Wauwatosa Police Department — Incident Report

Incident: Assist Other Agency

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-007316			4/15/20	02:57

Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
ASSIST			
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name *(Last, First, Middle)*	DOB:	Race/Sex
COM	City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Phone 1
1901 Delafield St, Waukesha, WI, 53186	(262) 524-3831
Employer	Phone 2
Employer Address	Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

On 04-15-20 at 2:15am, the Wauwatosa Police Department's Detective Bureau, as part of the Milwaukee Area Investigative Team, responded to the Waukesha Memorial Hospital, 725 American Way in the City of Waukesha to investigate an Officer Involved Shooting.

	Vehicle Information: (*Year, Make, Model, Style, Color*)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Schultz, Michael F.	5438	05/04/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
02:57:11	10:27:21	502, 508, 520, 542, 543	1 Of 3

Reviewed by:	Payroll Number :	Copy To
6454	6454	

Date: 05/04/2020

CFS Code-1: ASSIST

Incident Report Number: 20-007316

NARRATIVE

This report is completed by Lieutenant Michael Schultz of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the Officer Involved Shooting of Randy S. Ashland M/W [redacted]-[redacted]-61). This incident occurred in the parking lot of the Waukesha Memorial Hospital, 725 American Way in the City of Waukesha. This investigation is related to Waukesha PD report #20-16731. The Wauwatosa Police Department is the lead investigative agency for the incident.

Assignment

On 04-15-20 at about 2:15am, I responded to the Waukesha Memorial Hospital, 725 American Way in the City of Waukesha for a report of an Officer Involved Shooting involving Officers from the City of Waukesha Police Department. The Wauwatosa Police Department was designated as lead agency for the investigation. I met with City of Waukesha Captain Dan Baumann, who provided details of the investigation. The subject who had been shot, Randy S. Ashland M/W [redacted]-[redacted]-61, was shot in the parking lot near the Emergency Room entrance. After the shooting, Ashland was brought into the hospital where he died from his injuries.

Investigators from the following agencies were involved in the investigation: Brown Deer PD, Franklin PD, Greendale PD, Milwaukee PD, Oak Creek PD, Wauwatosa PD, West Allis PD, West Milwaukee PD, and the Wisconsin State Crime Lab.

The Wisconsin State Patrol was unavailable to respond to the scene to conduct mapping of the scene. Detective Andrew Schmidt of the Waukesha PD assisted the Wisconsin State Crime Lab with that task.

NAMES

Police

Schultz, Lt. Michael of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

NARRATIVE

This report was completed by Wauwatosa Police Detective James Donovan as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of Waukesha. This report will be attached to Wauwatosa Police Department incident number #20-7316.

J[redacted] F[redacted] statement

On 04/15/2020, I, Detective James Donovan, was notified of a request for the MAIT team to investigate an officer involved shooting at Waukesha Memorial Hospital, 725 American Avenue, Waukesha. Along with Detective Paula Roberson, I responded to the hospital and met with Lieutenant Michael Schultz. We were directed to interview a J[redacted] F[redacted]. F[redacted], a Pastor at [redacted] Church, drove the deceased, Randy Ashland to the hospital prior to the shooting.

F[redacted]'s vehicle had become part of the crime scene, and could not be moved. Because of that, we transported him to the Wauwatosa police department for the interview. The interview was conducted in detective bureau interview room 143. The following is a summary of the recorded interview, and is not meant to serve as a transcript:

F[redacted] has been with the [redacted] church since July of 2018. He has known Randy Ashland for that entire time. Ashland resides in Waukesha at 19[redacted] Milky Way. He is divorced, and has three children. Ashland lives with a roommate, M[redacted] R[redacted].

Ashland had recently been in Waukesha Memorial for mixing medication with alcohol. It is unknown if this was an emergency detention or if this was on a voluntary basis. They last spoke on the phone Monday April 13th. Ashland complained of both physical and emotional pain. He has struggled with his divorce, and has had recurrent chest pains. Ashland has also had to cope with

the recent death of his brother.

Ashland texted F[redacted] around 10:00pm last night (April 14th). F[redacted] said the texts showed Ashland was upset, and the discussion turned to suicide. Ashland did not say how he was going to commit suicide, but Ashland was saying his goodbyes. F[redacted] was able to get Ashland's address from someone at the church sometime around midnight. He immediately got in his car and headed to Ashland's house.

I asked F[redacted] if I could photograph the text messages that were exchanged with Ashland. F[redacted] said he was not comfortable sharing those texts with me until he received guidance from the church. I stressed the importance of the texts, as it could help show Ashland's state of mind. F[redacted] said if the church ok'd the release of the texts, he would.

When F[redacted] arrived at Ashland's house, he sent a text saying he was there. That was at 12:18am. At 12:23am, F[redacted] called Ashland on the phone. They spoke for 22 minutes. Ashland told F[redacted] to go away, and said he was going to kill himself. Ashland said he had a gun. F[redacted] was able to convince Ashland to come out of the house. Ashland came out, and was holding a gun to his own head. F[redacted] used his cellphone flashlight, and was able to see the large silver revolver handgun Ashland was holding. Ashland said he could blow his own head off at any moment.

F[redacted] was able to talk Ashland into getting in the car. F[redacted] asked Ashland to put the gun in the backseat or set it down, but Ashland refused. F[redacted] was very concerned driving with Ashland holding the gun, as F[redacted] could see the hammer was back and the trigger was to the rear. Ashland kept the gun to his own head while they drove to the hospital. They talked about the Bible, and what they were going to do once they got to the hospital. Ashland said he was not going to shoot anyone, but he was "still deciding what (he) was going to do".

F[redacted] and Ashland arrived at Waukesha Memorial around 1:30am. F[redacted] parked by the emergency entrance. F[redacted] said they had to go in. Ashland refused to go inside. Ashland said he was not going to go in without his gun. F[redacted] told Ashland he could not take the gun in, as Ashland would end

up getting shot if he went inside with a gun in his hand. F[redacted] said he would go in and speak with the doctors. When F[redacted] exited the car, Ashland was still holding the gun to his own head. F[redacted] went inside and told someone at a desk (possibly named L[redacted]) there was someone in the car who had a gun. She told a security officer, believed to be "B[redacted]". F[redacted] then told the security officer that there was someone in his car with a gun, and that the person would turn the gun over to him (F[redacted]) if they went outside. At that point, per F[redacted], the security officer followed protocol and locked the hospital down. Within minutes, several "SWAT" type officers ran out the hospital door. F[redacted] sent a text at 1:38am to Ashland, asking if he was ok. At that point, the security officer handed a phone to F[redacted]. F[redacted] believes he was talking to a police dispatcher. He told her that Ashland would turn the gun over to him if he was allowed to go outside with the police. While he was talking to the dispatcher, F[redacted] heard gunshots. F[redacted] did not see what happened. He saw Ashland being brought in on a stretcher.

At that point, I stepped out of the interview to make arrangements for a welfare check on roommate M[redacted] R[redacted].

I returned and recapped the details that F[redacted] had provided, including the phone call on the 13th. Ashland was depressed during that call, but made no reference to suicide. F[redacted] said Ashland has had "struggles" in his life, but nothing to this extent. Ashland has been attending Bible study regularly at the church. F[redacted] said between the phone call on Monday and tonight there were no red flags. Everything changed with the first text tonight.

Ashland implied that if F[redacted] called the police or anyone else, Ashland would kill himself. That is why F[redacted] went on his own to the house. F[redacted] did not smell alcohol on Ashland tonight, but believes Ashland was taking pain meds. Ashland was tired and anxious. When Ashland first exited the house, he told F[redacted] he wanted to die, and said he was in pain.

I obtained written consent from F[redacted] for the search of his vehicle. He provided the key to the car, which was later turned over to the Waukesha police department. At the request of the State of Wisconsin Crime Lab, a DNA swab was collected from F[redacted].

The interview was completed at that point. F[redacted] was given a conveyance to his residence.

NAMES

Police

Donovan, Det James W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Witness

F[redacted], J[redacted] W/M-52 of 27[redacted] N 85 St, Milwaukee,WI,53222
DOB: [redacted]/[redacted]/1968

Phone 1:([redacted]) [redacted]-[redacted]

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001291				
1	EVI		Toyota Corolla key	1.000 $0.00 [Recovered]

NARRATIVE

This report is written by Detective James Short of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting death of Randy S. Ashland (M/W [redacted]/[redacted]/1961) at Waukesha Memorial Hospital, 725 American Ave. Waukesha, WI. The Wauwatosa Police Department is the lead agency for this investigation and is documented under Wauwatosa Police Department incident number 20-7316.

Assignment

On Wednesday, April 15th, 2020, I, Detective James Short responded to the Waukesha Memorial Hospital located at 725 American Ave. Waukesha, WI. to assist with an officer involved shooting investigation involving the City of Waukesha Police Department.

Detective Lt. Michael Schultz assigned Milwaukee Police Department Detectives Matthew Bell, Michael Fedel, Wauwatosa Detective Kelly Zielinski, and I to respond to the Waukesha Police Department to recover evidence and to photograph the involved officers.

Photos and ammunition count of Involved Officer: Waukesha PD Sgt. Ian Dekarske

We met with Sgt. Ian Dekarske who was in full City of Waukesha Police Department uniform. Sgt. Dekarske wore a blue police jacket with a gold Waukesha PD badge emblem on the left chest, a City of Waukesha Patch and blue Sergeant stripes on each shoulder. Under the jacket Sgt. Dekarske wore a blue external vest carrier with his name embroidered on his right chest area, uniform pants, full duty belt, and black footwear. Sgt. Dekarkse confirmed that this was an accurate and true representation of his appearance while on scene at the incident.

Detective Zielinski took a series of digital photographs of Sgt. Dekarske from all four sides. Sgt. Dekarske stated that he was not injured and his uniform was not damaged as a result of this incident.

Sgt. Dekarske turned over one Glock brand, model 21 SF, .45 caliber, semi-automatic handgun with serial number [redacted], Sure Fire X300 light, and three magazines. Magazines number one and two were originally located on Sgt. Dekarske's external vest carrier. Each magazine contained thirteen cartridges of .45 caliber ammunition. Magazine number three was originally seated in the handgun. This magazine also contained thirteen cartridges. A cartridge was ejected from the chamber of the handgun indicating the magazine was topped

off. Each magazine holds a maximum of thirteen cartridges. The total number of cartridges recovered from Sgt. Dekarske was forty which would indicate a full load. This indicated no rounds were fired from this weapon during the incident. The handgun and ammunition were returned to Sgt. Dekarske.

Sgt. Dekarske turned over a LWRC International brand 5.56 NATO rifle with serial number [redacted]. There was a magazine seated in the well of the rifle. The rifle had a green sling, a TRL-1 light, and an optics system. This rifle is assigned to Sgt. Dekarske as a member of the department's tactical team. Sgt. Dekarske stated that the weapon has full automatic and semi-automatic capabilities. Sgt. Dekarkse said that the weapon was on semi-automatic during this incident. The magazine for this rifle is capable of holding thirty cartridges of ammunition but per Waukesha Police Department policy they only load twenty-eight cartridges into each magazine and the magazine is not topped off after a round chambered into the rifle. The ammunition was stamped with "Rem .223 FC. Sgt. Dekarske said this was new ammunition recently provided to the tactical team and is 62 grain ammunition.

The magazine was removed from the rifle and one cartridge was removed from the chamber. The magazine contained twenty-two cartridges for a total of twenty-three. This indicated Sgt. Dekarske fired five rounds from this weapon during the incident.

Det. Zielinski took digital photographs of the handgun, rifle, and unloaded ammunition.

Photos and ammunition count of Involved Officer: Waukesha PD Officer Ryan Solberg

Officer Solberg was in full City of Waukesha Police Department Uniform. Officer Solberg wore a blue external vest carrier. The carrier had an embroidered City of Waukesha Police Department badge on the left chest and Solberg's name embroidered on the right chest. Officer Solberg's shirt had gold City of Waukesha Police patches on each shoulder. A patch with "Police" in large white lettering was on the back of the vest carrier. The carrier also had a magazine pouch that contained three spare magazines on the lower left side. Officer Solberg wore blue uniform pants and black footwear as well as a full duty belt. Officer Solberg confirmed this was an accurate representation of his appearance while on the scene of this incident.

