: Person
Bio: White, Male
Rank/Position: Capt.
Juvenile: NO

Subject #3 - MENTION IN REPORT #2 - Paidar, Michael

Primary Information

Subject Name: Paidar, Michael
Record Type: Person
Bio: White, Male

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-433/14

Report Date: 07/08/2016

Subject #3 - MENTION IN REPORT #2 - Paidar, Michael - Continued

Primary Information - Continued

Juvenile: NO

Subject #4 - MENTION IN REPORT #3 - Torgerson, Eric

Primary Information

Subject Name: Torgerson, Eric

Record Type: Person

Bio: White, Male

Juvenile: NO

Employment Information

Employed: YES

Occupation: Firefighter

Telephones / E-Addresses

Relationship	Number/E-Address
Pertinent	(651) 642-0604 (BUSINESS)

Property #1 - CD Containing Downloaded Interview of St. Paul Firefighter Zachary Johnson

Primary Information

Property Class: Evidence

Property Type: CD, DVD, DISC, TAPE

Description: CD Containing Downloaded Interview of St. Paul Firefighter Zachary Johnson

Quantity: 1

Submitted To PES: Property & Evidence

Remote Bin: Locker

Collected Date/Time: 07/08/2016 13:05

Officers

LEO

Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Origination Date: 07/09/2016 13:50

Last Update Operator: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Last Update Date: 07/27/2016 10:40

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	10/12/2016

On July 8th, 2016 at approximately 1306 hrs, Senior Special Agent Luke Hanegraaf and Special Agent Michelle Frascione conducted an interview of St. Paul Fire Fighter Zachary Johnson at the Station 23 fire hall. Johnson advised he was working on July 6th, 2016 with Mike Paider, Capt. Larry Goodman, Joe Balazs, Eric Torgerson and Juan Cortez.

Johnson stated at approximately 9pm on July 6th, 2016 his station was dispatched to a shooting in the area of Larpeur and Frye in the City of St. Anthony. Johnson stated he was responsible for driving the ambulance. Johnson said upon arrival he retrieved a backboard from the ambulance and brought it to the patient. Johnson said as "they" were rolling the patient over to check for more wounds a "pistol was exposed." Johnson said an officer at the scene removed the pistol from the patient's right "side" and set the gun on the ground.

Johnson said he then transported the patient to Hennepin County Medical Center (HCMC) because it was the "straightest and fastest route without having to wait." Johnson said care of the patient was then transferred to HCMC. This interview was audio recorded, transcribed and attached to this report. For exact words and verbiage, please refer to the recording and/or transcript. As a result of this activity exhibit 2016-433/14.1 was obtained.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-433/14

Case Agent: Frascone, Michelle

Item	Quantity	Description
1	1.00	CD Containing Downloaded Interview of St. Paul Firefighter Zachary Johnson

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

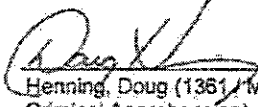
Signature

Name

Address

City/State

Telephone


Henning, Doug (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

Owner/For Owner

Released By Frascone, Michelle (1381 / M.

Verified By

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	7/8/2016	BCA CASE #:	2016-433
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Zachary Johnson (ZJ)	INTERVIEWED BY:	SA Michelle Frascone (MF) SSA Luke Hanegraaf (LH)
REVIEWED BY:			

MF Today is July 8th, 2016 at 1:06 P.M. This is, interview's in regards to case, BCA case number 2016 4-3-3. Present is myself Special Agent Michelle Frascone as well as Senior Special Agent Luke Hanegraaf. Also, present with us is um, Saint Paul Firefighter Zachary 'eh, Z-A-C-H-A-R-Y, last name Johnson, J-O-H-N-S-O-N. We're at 1926 Como Ave in Saint Paul, MN 55108 with a phone number of 651-642-0604. Zach, does that sound correct?

ZJ That sounds correct (inaudible)

MF 'Kay. Were you working on July 6th, 2016?

ZJ Yes.

MF What is your typical hours of work?

ZJ 08 to 08. 24 hour shift.

MF Okay, and who were you working with?

ZJ Mike Paidar.

MF Anybody else?

ZJ Uh, the rest of the guys?

MF Yep.

ZJ Uh, Captain Larry Goodman, Driver, Joe Balazs, uh, and Eric Torgerson and Juan Cortez.

MF Zach, at some time during your shift on the 6th, you guys were called to a shooting, is that correct?

ZJ That is correct.

MF Can you tell me about that?

ZJ Uh, right about 9 o'clock, we got called out, dispatched to a shooting up on Larpenteur and Frye. Um, that day I was driving the ambulance with my medic partner (inaudible) and as we got up towards, you know on the way to Larpenteur hadn't given us a all clear to come in so we kinda slowed down a little bit. Uh, waited 'til they said it was all clear, we, so then I turned on to Larpenteur from Snelling and as we approached the first police vehicle, um, there was I wanna say it was uh, either a sheriff or a highway patrol had a long rifle squatted down by the car. There was another officer kind of standing to direct traffic and we asked them if it was all clear um, 'cuz we had gotten an all clear code to go in but with them still squatted behind the car, we wanted ta' just to double check. Um, so then we clarified that it was safe to go in. As we pulled up, uh, we were going west bound on Larpenteur um, the car and the patient were on the east bound's lane, so south side of Larpenteur. And uh, the police, one of the officers directed us in so we pulled, I pulled the ambulance real close to