Detective Zielinski took digital photographs of Officer Solberg from all four sides. Officer Solberg said that he was not injured and his uniform and equipment were not damaged as a result of this incident. Officer Solberg's uniform shirt was torn on the right elbow area but Solberg said that did happen as a result of this incident.

Officer Solberg turned over one Sig Sauer brand P226 model, 9 millimeter

semi-automatic handgun with serial number [redacted]. The handgun was equipped with a Streamlight TRL-1 light. Officer Solberg also turned over three magazines which were carried on his external vest carrier. There was also one magazine seated in the weapon. The magazine was removed from the weapon and one cartridge was ejected from the chamber. Each magazine from the vest carrier is capable of holding a maximum of fifteen rounds of ammunition. The cartridges were removed from each magazine and counted. Each magazine was found to contain fifteen cartridges. The magazine that was removed from the weapon was found to hold a maximum of twenty cartridges. Officer Solberg topped off the magazine in the handgun after chambering a round. The total number of cartridges counted from Officer Solberg was sixty-six which would indicate a full load. This indicated Officer Solberg's handgun was not fired during this incident. The weapon and ammunition were returned to Officer Solberg.

Officer Solberg turned over a Sig Sauer brand M400 model .223 caliber rifle equipped with an EOTECH brand optic. The rifle has serial number [redacted] and is Officer Solberg's personal owned rifle which is compliant per City of Waukesha Police Department policy. The magazine was removed from the rifle and the cartridge was ejected from the rifle chamber. The magazine was unloaded and twenty-five cartridges of Rem.223 ammunition were counted. This ammunition is 52 grain and is issued to patrol officers. Office Solberg also had a tan rifle bag that contained a spare rifle magazine. That magazine was unloaded and twenty-eight cartridges were counted.

The total number of cartridges counted from Officer Solberg's rifle was twenty-six to include the cartridges from the magazine and the chamber. City of Waukesha Police Department policy requires twenty-eight cartridges in the magazine. This would indicate that two rounds were fired from Officer Solberg's rifle.

Det. Zielinski took digital photographs of the handgun, rifle, and unloaded ammunition.

Photos and ammunition count of Involved Officer: Waukesha PD Officer Timothy Filter

Officer Filter was in full City of Waukesha Police Department Uniform. Officer Filter wore an blue external vest carrier that had a embroidered Waukesha Police badge on the left chest and his name was embroidered on the right chest. The vest carrier had two spare magazines on the lower left side as well as a handcuff case on the lower right side. Filter's radio was also attached to the vest carrier on the lower left side. Officer Filter's shirt had City of Waukesha Police patches on each shoulder. The vest carrier had a patch with Police written on the back in white lettering. Officer Filter wore blue uniform pants and black footwear as well as a full duty belt. Officer Filter confirmed this was an accurate representation of his appearance while on the scene of this incident.

Det. Zielinski took digital photographs of Officer Filter from all four sides. Officer Filter said that he was not injured and his uniform and equipment were not damaged as a result of this incident.

Officer Filter turned over a Glock brand, model 17, 9 millimeter handgun with serial number [redacted]. The handgun was equipped with a Streamlight TRL-1 light. Officer Filter turned over two spare magazines which were carried on his external vest carrier. There was also one magazine that was seated in the handgun. The magazine was removed from the handgun and the remaining cartridge was ejected from the chamber. The two spare magazines from the vest carrier were seventeen cartridge capacity. Each spare magazine was unloaded and each contained seventeen cartridges. The magazine that was removed from the handgun had a capacity of twenty cartridges. The magazine contained nineteen cartridges. Officer Filter said that he does not top off the twenty round magazine after chambering a round into the handgun. Officer Filter's total round count was fifty-four cartridges which would indicate a full load and that this handgun was not fired during this incident. The handgun and ammunition were returned to Officer Filter.

Det. Zielinski took digital photographs of the handgun and unloaded ammunition.

Photos and ammunition count of Involved Officer: Waukesha PD Officer Nathan Smidt

Officer Smidt was in full City of Waukesha Police Uniform. Officer Smidt wore an external vest carrier that had a Waukesha Police Badge on the left chest and a name plate on the right chest. Officer Smidt had a City of Waukesha Police Patch on each shoulder and Police in large white lettering was on the rear of the vest carrier. The vest carrier contained two spare magazines on the lower left side as well as a radio holder, handcuff case, and a flashlight. Officer Smidt wore blue uniform pants, black footwear, as well as a duty belt with a drop holster on his left leg that contained a Tazer X-26 ECD. Officer Smidt also had a medical mask around his neck. Officer Smidt confirmed this was an accurate representation of his appearance while on the scene of this incident.

Det. Zielinski took digital photographs of Officer Smidt from all four sides. Officer Smidt said that he was not injured and his uniform was not damaged as a result of this incident.

Officer Smidt turned over a Glock brand, model 22, .40 caliber handgun with serial number [redacted] and three magazines. The handgun was equipped with a Streamlight TRL-1 flashlight. Two of the spare magazines were originally located on his external vest carrier. The third magazine was seated in the handgun. Each of the magazines had a capacity of fifteen cartridges. The two spare magazines were unloaded and each contained fifteen cartridges of ammunition. The magazine was removed from the handgun and a cartridge was

removed from the chamber. The magazine removed from the handgun was unloaded and contained fifteen cartridges indicating that the magazine was topped off. The total number of cartridges counted from Officer Smidt was forty-six which would indicate a full load and that Officer Smidt's handgun was not fired during this incident. The handgun and ammunition were returned to Officer Smidt.

Det. Zielinski took digital photographs of the handgun and unloaded ammunition.

Photos of Witness Officer: Waukesha PD Officer Brandon Larsen

Officer Larsen was in full City of Waukesha Police Department Uniform. Officer Larsen wore an external vest carrier with a City of Waukesha Police Badge on his left chest and a name plate on his right chest. Officer Larsen's uniform shirt had a City of Waukesha Police Patch on each shoulder and the back of the vest carrier said Police in white lettering. Officer Larsen wore blue uniform pants, black footwear, and a duty belt.

Det. Zielinski took digital photographs of Officer Larsen from all four sides. Det. Zielinski also took photographs to document a potential blood stain on the forearm area of his left shirt sleeve. The hole on the elbow of Officer Larsen's left shirt sleeve appeared to be old damage. There was also a potential blood stain on Officer Larsen's left thigh area of his uniform pants.

Recovered Firearms

Sgt. DeKarske's LWRC Rifle and one magazine along with twenty-three cartridges of ammunition were secured in a box for transport to the Wauwatosa Police Department as evidence.

Officer Solberg's Sig Sauer M400 Rifle and one magazine along with twenty-six cartridges of ammunition were secured in a box for transport to the Wauwatosa Police Department as evidence.

Both rifles, magazines, and ammunition were transported to the Wauwatosa Police Department where I secured them in a locker (#21) awaiting further process by Det. Steve Kirby.

Further Investigation

Sgt. DeKarske, Officers Solberg, Filter, and Smidt were advised that interviews would be conducted at a future date at the Waukesha Police Department.

Photographs

Det. Zielinski saved all taken photographs on the Wauwatosa Police Department's

secure server in the MAIT file and the Detective Bureau photo file.

Public Safety Statements

Officer Filter and Officer Smidt's public safety statements were turned over to me by Waukesha Police Captain Dan Bauman. They were scanned and attached to this report.

The original statements were placed into property under #20-001296-1.

Detective James Short

NAMES

Police-1
Bell, Det Matthew W/M of 749 W State St, Milwaukee,WI,53233

Police-2
Fedel, Det Michael W/M of 749 W State St, Milwaukee,WI,53233

Police-3
Short, Det James W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Police-4
Zielinski, Det Kelly M W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

OTHER NAMES

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001296				
1	EVI		Waukesha PD Officer Smidt and Officer Filter Public Safety Statements	1.000 $1.00 [Recovered]

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Wednesday, April 15, 2020

Waukesha Memorial Hospital
725 American Way
Waukesha, WI 53188

Homicide (Officer Involved Shooting)

This narrative is written by Detective Paula Roberson.

Property
One buccal swab for J[redacted] [redacted]. F[redacted] m/w [redacted]/[redacted]/1968 (**property number 20-001297-1**)

Reporting Officer(s): Roberson, Paula R.		Payroll Number : 5694	Report Date: 04/15/2020
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 Of 3

NAMES

Witness

F[redacted], J[redacted] W/M-52 of 27[redacted] N 85 St, Milwaukee,WI,53222
DOB: [redacted]/[redacted]/1968

Phone 1:([redacted]) [redacted]-[redacted]

Police

Roberson, Det Paula B/F of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001297				
1	EVI		Buccal swab	1.000
				$0.00
				[Recovered]

NARRATIVE

20-7316 Wednesday, April 15, 2020

Waukesha Memorial Hospital

725 American Way

Waukesha, WI 53189

Homicide

This report is completed by Detective Paula Roberson of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the Officer Involved Shooting of Randy Steven Ashland (M/W [redacted]-[redacted]-1961). This incident occurred 725 American Way, the emergency room parking lot of Waukesha Memorial Hospital. This investigation is related to Waukesha Police Department report #20-16731. The Wauwatosa Police Department is the lead investigative agency for the incident.

Assignment

On Wednesday, April 15, 2020, at 2:11 AM, I received a MAIT alert regarding an officer involved shooting. The incident occurred at Waukesha Memorial Hospital and that one subject was deceased. I responded to the hospital and was assigned to assist Detective Donovan with interviewing a witness. The witness, J[redacted] D[redacted] F[redacted] (M/W [redacted]-[redacted]-1968) was transported to the Wauwatosa Police Department for the recorded interview.

Statement of J[redacted] [redacted]. F[redacted]

F[redacted] was escorted to the large interview room inside the Wauwatosa Police Department detective bureau. I sat in the interview room for the initial part of F[redacted]'s statement. (See Detective Donovan's report for a summary of F[redacted]'s statement)

During his statement, F[redacted] identified the decedent as Randy Ashland 58

years of age. F[redacted] stated Ashland lived at 19[redacted] Milky Way Road with a roommate, M[redacted] R[redacted]. Ashland was divorced and had three sons, J[redacted], B[redacted] and C[redacted]. I exited the interview room to locate current information for the individuals F[redacted] named.

I located the following:

Randy Steven Ashland m/w [redacted]-[redacted]-1961 of Waukesha, Wisconsin (decedent)

B[redacted] J[redacted] A[redacted] m/w [redacted]-[redacted]-1986 of Stevens Point, Wisconsin (son)

C[redacted] S[redacted] A[redacted] m/w [redacted]-[redacted]-1981 of Stevens Point, Wisconsin (son)

J[redacted] C[redacted] A[redacted] m/w [redacted]-[redacted]-1978 of Mesa, Arizona (son)

M[redacted] M[redacted] A[redacted] f/w [redacted]-[redacted]-1963 of Greenfield, Wisconsin (ex-wife as of [redacted])

M[redacted] L[redacted] R[redacted] m/w [redacted]-[redacted]-1967 of Waukesha, Wisconsin (roommate)

After the interview, F[redacted] provided written consent for the search of his vehicle as well as the submission of a buccal swab. I gathered new, sterile equipment and explained the collection process to F[redacted]. I put on a glove and swabbed the inside of F[redacted]'s mouth. The swab was packaged and sealed in F[redacted]'s presence. The packaged swab was entered into evidence and secured inside evidence locker 1. Detective Donovan and I then gave F[redacted] a ride to his residence.

Statement of M[redacted] A[redacted]

Detective Donovan and I responded to M[redacted]'s home in Greenfield, Wisconsin. We made contact with M[redacted] at 6:00 AM. M[redacted] stated she has known Ashland for twenty-five (25) years and had been married to him twice. The divorced in [redacted] but remained close. M[redacted] stated she and Ashland spoke daily, via text, but she had not spoken to him since Monday, April 13, 2020.

M[redacted] explained that Ashland texted her on Monday stating he mixed up his medication which led to him being hospitalized and in a coma for two days. M[redacted] told Ashland he was confused and there was no way he was in a coma for two days since she had spoken to him the day before. Ashland became upset and stopped communicating with M[redacted]. M[redacted] stated the only other communication she received from Ashland after that was a text telling her he would stop by on Wednesday, April 15, 2020 to do the yardwork.

M[redacted] stated Ashland struggled with alcohol and mental health issues for many

years. She does not believe Ashland ever sought psychiatric help and therefore, was never diagnosed with a mental health disorder. M[redacted] explained that Ashland has had suicidal ideologies for as long as she has known him. She believes Ashland attempted suicide in 2014 even though he never admitted to it. In that incident, Ashland took a large number of time-released medicine (believed to be pain pills) and drank vodka. Ashland was hospitalized for several days and was on a Narcan-pump to counteract the effect of the medication.

Detective Donovan and I explained the recent events and notified M[redacted] that Ashland was deceased. M[redacted] stated Ashland's father, F[redacted] A[redacted], was still alive but struggling with the death of a different son. She stated none of the sons lived in the Milwaukee area. She still has a relationship with them and felt she should be the one to tell them about Ashland. I gave M[redacted] the contact information for the Waukesha Medical Examiner's Office and asked that she contact them as soon as we leave. I also encouraged her to give the information to Ashland's sons. After answering additional questions, Detective Donovan and I left M[redacted]'s residence and responded to the Waukesha Police Department.

Waukesha Police Department

After arriving to the Waukesha Police Department, I was assigned to interview Waukesha Police Department Officer Jarrett Fintel. Officer Fintel had been identified as a witness officer. It was suggested that Officer Fintel's interview be postponed due to his fatigue. I met with Officer Fintel briefly, provided him with my contact information and advised him to contact me once he was ready to provide a statement. Officer Fintel contacted me on Thursday, April 16, 2020 and scheduled his interview for Friday, April 17, 2020 at 11:00 AM at the Waukesha Police Department.

Statement of J[redacted] A[redacted]

On Wednesday, April 15, 2020, Wauwatosa Police Department Detective Lewandowski informed me that the Medical Examiner's Office had questions regarding the next of kin notification. I contacted the Medical Examiner's Office and spoke to Deputy Medical Examiner, Andrea Source. Source explained that she received a call from J[redacted] A[redacted] regarding the decedent. Because M[redacted] and Ashland were divorced, M[redacted] is no longer considered the next of kin. J[redacted] is the eldest son and is therefore, the legal next of kin. Source stated that no one from law enforcement had spoken to J[redacted] and stated it would be helpful for him if someone spoke to him. I spoke to J[redacted] via phone.

J[redacted] stated M[redacted] had informed him of Ashland's death. J[redacted] wanted to know the

specific details of this incident. I told J[redacted] the information gained from F[redacted]'s statement and then provided F[redacted]'s contact information. Based on the information provided, J[redacted] believed Ashland committed "suicide by cop" and stated that Ashland had attempted suicide in the past. J[redacted] recalled an incident many years ago (J[redacted] estimates he was eight years old). J[redacted] stated Ashland cut his wrists and was hospitalized for several days. J[redacted] recalls the incident because he was present when Ashland was discharged from the hospital. J[redacted] also recalled that Ashland shot himself in the leg once but it is unknown if this was accidental or intentional. J[redacted] stated that Ashland was a smoker and alcoholic. J[redacted] made arrangement to arrive in Wisconsin on Thursday, April 16, 2020. He asked that he be informed of any new developments. He understands that different personnel may contact him due to the adjusted schedules created because of COVID-19.

NAMES

Other

A[redacted], M[redacted] M[redacted] W/F-56 of 32[redacted] W Cold Spring,
DOB: [redacted]/[redacted]/1963

Phone 1:([redacted]) [redacted]-[redacted]

Contact Person

A[redacted], J[redacted] C[redacted] W/M-41 of 71[redacted] E Onza Av, Mesa,AZ,85213
DOB: [redacted]/[redacted]/1978

Phone 1:([redacted]) [redacted]-[redacted]

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Autopsy

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Assignment

I was assigned to attend the autopsy of the decedent on 04/15/2020 at 11:30 AM at the Waukesha County Medical Examiner's Office, 515 W. Moreland Blvd. in the City of Waukesha.

In addition to myself, the following people were present for the autopsy:

Medical Examiner Dr. Lynda Biedrzycki

Deputy Medical Examiner Dalelynn Modrak

Deputy Medical Examiner Warren Becker

Crime Lab Supervisor Benjamin DeStaercke

Crime Lab Employee Pamela Taylor

Crime Lab Employee Leaha Lacviowski

The decedent was inside of a white body bag. Prior to my arrival, his body had already been x-rayed and his body had been observed by Waukesha County Medical Examiner's Office staff.

Clothing

Ashland's clothing had been laid out on clean white backdrop. While removing Ashland's pants from their evidence bag, several pieces of bullet fragments fell from the bag and onto the white backdrop. These fragments were collected and retained as evidence. Clothing that had been cut apart was placed back together for inspection by Dr Biedrzycki. Following the inspection and photographs, the autopsy began.

Autopsy

Ashland sustained several wounds during the Officer Involved Shooting. When Dr Biedrzycki's final report is received, it will be attached to the case.

Property

Following the autopsy, Deputy Medical Examiner Modrak packaged Ashland's property and turned them over to me. Additionally, I received a DNA card and four tins containing bullets or bullet fragments. I accepted these items and signed the Waukesha County Medical Examiner's Office Evidence Disposition Receipt form (see attached). Additionally, after signing the Wisconsin DOJ Receipt of Physical Evidence (attached), I received a set of Major Case Prints (fingerprints) of Ashland that were taken by DeStaercke and Taylor.

Prior to leaving, I filled out a Waukesha County Medical Examiner's Office Request for Non-Disclosure of Information (attached). I indicated that it would be acceptable for their office to turn information over to the Waukesha County District Attorney's Office at their specific request.

Evidence

Once back at the department, I entered the following property into evidence:

Left Hand bag; **20-001302-001**

Right Hand bag; **20-001302-002**

One pair of grey socks; **20-001302-003**

Camouflage compression pants; **20-001302-004**

Boxer/Brief style underwear; **20-001302-005**

One pair of brown Crocs sandals; **20-001302-006**

Black t-shirt; **20-001302-007**

Grey sweatpants; **20-001302-008**

Plaid jacket; **20-001302-009**

Red/White/Blue bandana; **20-001302-010**

Metal chain, pendant, prayer card; **20-001302-011**

DNA card; **20-001302-012**

Tin (partial bullet and fragments from left lower leg); **20-001302-013**

Tin (bullet from left hip); **20-001302-014**

Tin (fragments from clothing); **20-001302-015**

Tin (bullet from right shoulder); **20-001302-016**

Major case prints; **20-001302-017**

The clothing items were still wet with Ashland's blood. As such, I hung them in the clean Drying Cabinet to assist in their drying process.

On 04/24/2020, I removed the clothing from the drying cabinet and packaged them. Once completed, I turned them over to Property Clerk Karen Roy.

NAMES

Witness-1
Becker, Warren M of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-2
Biedrzycki, Lynda F of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-3
DeStaercke, Benjamin M of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

Witness-4
Lacviowski, Leaha F of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

Police
Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Witness-5
Modrak, Dalelynn F of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-6
Taylor, Pamela F of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

OTHER NAMES

Ashland, Randy S M-58 of 19[redacted] Milky Way, Waukesha,WI,53187
DOB: [redacted]/[redacted]/1961
Phone 1:([redacted]) [redacted]-[redacted]

Waukesha Police Dept of 1901 Delafied St, Waukesha,WI,53186
Phone 1:(262) 524-3831

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001302				
1	EVI		Left Hand bag	1.000 $1.00 [Recovered]
2	EVI		Right Hand bag	1.000 $1.00 [Recovered]
3	EVI		One pair	1.000 $0.00 [Recovered]
4	EVI		Camo compression pants	1.000 $1.00 [Recovered]
5	EVI	Champion	Boxer/brief style	1.000 $1.00 [Recovered]
6	EVI	Crocs	One pair Sandals	1.000 $1.00 [Recovered]
7	EVI		T-shirt	1.000 $0.00 [Recovered]
8	EVI		Sweat pants	1.000 $1.00 [Recovered]
9	EVI		Plaid black/grey/white	1.000 $1.00 [Recovered]
10	EVI		Red/white/blue bandana	1.000 $1.00 [Recovered]

11	EVI	Chain, pendant, prayer card	1.000 $1.00 [Recovered]
12	EVI	DNA card taken at autopsy	1.000 $1.00 [Recovered]
13	EVI	Partial bullet with fragments from left lower leg	1.000 $1.00 [Recovered] [Recovered]
14	EVI	Bullet from left hip	1.000 $1.00 [Recovered]
15	EVI	Bullet fragments from clothing bag (pants)	1.000 $1.00 [Recovered]
16	EVI	Bullet from right shoulder	1.000 $1.00 [Recovered]
17	EVI	Major Case Prints	1.000 $1.00 [Recovered]

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922. I, Detective Stephen F. Kirby, responded to Waukesha Memorial Hospital to assist the scene investigation. Wisconsin State Crime Lab (WSCL) response team, Waukesha Police Specialist Andy Schmidt, New Berlin Officer James Ament and his K9 partner all provided some scene processing, investigation or documentation as well. See their individual reports for details.

Incident Overview

Upon arrival I found the scene to be secured by officers from several agencies, some of who were witness officers. The scene was also well secured by evidence tape. The event occurred at Waukesha Memorial Hospital, in the parking lot just outside the emergency entrance on the north side of the building. The entire north parking lot was secured.

The deceased suspect was inside the hospital in a trauma room. Detective Tom Casey of the Waukesha Police Department with a Waukesha Sheriff’s deputy maintained security on the deceased. See his report for details.

During the incident the deceased was next to a white Toyota Corolla in the first row of parking closest to the emergency room entrance. The officers took positions in front of the emergency entrance facing out. Fired cartridge casings were already marked with evidence cones in the area of the emergency drive and items of evidence were located nearby and in several areas of the parking lot.

Waukesha Medical Examiner’s Officer Response

Deputy Medical Examiner Allison Wiess responded to the hospital trauma room 1 to conduct the medico-legal portion of the investigation. The deceased was identified by fingerprint (FASTID by Officer Andy Schmidt) as Randy S. Ashland (M/W [redacted]-1961). Dr. Andrew Szymanski declared time of death previously at 2:10AM.

During the inspection and documentation of the body a small metal fragment, consistent with a fired bullet fragment, was recovered from the medical gurney sheet. The item apparently fell from either the body or the clothing of the deceased. I recovered the fragment and later entered it into Wauwatosa Police evidence as item 20-1303-1.

Deputy Medical Examiner Allison Wiess recovered the body of the deceased and deceased's clothes for her investigation. I recovered and maintained the deceased's cell phone, an iPhone with a black rubber case, and later entered it into Wauwatosa Police evidence as item 20-1304-1. The autopsy was scheduled later that day. See Detective Lewandowski's reports as well as the Waukesha County Medical Examiner's reports for details.

Officer Involved Rifles Entered

The rifles used by the involved officers were recovered by Det. Short during the investigation at the Waukesha Police Department. See his reports for details. He later secured the weapons in an evidence locker along with the associated magazines and unfired cartridges. All item were properly labeled. I later entered the items into Wauwatosa Police evidence.

Sgt. Ian DeKarske's rifle was a LWRC International, model M6 with serial number [redacted], chambered in 5.56mm NATO, with a laser engraved Waukesha Police Tactical Unit logo. Also secured with the rifle was a rifle magazine labeled "DEKARSKE" and a bag containing 23 unfired cartridges of identical .233 caliber ammunition. The rifle and magazine were entered as item 20-1311-1 and the ammunition as item 20-1311-2.

Officer Ryan Solberg's rifle was a Sig Sauer brand lower receiver with serial number [redacted] and Sig Sauer SIGM400 upper. Also secured with the rifle was one unlabeled magazine with 26 unfired cartridges of identical .233 caliber

ammunition. The rifle and magazine were entered as item 20-1311-3 and the ammunition as item 20-1311-4.