where the patient was, the, one of the officers was doing CPR. Um, then when I got out of the medic rig, I grabbed the back board and got that, started to get that ready and uh, Juan Cortez help me with the back board. And then, he took over that and then I went around the back 'ta get the stretcher out, then I brought the stretcher over to the patient and everybody was already around 'em by that time. So, we, they were still doing CPR, we got the back board in place. After the backboard was in place, they rolled him over on his right side so that they could look for more wounds, you know check the back of the body. Um, and then when we rolled 'em back over towards onto the board um, as the pistol was exposed. So, one of the officers took the pistol out of his right side and then he set that on the ground and then we finish putting him on the long board and buckled 'em in. Put him on the stretcher and then put the stretcher in the ambulance. Um, and then at that time I tried to go up and help a little bit but there's already five other guys in the rig. So, I just went back to the driver's seat.

MF 'Kay, and where did you transport to?

ZJ We went to HCMC.

MF Okay, and what was your reason for transporting to HCMC.

ZJ Uh, straightest and fastest without having to wait (inaudible)

MF Okay, as a level one trauma center?

ZJ Yes.

MF Okay.

ZJ Yup. Straightest uh, fastest hospital we get to.

LH Is that typically your protocol 'ta 'eh depending on where you're at, do you graphically get to the closest one? The fastest?

ZJ Yes.

LH Okay.

ZJ I couldn't cite that number but.

LH (inaudible) So, 'eh I'm just gonna back you up a little bit um, Zach. This happened in the city of Falcon heights?

ZJ Yes.

LH Okay, and does Saint Paul Fire and Paramedics, do they cover Falcon Heights as well?

ZJ Yes, Falcon Heights and Lauderdale.

LH Okay. Is it just paramedic service and fire service or one or the other 'er?

ZJ Um, typically just the medic service but if they have something over whelming, they have a mutual aid agreement that fire will assist.

LH Okay, and when you arrived on scene um, your first observation of the patient, could you tell me what you remember on the, what he was wearing?

ZJ He had a white T-shirt on and light colored shorts.

LH Okay.

ZJ Uh, either blue jean shorts (inaudible).

LH Alright, and you mention that he had um, wounds. Do you remember what side of the body the wounds were on?

ZJ Uh, I saw blood on the left side.

LH Okay.

MF We'll just continue if that's okay.

ZJ Okay, sure.

MF Yup. So, um, I believe Luke was just asking you about wounds?

ZJ Yup, I saw blood and some gunshot wounds I thought were on the arm...

MF Okay.

ZJ ...as we rolled 'em and I, you know, just a lot of blood on the back. I wasn't close enough to see the wounds.

MF Okay, and um, you transported to HCMC, what did you do when you arrived at the hospital?

ZJ I opened the doors and I held the, and then got the, ambulance, or the emergency room doors open.

MF Okay, and...

ZJ Held those.

MF ...what did you do after that? What was the next thing you did?

ZJ The next step?

MF Um-hm.

ZJ Uh, I walked in with the stretcher and uh, patient (inaudible) to the trauma bay.

MF Okay.

ZJ And then I just sat back and watch that, emergency room take over.

MF Okay, did you assist with cleaning of the ambulance at all?

ZJ Yes.

MF Okay, was there um, any items of the patient's left in the ambulance that you recall?

ZJ No.

MF No.

ZJ I don't recall seeing anything.

MF Okay. We just went over injuries and cleaning of the ambulance.

LH 'Kay.

MF Do you know who removed um, what you described as a pistol from the patients right side?

ZJ Um, one of the officers on the scene. I think the guy that was doing CPR originally.

LH Okay.

ZJ Well at least while we pulled up I think he was doing CPR.

LH Can you describe that, that you believe it was in the right pocket?

ZJ The pistol?

LH Yes.

ZJ Yes.

LH Okay.

ZJ Right side or right pocket 'er.

LH Okay.

ZJ It was right um, right thigh, is where it was.

LH Okay.

ZJ That I remember.

LH Alright, did ya' when you saw that weapon, do you remember what color it was?

ZJ Uh, it was either a dark charcoal or a black.

LH Okay, and (inaudible).

ZJ Almost like a Glock or a one of the Torgens.

LH Okay. Would you describe that as like a self-compact or a full frame full size as far as, this a self-compact Glock, would you describe it as being bigger or smaller?

ZJ Uh, close to that size.

LH Close to that size? So we're not talking about a little...

ZJ No.

LH ...little gun that just fits in the palm of your hand? Alright. And have you responded to shooting situations before?

ZJ Yes.

LH Or calls?

ZJ Yes.

LH Okay, is it um, is there anything that you did different in this one that you would've done or did in the past?

ZJ Umm, we haul them. I mean he was pulseless and (inaudible) so.

LH Okay.

ZJ I mean thought was, expired so maybe not haul 'em but you know if they were giving CP uh, police were giving CPR so we, we hauled 'em.

LH Alright.

MF Zach is there anything you think we should know that we haven't asked you?

ZJ Not that I am aware of.

MF Okay. (inaudible) end the interview at 1:16 P.M.

End of recording