Other Law Enforcement Weapons Recovered

During the scene processing additional law enforcement weapons were inspected and two were recovered by me.

Officer Filter's Rifle

Eventually, through interview and investigation, it was determined Officer Tim Filter was in possession of Waukesha Police fleet rifle 18 during the incident. I located the rifle on scene in squad 28, an unmarked black SUV. Fleet squad 28 with Wisconsin municipal registration *653 (VIN [redacted]) was assigned to Sgt. DeKarske the night of the incident. Later interviews indicated rifle 18 was secured in the squad by Sgt. Benitez immediately after the incident. From the back seat floor board I recovered fleet rifle 18, a BCM brand BCM4 with serial number [redacted]. From the front passenger seat of the squad I recovered one magazine labeled "FLT 18" with 27 cartridges of identical .233 ammunition and one loose identical cartridge laying next to it. Together that indicates a full load for Waukesha Police rifles of 28 rounds. This indicates Officer Filter did not fire during the incident.

I later took a series of digital photos of the rifle, magazine and the ammunition. Those photos were uploaded to the secure MAIT server and the Secure Detective Bureau server under this case number.

The rifle and magazine was entered as item 20-1312-1 and the ammunition as item 20-1312-2.

Due to conflicting preliminary information, other rifles were documented and round counted under the impression they may have been used by Officer Filter or other officers on scene.

Fleet rifle 44, a BCM brand BCM4 with serial number [redacted] with the magazine

"FLT 44", was recovered from fleet squad 44 (Wisconsin registration *2301\VIN [redacted]). Officer Solberg was assigned this squad and the rifle was believed to have been involved before information was developed that he used his own rifle. Rifle 44 was recovered by me still secured in squad fleet 44 and the rounds counted. There were 28 unfired cartridges in the magazine indicating it was not fired during the incident. I returned the weapon to Lt. Habanek as uninvolved.

Fleet rifle 38, a BCM brand BCM4 with serial number [redacted] with the magazine "FLT 38", was recovered from fleet squad 38 (Wisconsin registration *E688\VIN [redacted]). Preliminary information was Officer Filter secured his rifle into that squad but that was later determined to be inaccurate. The rifle was recovered by me secured in the squad and the rounds counted. I verified there were 28 unfired cartridges in the magazine indicating it was not fired during the incident. I returned the rifle to Lt. Habanek as uninvolved.

Less Lethal Launcher Recovered

A less lethal weapon was used during the incident by Officer Nate Smidt according to preliminary information. The launcher was recovered by me from squad fleet 28 (Wisconsin registration *653/VIN [redacted]) assigned to DeKarske. The launcher is a break action single shot 40mm caliber, Penn Arms brand Model GL1-40-C with serial number [redacted]. The launcher was labeled with the name "DeKarske" on the stock. Information from later interviews indicated Officer Smidt retrieved the launcher from Sgt. Dekarske's squad and returned it to the same location after use in the incident.

I recovered the Penn Arms launcher, unloaded and inside a carry bag, in squad 28. The spent 40mm ammunition casing was not present and is currently unaccounted for. The spent projectile was found as WSCL scene item 13 (Wauwatosa police inventory item 20-1308-14).

I later took a series of digital photos of the launcher. Those photos were uploaded to the secure MAIT server and the Secure Detective Bureau server under this case number.

Search of White Toyota

Detective Donovan reported to command that the owner of the vehicle the deceased arrived in, signed a consent form to search his auto for evidence related to the shooting. The vehicle, a white 2016 Toyota Corolla with Wisconsin registration [redacted] (VIN: [redacted]) is registered to J[redacted]. F[redacted]. The doors were unlocked. I searched the vehicle which was very clean and uncluttered and found nothing of evidentiary value.

The auto was locked and left secured at the scene. The keys were delivered to Lt. Habanek for later release to the owner by Waukesha Police.

Vehicle Owner Interview: Black Ford F-150 Struck by Bullet

A black 2007 Ford F-150 with Wisconsin Registration [redacted] (VIN: [redacted]) listing to A[redacted]. A[redacted] (M/B [redacted]-[redacted]-1987) was struck by a fired bullet. Mr. A[redacted] inspected his truck and confirmed only minor damage to the front passenger door was caused. Essentially a small paint chip was caused in the center of the door. The fired bullet was recovered as WSCL scene item 16 (Wauwatosa item 20-1308-16). Mr. A[redacted] removed his truck from scene on his own.

Wisconsin State Crime Lab Scene Evidence Recovery

After scene processing, WSCL response team leader Julieanne Avila turned over to me sixteen collected items of scene evidence. I accepted the items which were all securely packaged. I later entered the items as Wauwatosa Police evidence items 20-1308-1 to 16. Note, the item number (last character) corresponds to the scene numbering system.

The items turned over were:

Scene item 1: Fired .223. cartridge case entered as item 20-1308-1

Scene item 2: Fired .223. cartridge case entered as item 20-1308-2

Scene item 3: Fired .223. cartridge case entered as item 20-1308-3

Scene item 4: Fired .223. cartridge case entered as item 20-1308-4

Scene item 5: Fired .223. cartridge case entered as item 20-1308-5

Scene item 6: Fired .223. cartridge case entered as item 20-1308-6

Scene item 7: Fired .223. cartridge case entered as item 20-1308-7

Scene item 8: Expended bullet from parking lot west of Toyota entered as item 20-1308-8

Scene item 9: Expended bullet from parking lot west of Toyota entered as item 20-1308-9

Scene item 10: One pair of eyeglasses from next to the Toyota entered as item 20-1308-10

Scene item 11: Swabs of blood from parking lot next to Toyota entered as item 20-1308-11

Scene item 12: Taurus brand, “The Judge” model 5 shot revolver chambered in 45 Colt or .410 gauge with 5 unspent .410 gauge shotgun shells entered as item 20-1308-12

Scene item 13: Suspected human tissue from parking lot entered as item 20-1308-13

Scene item 14: 40mm less lethal impact round from parking lot entered as item 20-1308-14

Scene item 15: Spent bullet from under Dodge Caravan entered as item 20-1308-15

Scene item 16: Spent bullet from next to black pickup truck in parking lot entered as item 20-1308-16

The items were all secured in Wauwatosa Police evidence vaults.

Brown Deer Evidence Turned Over

Seven items of evidence from Brown Deer Investigators who searched the deceased’s living space were turned over to me by Detective Brian Guenette. See his report for details regarding the recovery of the items.

Items entered into Wauwatosa Property were

Wauwatosa item 20-1305-1: CD of images

Wauwatosa item 20-1306-1: Plastic Plano brand ammo box containing various cartridges (BDPD 20-0348-1)

Wauwatosa item 20-1306-2: Box of Barnes brand 45 Colt cartridges (BDPD 20-0348-2)

Wauwatosa item 20-1306-3: Box of Hornady “Critical Defense” 45 Colt cartridges (BDPD 20-0348-3)

Wauwatosa item 20-1306-4: Box of Winchester Defender .410 gauge shot gun shells (BDPD 20-0348-4)

Wauwatosa item 20-1306-5: Box of Barnes brand 45 Colt cartridges (BDPD 20-0348-5)

Wauwatosa item 20-1307-1: black leather bound journal type note book from deceased’s bed (BDPD 20-0348-6)

WSCL Photos Digitally Shared

During the processing of the scene, WSCL investigators took a series of digital scene photos and videos. Those photos were digitally shared and downloaded by me. I later uploaded all the shared photos to the secure MAIT server and the Secure Detective Bureau server under this case number.

WSCL Documents Scanned and Attached

Documents provided by WSCL during the investigation, to include the Crime Scene Response letter of Introduction and the Receipt of Physical Evidence, were scanned and attached to the case.

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

OTHER NAMES

Ashland, Randy S M-58 of 19[redacted] Milky Way, Waukesha,WI,53187
DOB: [redacted]/[redacted]/1961
Phone 1:([redacted]) [redacted]-[redacted]

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

Waukesha Police Department of 1901 Delafield St, Waukesha,WI,53188
Phone 1:(262) 524-3820

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001303				
1	EVI		Bullet jacket fragment from hospital sheets of deceased	1.000 $0.00 [Recovered]
20-001304				
1	EVI		Cell phone (iPhone in black rubber case) from the body of Randy Ashland Recovered from hospital room	1.000 $0.00 [Recovered]
20-001305				
1	EVI		CD of images from Brown Deer Police search of Randy Ashland's room (no BDPD item #)	1.000 $0.00 [Recovered]
20-001306				
1	EVI	Various	Plastic Plano brand ammo box of various cartridges recovered by Brown Deer Police (BDPD item 20-0348-	1.000 $1.00 [Recovered]
2	EVI	45 Colt	Box of Barnes brand 45 Colt cartridges from Dresser drawer recovered by Brown Deer Police (BDPD item 20-0348-2)	1.000 $10.00 [Recovered]
3	EVI		Box of Hornady "critical defense" 45 Colt cartridges recovered by Brown Deer Police (BDPD item 20-0348-3)	1.000 $10.00 [Recovered]
4	EVI	.410 gauge	Box of Winchester PDX-1 Defender .410 gauge shotgun shells recovered by Brown Deer Police (BDPD item 20-0348-4)	1.000 $5.00 [Recovered]
5	EVI		Box of Barnes brand 45 colt	1.000

			cartridges from shelf recovered by Brown Deer Police (BDPD item 20-0348-5)	$0.00 [Recovered]
20-001307				
1	EVI		Black leatherbound journal type note book from bed of Randy Ashland recovered by Brown Deer Police (BDPD item 20-0348-6)	1.000 $0.00 [Recovered]
20-001308				
1	EVI		WSCL scene item 1: Fired .233 cartridge case	1.000 $0.00 [Recovered]
2	EVI		WSCL scene item 2: Fired .233 cartridge case	1.000 $0.00 [Recovered]
3	EVI		WSCL scene item 3: Fired .233 cartridge case	1.000 $0.00 [Recovered]
4	EVI		WSCL scene item 4: Fired .233 cartridge case	1.000 $0.00 [Recovered]
5	EVI		WSCL scene item 5: Fired .233 cartridge case	1.000 $0.00 [Recovered]
6	EVI		WSCL scene item 6: Fired .233 cartridge case	1.000 $0.00 [Recovered]
7	EVI		WSCL scene item 7: Fired .233 cartridge case	1.000 $0.00 [Recovered]
8	EVI		WSCL scene item 8: expended bullet from parking lot west of Toyota	1.000 $0.00 [Recovered]
9	EVI		WSCL scene item 9: one fired bullet from west of Toyota	1.000 $0.00 [Recovered]
10	EVI		WSCL scene item 10: one pair	1.000

			of eyeglasses from next to Toyota		$0.00 [Recovered]
11	EVI		WSCL scene item 11: swabs of apparent blood from parking lot next to Toyota	1.000	$0.00 [Recovered]
12	EVI	Taurus	WSCL scene item 12: Taurus brand "The Judge" model 5 shot revolver chambered in 45 colt/410 gauge	1.000	$0.00 [Recovered]
		410 gauge	[redacted]		
13	EVI		WSCL scene item 13: suspected human tissue from parking lot curb	1.000	$0.00 [Recovered]
14	EVI		WSCL scene item 14: 40mm less lethal impact round	1.000	$0.00 [Recovered]
15	EVI		WSCL scene item 15: spent bullet recovered from under a dodge caravan in parking lot.	1.000	$0.00 [Recovered]
16	EVI		WSCL scene item 16: spent bullet from parking lot next to black pickup truck	1.000	$0.00 [Recovered]
20-001311					
1	EVI		DeKarske's rifle: LWRC Inc. brand M6 model AR style rifle, S/N [redacted], chambered in 5.56 NATO with City of Waukesha Tactical Unit laser engraved on lower receiver. One magazine labeled "DEKARSKE"	1.000	$1000.00 [Recovered]
		5.56 NATO	[redacted]		
2	EVI		DeKarske's Ammunition: 23 Cartridges of .223 ammunition	23.000	$0.00 [Recovered]
		.223			[Recovered]
3	EVI	Swiss Indus. Gese.	Solberg's Rifle: Sig Sauer (no model lower/SIGM400 upper) S/N [redacted] with one unlabeled magazine	1.000	$1000.00 [Recovered]
		.223	[redacted]		

4	EVI		Solberg's Ammunition: 26 rounds of .223 rifle cartridges	1.000 $0.00 [Recovered]
		.223		[Recovered]

20-001312

1	EVI		Filter's Rifle: BCM brand BCM4 model AR style rifle S/N [redacted] labeled Fleet 18 with magazine labeled Fleet 18	1.000 $0.00 [Recovered]
		.223	[redacted]	
2	EVI		Filter's Ammunition: 28 cartridges of .223 rifle ammunition from magazine labeled Fleet 18	1.000 $0.00 [Recovered]
		.223		
3	EVI		40mm Less Lethal munitions/impact launcher: Penn Arms brand GL1-40-C single shot launcher S/N [redacted] with label of "DeKarske"	1.000 $500.00 [Recovered]
		40mm	[redacted]	

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Decedent's cell phone – Airplane mode

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Decedent's cell phone

I spoke with Detective Technician Steve Kirby; he had recovered Ashland's cell phone (an Apple iPhone) at the scene of the shooting. The phone battery had been nearly depleted. Detective Kirby placed the phone on a charger and secured it into the cell phone storage lockers.

I, along with Detective Kirby, removed the phone and found that it was passcode protected. I took the phone out of the bag with the intention of removing the SIM card so that it could no longer connect to the cellular network. However, I found the phone and case was still wet with Ashland's blood. Detective Kirby advised that there was no evidentiary reason to process the blood on the phone. As such, I cleaned the phone and case so that I could handle it.

While looking at the back of the cell phone, I determined that it is model A1660 (Apple iPhone 7) with FCC ID: BCG-E3085A and IC: 579C-E3085A. Once removing the SIM from the phone, I found that number [redacted] 60.00 was printed on it. Additionally, IMEI: [redacted] was printed on the SIM tray.

Once the phone was dry, I sealed it in a plastic bag with the SIM card and secured it back into the cell phone evidence locker. I placed the case inside of a small paper bag and secured it inside the same cell phone evidence locker. Once completely dried, the items will be packaged together.

A search warrant will be drafted for Ashland's phone.

NAMES

Police

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Next of Kin discussion – Eyeglasses

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

On 04/16/2020, I received a phone message from the decedent's son, J[redacted] Ashland. J[redacted] received a phone call from the Waukesha County Medical Examiner's Office notifying him that he would have to contact the Wauwatosa Police Department for any further information related to his father's death. I notified J[redacted] that their phone call was in response to the Non-Disclosure request I submitted on this case. However, I did confirm that the results of the autopsy were as expected, that his father died as a result of gunshot wounds.

J[redacted] inquired about some of his father's property that was obtained by this agency and an estimated time that they would be returned; specifically, his father's eyeglasses, notes/letters and ammunition.

I discussed the items with Detective Technician Steve Kirby. If the eyeglasses were deemed to be of no evidentiary value, (lacking any damage from bullet strikes) could likely be released upon supervisory or Waukesha County District Attorney authorization. I inquired with Detective Lieutenant Michael Schultz; he authorized their release.

I sent J[redacted] an email notifying him that, once he was in town, he could arrange

Reporting Officer(s): Lewandowski, Joseph		Payroll Number : 6089	Report Date: 04/16/2020
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 Of 3

with Detective Technician Kirby or Property Clerk Karen Roy to obtain the glasses. Additionally, I informed him that, at this time, the letters and ammunition would not be released.

NAMES

Other

A[redacted], J[redacted] C[redacted] W/M-41 of 71[redacted] E Onza Av, Mesa,AZ,85213
DOB: [redacted]/[redacted]/1978

Phone 1:([redacted]) [redacted]-[redacted]

Police

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

NARRATIVE

This report is written by Detective James Short of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting death of Randy S. Ashland (M/W [redacted]/[redacted]/1961) at the Waukesha Memorial Hospital, 725 American Ave. Waukesha, WI. This investigation is related to Waukesha Police Department incident 20-16731. The Wauwatosa Police Department is the lead agency for this investigation and is documented under Wauwatosa Police Department incident number 20-7316.

Assignment

On Friday, April 17th, 2020, Detective Kelly Zielinski and I were assigned to interview witness Officer Timothy S. Filter (M/W [redacted]/[redacted]/[redacted]) at the Waukesha Police Department. The interview took place in the Chief's Conference Room and was attended by Wisconsin Professional Police Association (WPPA) Attorney Andrew D. Schauer, WPPA Director James Palmer, WPPA Business Agent Jim Schumitsch, and Waukesha Police Officer Jason Trimborn.

Training/Education

Officer Filter (Employee Badge #536) started as a City of Waukesha Police Officer on 01/05/2015. Officer Filter put himself through the Madison Area Tech College Academy, graduating in 09/2014. Prior to the academy, Officer Filter attended the University of Wisconsin-Oshkosh graduating with a degree in Criminal Justice in 2014. As a City of Waukesha Police Officer Filter was assigned to Narcotics and Vice Unit from 2018-2019.

Day Prior to Incident

Prior to the Corona Virus pandemic, Officer Filter was assigned to the [redacted] shift, [redacted]:[redacted] [redacted].[redacted]. to [redacted]:[redacted] [redacted].[redacted]., working a [redacted] days on, [redacted] days off, [redacted] days on and [redacted] days off schedule. Officer Filter is currently assigned to work 6:00 p.m. to 6:00 a.m. two days and four days off schedule. The revised schedule due to the Corona Virus started on 03/26/2020.

Officer Filter started his shift Tuesday evening, 04/14/2020 at 6:00 p.m. This was the first day on of his work rotation. Officer Filter stated that on Monday, 04/13/2020, he awoke at approximately 11:00 a.m. and stayed at his residence the duration of the day. Officer Filter stated that he had one or two drinks on Monday evening with dinner. Office Filter went to bed around midnight and woke up at approximately 11:00 a.m. on Tuesday the 14th. Officer Filter spent the day doing laundry prior to his shift at 6:00 p.m.

Officer Filter stated that he is not currently taking an medication and does not have any significant injuries that would hamper his work performance.

Start of Shift

Officer Filter started his shift at 6:00 p.m. and was assigned to solo patrol and Squad area 106 which includes the south central section of the City of Waukesha. Officer Filter was in full police uniform and was assigned Fleet 18 which is a marked police Ford Explorer SUV. The squad's assigned equipment includes an M4 rifle which is marked "FL 18." Officer Filter said that all the squads equipment was accounted for and in working order. Officer Filter was also equipped with a audio recording device which is activated when the squads emergency lights are turned on, or it can be self activated.

Shift Activity

Officer Filter participated in several calls in the first portion of the shift prior to the incident at the hospital. Officer Filter assisted in a domestic violence and a disturbance call where he arrested a juvenile for resisting. Officer Filter transported the juvenile to the station for prisoner processing and further investigation.

Involved Incident

After the juvenile prisoner process was completed, Officer Filter was in the elevator returning to his squad in the station sally port to resume patrol duties. Officer Filter heard three tones on his radio signifying an emergency or significant call for service. Dispatch advised the details of the call and assigned squads to respond. Officer Filter said that he recalls dispatch advising there was a male subject armed with a gun outside the ER entrance at Waukesha Memorial Hospital. Officer Filter was not one of the initial squads assigned to the call but due to the nature of the call he responded. Officer Filter doesn't recall if a specific description of the subject was given but dispatch did advise that a white four door sedan parked in the lot was involved. The call was dispatched at approximately 1:30 a.m.

Officer Filter exited the sally port and proceeded to Waukesha Memorial Hospital in emergency mode with the squad's emergency lights and siren activated. Officer Filter said that he made his way to the hospital southbound on Delafield Ave. to Washington Ave. He proceeded south bound on Washington Ave to Dopp St. where he turned east and proceeded to the police parking lot of the hospital. Officer Filter pulled his squad up and parked in front of the ambulance bay entrance door which is to the south of the emergency room entrance.

Officer Filter exited his squad with his assigned FL-18 M4 rifle and made it

call ready. Officer Filter entered the hospital through the ambulance bay door and made his way to the emergency room. Officer Filter took his rifle off safety just after exiting the ambulance bay. Officer Filter recalled hearing Officer Fintel advise on the radio that the subject was in the vestibule entrance to the ER adjacent to the lobby. Officer Filter took up a position behind a doorway where he was able to see into the ER lobby. He observed a security officer in the lobby speaking with a M/W subject wearing a tan or brown jacket who appeared to be in his 60's. Officer Filter entered the lobby and was assisted by two officers with the New Berlin Police Department. Officer Filter said that he heard Sgt. Dekarske via the radio that a team was needed to hold on the lobby of the ER.

Officer Filter then said that he heard Officer Smidt call for emergency traffic over the radio. Officer Smidt stated that the subject with the gun was located in the parking lot of the ER. As Officer Filter exited the lobby he passed a M/B subject who was in the vestibule. Officer Filter exited the ER vestibule and took up a position of cover behind a concrete pillar under the entrance awning. Officer Filter said that from his perspective the lighting wasn't that great. The two New Berlin Officers took up a position behind Officer Filter. Officer Filter described the pillar as the row next to the drive and the second pillar from the east. Officer Filter is on the right side of the pillar and he is looking in a northerly direction toward the parking lot. Across the drive Officer Filter said that he observed a white four door sedan parked facing the ER entrance. Officer Filter observed a older, M/W subject wearing blue leans laying on the ground next to the passenger side of the white vehicle. The subject's head was to the north and his feet were to the south. Officer Filter said that the subject was armed with a large silver handgun with a long barrel. Officer Filter believed the handgun was a revolver. Officer Filter said that he could see a marked squad to his left parked in the drive. The subject was laying on his back and he could see the gun resting on the subjects chest. The subject remained on his back but he wasn't laying still.

Officer Filter said that there were officers positioned to his left but not to his right. Officer Solberg was to the left of Officer Filter and was giving commands to the subject to put the gun down. Officer Solberg asked the subject to put the gun down numerous times. Officer Filter said that the subject continued to lay on his back and at one point the subject put the barrel of the gun on his forehead with one hand on the barrel and his thumb on the trigger. At one point during the incident Officer Filter heard the subject say that he didn't want to hurt anyone. The subject rolled to his right side and put the gun on the concrete. The subject then returned to laying on his back. Officer Filter observed both of the subject's hands were empty. The subject then rolled back to his right and picked up the gun. Officer Filter was not sure what hand the subject had the gun in. The subject then tucked his legs up blocking Officer Filter's view of the subject's upper torso. Officer Filter was not able to see the gun at this point.

At this time Officer Filter heard five to six shots being fired. Officer Filter described one of the shots as sounding different than the others. Officer Filter next saw the subject down on his back with the gun laying on ground to the right of the subject. Officer Filter said that he recalled Sgt. Dekarske on the radio advising that shots had been fired at the subject. Officer Filter said that he was requested to remain at his position to provide cover as an arrest team would approach the subject. Officer Filter stated that an arrest team of seven to eight officers approached the subject from the west and took him into custody. As the subject was being taken into custody Officer Filter moved toward the vehicle to clear it. Officer Filter looked through the front windshield of the vehicle and could see that there were no other persons in the vehicle.

Post Incident

Officer Filter added that one of the New Berlin Officers had entered the hospital and returned with a gurney. Officer Filter said that he assisted putting the subject on the gurney and also assisted wheeling the subject into the ER for treatment. Officer Filter removed his gloves at the ER entrance and he proceeded to post outside of room number one of the ER where the subject had been taken to for treatment of his wounds.

At this point Officer Filter had Officer Larson stand by while Officer Filter made contact with Sgt. Benitez. Officer Filter said that he thought that he may have fired his rifle during this incident but he wasn't sure. Officer Filter said that the reason he thought he may have fired was when he heard the shots he recalled that one of them sounded different. Officer Filter relayed this information to Sgt. Benitez and said that he wasn't one hundred percent sure he didn't fire his rifle. Officer Filter and Sgt. Benitez proceeded to Sgt. Benitez' vehicle where Officer Filter removed the magazine from his rifle. Sgt. Benitez told Officer Filter that the magazine looked like there were a couple of rounds missing. Officer Filter removed the round from the chamber of the rifle and the rifle was placed in the rear of Sgt. Benitez squad. Officer Filter stood by and he was subsequently returned to the Waukesha Police Department by Officer Smidt where he awaited further instruction.

Officer Filter said that the information he provided was accurate to the best of his recollection at that time and he didn't have anything to add. The interview was concluded.

Detective James Short

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Wednesday, April 15, 2020

Waukesha Memorial Hospital

725 American Way

Waukesha, WI 53189

Homicide-Milwaukee Area Investigative Team Report

This report is completed by Detective Paula Roberson of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the Officer Involved Shooting of Randy Steven Ashland (M/W [redacted]-[redacted]-1961). This incident occurred 725 American Way, the emergency room parking lot of Waukesha Memorial Hospital. This investigation is related to Waukesha Police Department report #20-16731. The Wauwatosa Police Department is the lead investigative agency for the incident.

Witness Officer Interview: Officer Jarrett A. Fintel, Waukesha Police Department

On Friday, April 17, 2020, at 11:00 AM, I met with Waukesha Police Department Officer Jarrett Fintel at the Waukesha Police Department, 1901 Delafield Street, Waukesha, Wisconsin. The purpose of this meeting was to provide Officer Fintel with an opportunity to provide a voluntary statement regarding his role in the officer involved shooting of Randy S. Ashland m/w [redacted]-[redacted]-1961. Waukesha Police Department Specialist Jason Trimborn was present as a support person as well as a representative of the union. The interview was conducted in the Sensitivity Room of the police department. The interview was not recorded. The following information comes from this interview and is a

summary, not a transcript.

Officer Fintel's Background

Officer Fintel joined the Waukesha Police Department as a Police Officer on January 14, 2019 and attended the Waukesha County Technical College Police Academy. After successfully completing the academy in May 2019, Officer Fintel proceeded through the field-training program and was assigned to the early shift. Officer Fintel normally works during the hours of [redacted] and works a rotating schedule of [redacted] days on followed by [redacted] days off, then [redacted] days on followed by [redacted] days off. However, on March 26, 2020, Officer Fintel began working a temporary schedule due to the Coronavirus pandemic. His temporary schedule consists of two days on followed by four days off. He works during the hours of 6:00 PM-6:00 AM.

Officer Fintel did not work in law enforcement prior to being hired by Waukesha Police Department. He stated he completed an Internship with Waukesha Police Department, during the spring 2018 semester, while attending Carroll University. Officer Fintel graduated from Carroll University in May 2018 with a degree in Criminal Justice.

Activities Prior to Incident

Officer Fintel explained that Tuesday, April 15, 2020 was the first day of his work rotation. He stated he went to bed between 5:00 AM and 6:00 AM on Tuesday morning. He woke up between 2:00 PM and 4:00 PM. He stated that he had no emotional, physical or other concerns as he headed to work about 5:15 PM.

On Tuesday, April 15, 2020, Officer Fintel was assigned to Squad Area 102 as a single person squad. Officer Fintel drove Fleet 38, a fully marked Ford Explorer with red and blue emergency lights. The vehicle was equipped with a camera and microphone. Waukesha Police Department does not use body cameras. Officer Fintel was wearing his standard department uniform.

Officer Fintel recalled that the shift was unusually busy that evening. Shortly after starting his patrol duties, Officer Fintel assisted another officer with a domestic violence investigation. He then backed up another officer in the downtown area. Officer Fintel also assisted on a criminal damage to property investigation and later transported the defendant (unrelated to the critical incident) to Waukesha Memorial Hospital for a voluntary mental health evaluation. After leaving the hospital, Officer Fintel responded to a landlord/tenant dispute near Madison Street at LaSalle Street.

Officer Fintel may have responded or conducted other activities prior to the critical incident. He stated that the incidents mentioned above are the ones he vividly recalls. Officer Fintel stated although the shift was busy, there was nothing eventful or unusual about any of the calls.

Responding to the Man with a Gun call

Officer Fintel explained that the landlord/tenant dispute was only a few blocks away from the hospital. A short time after he finished the landlord/tenant dispute, his computer screen began flashing red. Officer Fintel stated the red flashing indicates an emergency call. Officer Fintel stated prior to the dispatcher broadcasting the information via the radio, he observed "man with gun 725 American Avenue." Officer Fintel stated he immediately recognized the address as that of Waukesha Memorial Hospital. Officer Fintel stated he checked the Global Positioning System (GPS) and realized he was the only squad in the immediate area. As he headed to the hospital, the dispatcher began broadcasting the call. Once the broadcast was complete, Officer Fintel activated his emergency lights. He stated he did not use the siren because he was already in the area.

Officer Fintel recalled the dispatcher saying there was a man with a gun near the hospital entrance. He does not recall hearing a description of the suspect. Officer Fintel believes he arrived to the hospital within 40 seconds. He described taking Lawndale Avenue to Greenwood Avenue and then Greenwood Avenue to American Avenue. As he reached the curve on American Avenue, he stopped his squad and scanned the area. He did not see anyone in the parking lot or in the cars parked near the entrance. The dispatcher transmitted additional information and Officer Fintel thought the transmission stated that the caller was in a vehicle in the parking lot.

Officer Fintel sees the potential suspect

Immediately after the update from dispatch, Officer Fintel observed a black male standing in the hospital vestibule with his hands in his pockets. Officer Fintel thought the person in the vestibule was the suspect. Officer Fintel canted his car so that his camera focused on the person in the vestibule.

Officer Fintel used his radio to broadcast an update to responding squads. He then exited his squad, removed his handgun from his holster and began shouting commands to the person in the vestibule. The person in the vestibule did not do as commanded. While Officer Fintel was focused on the person in the vestibule, he heard someone to the left of him yelling at him. Officer Fintel believed the person yelling was the caller and told him to wait for another officer to arrive.

Officer Fintel heard someone announce “coming into the ambulance bay” and then saw some officers running toward him. Officer Fintel did not recognize any of the officers but later learned they were from New Berlin Police Department. One of the officers opened the passenger door of Officer Fintel’s squad and yelled commands to the person in the vestibule.

Suspect located

Waukesha Police Department Officer Nate Smidt arrived on scene and said “Hey, who’s this guy?” He then yelled, “No that’s the guy over there!” and pointed toward the parking lot. At that time, Officer Fintel saw the suspect on the ground in the parking lot near a white car. Officer Fintel described the suspect as a white male, 50-55 years of age, with white/gray hair. The suspect was laying on his side with his head pointed toward the rear of the car and his feet pointed toward the front of the car. The suspect had a silver revolver pointed at his head and seemed disoriented. Officer Fintel heard the suspect scream “Just shoot me” several times.

Officer Fintel moved to the rear of his squad and the New Berlin officers moved to an area near the front of the squad. Waukesha Police Department Officer Brandon Larson was standing near the trunk. Officer Fintel stated he felt "open and exposed" in his current position and decided to retrieve a ballistic shield. He explained that he could not stand behind Officer Larson because that would put Officer Larson in Officer Fintel's line of fire. Officer Fintel checked the trunk of his squad for his shield and discovered the shield was stored directly behind the driver's seat. Officer Fintel stated he was not able to retrieve his shield without putting himself in a more vulnerable position. He observed several squads parked near the ambulance bay and decided to check them for a shield. He stated he holstered his weapon and then ran to the parked squads. After locating a shield, he ran back to the trunk area next to Officer Larson.

Officer Fintel defined "open and exposed" as unprotected. He explained that he did not have any cover or concealment where he was standing. Officer Fintel stated cover and concealment were important to him at this moment because the suspect had a gun and could quickly turn the gun towards Officer Fintel and kill him.

As he arrived back at his squad, Officer Fintel observed Waukesha County Sheriff's Deputies on scene as well as a K-9 officer. The majority of the officers had their rifles out. Officer Fintel kept his weapon in his holster and used the shield as protection. He stated he viewed the remainder of the incident through the scratched window of the shield.

Officer Fintel heard Waukesha Police Department Officer Ryan Solberg pleading for the suspect to put his gun down. Eventually the suspect complied. Although the gun was on the ground, it was still within the suspect's reach. Officer Solberg instructed the suspect to roll away from the gun. The suspect did not comply and instead retrieved the gun. Officer Fintel saw the suspect raising the gun and then heard seven (7) to ten (10) gunshots. The suspect dropped the gun and fell on his back with both hands on his chest. Officer Fintel observed that the suspect was bleeding but still breathing and the gun was still within the suspect's reach.

The officer formed an arrest team and slowly looped around so they could approach the suspect from the back of the vehicle. Once they were in their desired spot, they stopped to make sure the suspect had not retrieved the gun. Once they saw the gun was still on the ground, they approached the suspect. A New Berlin officer grabbed the revolver. Officer Larson and a deputy handcuffed the suspect. Someone pushed a gurney over to them and Officer Fintel assisted with lifting the suspect onto the gurney. Officer Fintel believed the suspect was unconscious at this time because “his limbs were loose and his eyes were rolled back”. The suspect was pushed into the emergency room.

Scene stabilization and security

Officer Fintel stated that Waukesha Police Department Sergeant Ian DeKarske and Sergeant Servando Benitez stabilized the scene. Officer Fintel and an unknown deputy taped off the parking lot with police tape. Once the lot was taped off, Officer Fintel saw that cones were placed near some of the casings. He observed additional casings that did not have cones near them and went to retrieve cones from the other squads. After marking the additional casings, Officer Fintel stood near the hospital entrance awaiting further instruction.

Officer Fintel was approached by Sgt. Benitez and asked if he had discharged his weapon. Officer Fintel stated that he had not discharged his weapon. Sgt. Benitez counted Officer Fintel’s rounds and inspected his firearm. Officer Fintel remained at the entrance for sixty (60) to ninety (90) minutes before being transported to Waukesha Police Department by a New Berlin Police Department sergeant. Officer Fintel stated he was not injured during this incident.

Conclusion and Validity

At the conclusion of the interview, Officer Fintel stated he felt all relevant information was covered and discussed.

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922.

Wisconsin State Crime Lab Autopsy Photos

I, Detective Stephen F. Kirby, received copies of digital photos Wisconsin State Crime Lab staff took during the autopsy of the deceased. I archived copies on the secure Detective Bureau server as well as the secure MAIT server under this case number.

New Berlin Reports Regarding K9 Search Received

I received the related New Berlin Police reports regarding this event. They were digital copies of New Berlin Police Reports E20007499 (incident) and E20007501 (K9 assistance in search). They were attached to this case and copies uploaded to the MAIT server.

See the reports for details.

Reporting Officer(s): Kirby, Stephen F.		Payroll Number : 5874	Report Date: 04/22/2020
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 Of 2

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922. I, Detective Stephen F. Kirby, continued my assistance in the investigation of this case on multiple dates.

Evidence Processing: DNA Swabs of Suspect's Handgun

On April 24, 2020 I unsealed the box containing the Taurus brand revolver recovered from the crime scene as scene item number 12 and entered into Wauwatosa Police property as item 20-1308-12. The firearm is a large revolver with serial number [redacted]. The gun was left secured in the box, already previously unloaded. I then processed the item for potential DNA evidence for future analysis.

I donned new clean gloves. Using a new clean sterile swab I wetted the swab tip with distilled water ensuring the bottle and swab did not touch. I swabbed the edges and angles of the front and rear sight of the Taurus. I then swabbed the same areas with a new sterile dry swab. The two swabs were packaged together in a glassine bag. That bag was placed into a labeled DNA evidence envelope and entered into property under item number 19-1363-1.

I then donned new clean gloves. Using a new clean sterile swab I wetted the swab tip with distilled water ensuring the bottle and swab did not touch. I swabbed the cylinder release button and ejector rod end of the Taurus. I then swabbed the same areas with a new sterile dry swab. The two swabs were packaged together in a glassine bag. That bag was placed into a labeled DNA evidence envelope and entered into property under item number 19-1363-2.

I then donned new clean gloves. Using a new clean sterile swab I wetted the swab tip with distilled water ensuring the bottle and swab did not touch. I swabbed the hammer serrations and edges of the Taurus. I then swabbed the same areas with a new sterile dry swab. The two swabs were packaged together in a glassine bag. That bag was placed into a labeled DNA evidence envelope and entered into property under item number 19-1363-3.

I then donned new clean gloves. Using a new clean sterile swab I wetted the tip with distilled water ensuring the bottle and swab did not touch. I swabbed the textured grip and ridges of the handle of the Taurus with the wetted swab. I then swabbed the same areas with a new sterile dry swab. The two swabs were packaged together in a glassine bag. That bag was placed into a labeled DNA evidence envelope and entered into property under item number 19-1363-4.

The swabs were sealed and entered into Wauwatosa Police evidence vaults for storage.

Evidence Submission to Wisconsin State Crime Lab (WSCL)

ON April 24, 2020 I transported and submitted items of evidence to the Wisconsin State Crime Lab (WSCL) for processing. The lab previously assigned their case number **R20-1100.**

<u>The following items were submitted for **Firearms and Toolmark** comparison and analysis:</u>

Item 20-1311-1, LWRC INC. M6rifle with serial number [redacted] recovered from Sgt. DeKarske, was accepted and assigned lab designation “A”.

Item 20-1311-3, Sig Sauer Ar style rifle with serial number [redacted] recovered from Officer Solberg, was accepted and assigned lab designation “B”.

Item 20-1308-1, a fired cartridge case recovered as scene item 1, was accepted and assigned lab designation “C”.

Item 20-1308-2, a fired cartridge case recovered as scene item 2, was accepted and assigned lab designation “D”.

Item 20-1308-3, a fired cartridge case recovered as scene item 3, was accepted and assigned lab designation “E”.

Item 20-1308-4, a fired cartridge case recovered as scene item 4, was accepted and assigned lab designation “F”.

Item 20-1308-5, a fired cartridge case recovered as scene item 5, was accepted and assigned lab designation “G”.

Item 20-1308-6, a fired cartridge case recovered as scene item 6, was accepted and assigned lab designation “H”.

Item 20-1308-7, a fired cartridge case recovered as scene item 7, was accepted and assigned lab designation “I”.

Item 20-1308-8, an expended/fired bullet recovered as scene item 8, was accepted and assigned lab designation “J”.

Item 20-1308-9, an expended/fired bullet recovered as scene item 9, was accepted and assigned lab designation “K”.

Item 20-1308-12, a Taurus brand “The Judge” model revolver with serial number [redacted] recovered as scene item 12, was accepted and assigned lab designation “L”.

Item 20-1308-15, an expended/fired bullet recovered as scene item 15, was accepted and assigned lab designation “M”.

Item 20-1308-16, an expended/fired bullet recovered as scene item 16, was accepted and assigned lab designation “N”.

On April 29, 2020 I transported and submitted additional items of evidence to the Wisconsin State Crime Lab (WSCL) for processing under the same lab case number.

<u>The following items were submitted for **Firearms and Toolmark** comparison and analysis:</u>

Item 20-1302-13, an expended/fired bullet recovered during the autopsy from the deceased, was accepted and assigned lab designation “O”.

Item 20-1302-14, an expended/fired bullet recovered during the autopsy from the deceased, was accepted and assigned lab designation “P”.

Item 20-1302-15, an expended/fired bullet fragments recovered during the autopsy from the deceased, was accepted and assigned lab designation “Q”.

Item 20-1302-16, an expended/fired bullet recovered during the autopsy from the deceased, was accepted and assigned lab designation “R”.

The “Receipt of Physical Evidence” form for both dates were scanned and attached to the case.

Additional Photos and Data from Scene Processing Partners Received

Additional corrected photos from WSCL were digitally shared and downloaded. I uploaded copies to the secure MAIT server under this case number. See their reports for specific details.

Waukesha Police scene mapping, photos and other data were also digitally shared and downloaded. I uploaded copies to the secure MAIT server under this case number. See their reports for specific details.

Release of Uninvolved Firearms to Waukesha Police Department

After scene evidence, video evidence, autopsy, and officer interviews were reviewed it was clear three items of recovered evidence were not involved in the death of the suspect. Those items were identified as: Fleet rifle 18, a BCM brand BCM4 AR-style rifle with serial number [redacted] with magazine labeled fleet 18 (WUPD item 20-1312-1) was possessed by Officer Filter at the time of the incident. The rifle contained 28 cartridges of .223 ammo (WUPD item 20-1312-2). The Penn Arms 40mm less lethal launcher with serial number [redacted] and labeled “DEKARSKE” (WUPD item 20-1312-3) was in the possession of Officer Smidt but caused no significant injuries and played no role in the death of the suspect.

The three items were returned to Waukesha Police on April 29, 2020 by me. Sgt. David Daily received the items from me and signed the Property Release Form. The form was scanned and attached to the case.

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001363				
1	EVI		DNA swabs of SIGHTS of Taurus Judge recovered from scene (gun WUPD item 20-1308-12)	1.000 $0.00 [Recovered]
2	EVI		DNA swabs of BUTTONS of Taurus Judge recovered from scene (gun WUPD item 20-1308-12)	1.000 $0.00 [Recovered]
3	EVI		DNA swabs of HAMMER of Taurus Judge recovered from scene (gun WUPD item 20-1308-12)	1.000 $0.00 [Recovered]
4	EVI		DNA swabs of GRIPS of Taurus Judge recovered from scene (gun WUPD item 20-1308-12)	1.000 $0.00 [Recovered]

NARRATIVE

This report is written by Detective Kelly Zielinski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting death of Randy S. Ashland (M/W [redacted]/[redacted]/1961) at the Waukesha Memorial Hospital, 725 American Ave. Waukesha, WI. This investigation is related to Waukesha Police Department incident 20-16731. The Wauwatosa Police Department is the lead agency for this investigation and is documented under Wauwatosa Police Department incident number 20-7316.

Assignment

On Friday, April 17th, 2020, Detective James Short and I were assigned to interview involved Officer Nathan P Smidt (M/W [redacted]/[redacted]/[redacted]) at the Waukesha Police Department. The interview took place in the Chief's Conference Room and was attended by Wisconsin Professional Police Association (WPPA) Attorney Andrew D. Schauer, WPPA Director James Palmer and WPPA Business Agent Jim Schumitsch.

Training/Education

Officer Smidt (Employee Badge #474) started as a City of Waukesha Police Officer on November 10th, 2010. Officer Smidt attended the Waukesha Area Tech College Academy and graduated in 09/2010. Prior to the academy, Officer Smidt attended the University of Wisconsin-Milwaukee graduating with a degree in Criminal Justice in 2010. As a City of Waukesha Police Officer Smidt was assigned to Narcotics and Vice Unit from 2017-2018. Officer Smidt received additional departmental training in Less Lethal munitions in 2013 and continues to receive annual departmental training in that discipline.

Current Assignment

Prior to the COVID 19 pandemic Officer Smidt was assigned to the late shift, [redacted] to [redacted] working a [redacted] days on, [redacted] days off, [redacted] days on and [redacted] days off schedule. Officer Smidt is currently assigned to work 6:00 p.m. to 6:00 a.m. two days on and four days off schedule. The revised schedule, due to the COVID 19, started on 03/26/2020.

Day Prior to Involved Incident

Officer Smidt stated that on Monday, 04/13/2020, he awoke at approximately 5:00 a.m. and stayed at his residence the duration of the day. Officer Smidt stated he worked out at home, had lunch and spent a relatively normal night at home watching TV. Officer Smidt stayed up Monday evening as he usually does on his first night back to work. He went to bed around 5:00am on Tuesday morning (04/14/2020) and woke up around 1:00pm. Officer Smidt spent the day working out and watching TV. He showered and left for work around 5:00pm. Nothing unusual or of any consequence occurred during the day. Officer Smidt stated he does not drink alcohol, does not take any prescribed medications, and does not have any significant injuries that would affect his work performance.

Start of Shift

Officer Smidt started his shift at 6:00 p.m. and was assigned to solo patrol and Squad area #114, which is a roving squad that includes the south side of the City of Waukesha. Officer Filter was in full police uniform and was assigned Fleet #22 which is an unmarked police Ford Explorer SUV with 360 degree interior emergency lighting and siren. The squad's assigned equipment includes an M4 rifle marked "FL 22". Officer Smidt said that all the squads equipment was accounted for and in working order. Officer Smidt was also equipped with a audio recording device which can be self activated or also activated when the squads emergency lights are turned on.

Activity Prior to Involved Incident

Officer Smidt assisted in several calls in the first portion of the shift prior to the incident at the hospital. Officer Smidt assisted with a report of a

drive by shooting that was later downgraded to be a disturbance call. The investigation showed the “shooting” was a rock thrown through a window of a residence and several subjects were later taken into custody. Officer Smidt transported one of the arrested subjects to the Waukesha County Jail.

After leaving the Jail, Officer Smidt decided to respond to the Police Department to inventory a knife recovered from the earlier disturbance call/arrest. After inventorying the knife, Officer Smidt assisted Officer Fintel with a Landlord/Tennant trouble at 8[redacted] Madison St. Officer Smidt advised he was not needed at the scene and started to head to the sub-station located 2440 Les Paul Parkway.

Involved Incident Response

At approximately 1:30am, Officer Smidt saw dispatch notes on his in squad computer of a call at Waukesha Memorial Hospital of “a man with a gun to his head." Officer Smidt said that he recalls dispatch advising over the radio there was a male subject armed with a gun outside the ER entrance at Waukesha Memorial Hospital. Officer Smidt doesn't recall if a specific description of the subject was given.

Officer Smidt proceeded to Waukesha Memorial Hospital in emergency mode with the squad's emergency lights and siren activated. Officer Smidt said that he made his way to the hospital west on HWY 59, then north on St. Paul Ave, north on Moreland, east on Dopp St., then north on Washington St.

While responding, Officer Smidt remembered hearing Officer Fintel call out on the radio that he (Fintel) was on scene. Officer Smidt knew that Officer Fintel was very close to Waukesha Memorial because the landlord/tenant trouble he was with Fintel earlier was across the street from the hospital. For officer safety concerns, Officer Smidt called out on the radio for Officer Fintel to stand by in the parking lot to allow more officers to arrive on scene before approaching. However, Smidt was not sure his broadcast went over the air or was heard by Officer Fintel. Soon after, Officer Smidt heard Officer Fintel over the radio call out, “man at gunpoint”. After arriving on scene, Officer Smidt parked his vehicle along the Police/Ambulance bay entrance, located on the northwest corner of the hospital.

Suspect Identification

Officer Smidt called out on scene and exited his squad. Officer Smidt could see where Officer Fintel had parked his squad, which was facing east and canted slightly towards the ER doors. Officer Smidt quickly made his way on foot to the back of Officer Fintel's squad and could now see Officer Fintel standing on the driver side of the squad with his weapon drawn and pointing in the direction of the ER doors. Officer Smidt approached Officer Fintel and took a position behind Officer Fintel. Officer Smidt could see a subject standing between the vestibule doors that Officer Fintel had been addressing. Officer Smidt described the subject as an older M/B wearing a black coat with the hood up.

Officer Smidt advised something did not "seem right about the situation" and recalled information provided by dispatchers about a white Nissan parked in front of the ER doors. Officer Smidt looked to his left and illuminated the area to his east and north with his flash light. Officer Smidt immediately observed a man lying on the ground along the passenger side of a white four door auto, with his feet closest to the ER doors. Officer Smidt described the suspect as an older, M/W, wearing a long sleeve button up flannel shirt. The M/W subject Officer Smidt observed was later identified as the suspect, Randy S Ashland (M/W [redacted]/61). Officer Smidt stated he saw a large silver revolver in Ashland's right hand and he was waiving the gun around in the air. Ashland at one point pointed the gun towards his own head, and was "moaning" loudly to himself. Officer Smidt immediately grabbed Officer Fintel and they repositioned to the rear passenger side of Officer Fintel's squad. Officer Smidt then advised over the radio that the suspect was located in the parking lot of the ER next to a white sedan.

Suspect Negotiations

Officer Smidt moved up to the passenger side front door of Officer Fintel's squad to get a better view of Ashland. Officers on scene began to give verbal commands to Ashland to "drop the gun and show me your hands" several times, but Ashland continued to wave the gun in the air. Officer Smidt stated that due to Ashland's unusual behavior, his training and experience led him to believe

that Ashland was intoxicated or under the influence of drugs. Officer Smidt stated Ashland continued to move the handgun in an erratic manner and at one point, used his left hand to hold up his right arm. Ashland's speech was very slow and slurred, almost becoming a continuous moaning sound and was not articulable. Ashland continued to ignore Police commands or even acknowledge their presence.

Officer Smidt advised that the ER parking lot was dimly lit and where Ashland was laying was almost completely dark due to the white car casting a shadow on him. From his vantage point, there was a light pole partially blocking his view of Ashland and he (Smidt) had to come out from behind cover (Fintel's squad car) to get a clear, unobstructed view of Ashland. Officer Smidt estimated the distance from him to Ashland was about 25 yards.

Officer Smidt stated Waukesha Police Officer Ryan Solberg arrived on scene and took a position by the hood of Officer Fintel's squad with a long rifle. Officer Smidt stated a Village of Pewaukee Police Officer also responded and was standing with him behind Officer Fintel's squad. Officer Smidt stated after approximately 30 seconds of giving commands to Ashland, he noticed that Waukesha Police Officer Danowski was standing by Officer Fintel's squad and had his sniper rifle with him. Officer Danowski set up on the hood of Officer Fintel's squad next to Officer Solberg and advised he (Danowski) had visual of the suspect through the rifle scope. Danowski then began to verbalize to Officer Solberg every movement/action that Ashland was doing.

Officer Smidt stated that Officer Solberg continued to try to establish some sort of dialog with Ashland, and remembered Officer Solberg yelling to Ashland, "I just need you to put the gun down" and "we want to help you, but you need to put the gun down." However, Ashland continued to ignore Police commands. Ashland remained "moaning" loudly but never made an articulable response to any of the verbal Police commands.

Officer Smidt advised he recalled Officer Katrina Smidt bringing up a shield and putting the shield on the hood of Officer Fintel's squad to provide extra cover for the officers that were behind the squad.

Officer Smidt recalled hearing Officer Danowski say Ashland was laying on his back with the gun in his right hand pointed at his eye, with his left thumb on

the trigger of the gun. Officer Smidt stated he then heard Officer Solberg order Ashland to "roll away from the gun."

Officer Smidt advised at that point he decided to get a less lethal gun as a possible intervention option. Officer Smidt stated that Fleet #28 was the nearest squad and recovered the PGL65 40mm less lethal from the trunk of that car and returned to Officer Fintel's squad. Officer Smidt described the 40mm gun as having six (6) rounds in the cylinder. Officer Smidt then took a position near the front of Officer Fintel's squad behind Officer Solberg.

Officer Smidt stated he had previously fired the PGL65 40mm gun in training and was familiar with it. Officer Smidt stated that this particular PGL65 had a sight system he was not familiar with and had trouble initially removing the lens caps from the "EO Tech" sighting system. After a brief reassessment check of the less lethal weapon from behind cover, Officer Smidt reengaged at the front of Fintel's squad with Officer Solberg.

Officer Engagement

Officer Smidt told me that according to his training, the designated impact area for engaging a subject with the less lethal gun would be from the subject's belly button and below, excluding the groin. A secondary impact area would be the arms. Officer Smidt advised his intent with the less lethal gun was to temporarily separate Ashland from the gun if the opportunity arose.

Officer Smidt took a kneeling position at the front passenger side bumper of Officer Fintel's squad. Officer Smidt stated because Ashland was still lying on the ground, he wanted to get in a kneeling position to decrease his angle and avoid any potential ricochets to unintended areas. From this vantage point, Officer Smidt had a clear unobstructed view of Ashland.

Officer Smidt stated he heard Officer Danowski say that Ashland put the gun on the ground, and Officer Smidt saw an opportunity to separate Ashland from the gun by delivering a less lethal round. Officer Smidt stated he came up on target (Ashland) and was about to verbalize to other officers on scene, "less lethal." At that moment, Officer Smidt heard a single gunshot coming from the

direction of Ashland, and thinking that Ashland fired a round, fired a less lethal round in the direction of Ashland.

Officer Smidt stated his initial target/impact area was the legs, but the gunshot just prior to him firing caused him to come slightly off target. Officer Smidt was not sure if less lethal round he fired hit his intended target area. After firing his less lethal round, Officer Smidt heard additional gunfire from several different directions. Officer Smidt then moved back behind cover and heard Sgt. Ian Dekarske over the radio say, "shots fired, Officers OK."

Approach to Ashland

Officer Smidt says a plan was developed to make an approach towards Ashland and secure the scene. Officer Smidt stated he was the last person in the stack of Officers that approached Ashland. As they made the approach, Officer Smidt recalled Ashland's arms were pulled in towards his chest and he was laying on his side. Officer Smidt recalled someone saying, "he's not breathing anymore" and he observed Officers roll Ashland over to his stomach and handcuff Ashland.

Officer Smidt recalled the gun that Ashland had was laying on the ground within two feet of Ashland's body. A gurney was rolled out from the ER and several officers picked Ashland up, put him on the gurney and quickly conveyed Ashland into the ER.

Scene Security

Officer Smidt stated Waukesha Police Sgt. Benitez tasked him with scene security. Officer Smidt recalled Officers putting Police tape up around the scene and he secured the 40mm less lethal gun back in the rear of Fleet #28. Officer Smidt asked a Village of Pewaukee Police Officer to stand by as scene security until he returned. Officer Smidt recalled placing the less lethal gun

back in Fleet #28.

Officer Smidt returned to the scene and debated leaving the revolver on the ground or just leaving it for investigators. Officer Smidt decided since the scene was still active, he would secure the weapon. Not having any gloves to use, Officer Smidt asked the Village of Pewaukee Officer to secure the weapon for him. The Officer secured Ashland's weapon and noticed that the hammer on the revolver was cocked back. They removed the 6 rounds from the revolver's cylinder, then laid the revolver and the rounds on the ground where it was originally located.

Leaving the Scene

Officer Smidt conveyed himself and Officer Timothy Filter back to the Waukesha Police Department to meet with their union officials. At the Police Department, Lt. Joseph Hendricks took a brief public safety statement from him and was later photographed by investigators.

Officer Smidt said that the information he provided was accurate to the best of his recollection at that time and he did not have anything to add. The interview was concluded.

Detective Kelly Zielinski

NAMES

Police

Zielinski, Det Kelly M W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department

Supplemental Report

Incident Report Number:	Incident Location:		Incident Date:
20-007316	1700 N 116 St, Wauwatosa, WI, 53226		04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Public Safety Statements

On Thursday, April 30th, 2020, Milwaukee Police Department Detective Michael Fedel provided me with copies of the Public Safety Statements of City of Waukesha Police Sgt. Ian Dekarske and Officer Ryan Solberg.

The statements were scanned and attached to this report.

Detective James Short

Reporting Officer(s):		Payroll Number :	Report Date:
Short, James M.		5628	05/01/2020
Reviewed by:	Payroll Number :	Copy To:	Page:
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Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Less Lethal Spent Casing Round Recovered

On Thursday, April 30th, 2020, Detective James Short and I, Detective Kelly Zielinski, responded to the City of Waukesha Police Department for further investigation.

We spoke with Waukesha Police Officer Ryan Solberg regarding the 40mm less lethal gun that was accessed by Officer Nathan Smidt during the incident. Officer Solberg advised there were two 40mm less lethal guns in Fleet #28 on the day of the incident. Officer Solberg stated he carries a single shot 40mm less lethal weapon in his rifle case along with his assigned long rifle and that his rifle bag was in the back seat of Fleet #28. Officer Solberg advised the 40mm less lethal gun that Officer Smidt recovered and later deployed from Fleet #28 was a 40mm multi launcher gun that is stored in the rear cargo area of Fleet #28. This particular less lethal gun was not located by investigators during the initial investigation.

Officer Solberg advised that on 04/15/19, the 40mm less lethal multi launcher was recovered from the rear cargo area of Fleet #28 by Sgt. Jacob Trissoni for routine cleaning and maintenance. Sgt. Trissoni recovered a spent casing from the cylinder and knew that Fleet #28 was on scene during the incident at the hospital. Sgt. Trissoni secured the spent casing in his locker and later turned the casing over to Officer Solberg who in turn, turned it over to me. I later confirmed with Officer Nathan Smidt that the 40mm less lethal gun that he used during the incident was indeed the 40mm multi launcher he recovered from the rear cargo area of Fleet #28 and not the 40mm single shot launcher that was in the rifle case in the back seat.

I took several photographs of the 40mm casing and of the 40mm multi launcher recovered from Fleet #28. I later entered the casing into property as evidence (#20-001416). The photos were later uploaded to the Wauwatosa secure server.

Reporting Officer(s): Zielinski, Kelly M.		Payroll Number : 5722	Report Date: 05/04/2020
Reviewed by: 5438	Payroll Number : 5438	Copy To:	

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001416				
1	EVI		CTS High Velocity Foam Baton	1.000
			casing	$0.00
				[Recovered]

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

This report was completed by Wauwatosa Police Detective James Donovan as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of Waukesha. This report will be attached to Wauwatosa Police Department incident number #20-7316.

Waukesha police officer Brandon Larsen

Employee number [redacted]

Date of appointment, September 6, 2019

On 04/15/2020 at approximate 8:30am, I met with PO Larsen in a Waukesha police station office. He had previously met with his union representation. PO Larsen was prepared to make a statement.

PO Larsen is currently working 6:00pm to 6:00am due to Covid-19 schedule changes. Last evening (04/14/2020) was his first night on of the workweek. PO Larsen was assigned to squad 112, and was in a marked Waukesha police squad car. He was in full police uniform, but had changed prior to the interview because of a blood exposure.

PO Larsen said the shift was busy with calls for service. PO Larsen had just cleared a traffic assignment, and was in the area of Northview Road and Grandview Blvd when the call at Waukesha Memorial popped up on his squad car computer. The call was dispatched as a man with a gun, and PO Larsen responded emergency lights and siren. As PO Larsen neared the hospital, PO Nate Smidt was in front of him. They entered a lot to the hospital off Dopp Street. PO Larsen believed that PO Fintel was the only other officer on scene when he and PO Smidt arrived. PO Larsen also saw a Waukesha Sheriff squad was on scene.

PO Larsen exited his squad, and went to where PO Fintel was. PO Larsen

described that location as in front of the emergency room doors, facing southeast. They had cover behind a police vehicle. PO Fintel was giving verbal commands to a subject who was in between the glass doors that lead to the ER. While these commands were being given, they heard someone off to their left (N/W) say something. PO Larsen did not know what was said, but it drew their attention. One of the officers asked the police dispatcher for a suspect description. At that point, they realized the person in between the doors was not the suspect, but rather the person off to their left was.

The suspect, Randy Ashland, was lying on the ground, with his feet towards the ER doors. PO Larsen believes Ashland was wearing jeans and a striped shirt. PO's Larsen and Fintel moved to the rear passenger corner of PO Fintel's squad. More officers arrived on scene. PO Solberg gave verbal commands to Ashland. PO Larsen could see a silver revolver in Ashland's hand. Ashland was communicating with officers, but he would not put the gun down. Ashland kept pointing the gun at himself. He would roll from his back to his side. He said, "I don't want to hurt you guys." He also gave his name to officers at one point. PO Larsen did not know how long the dialogue lasted.

PO Solberg was giving repeated commands for Ashland to put the gun down. Ashland, who was partially on his right side and partially on his back, set the gun on his own body, near his armpit. PO Solberg told him to put the gun on the ground and roll away from it. Ashland instead picked the gun up, and pointed it in the direction of officers. PO Larsen did not know which hand Ashland had the gun in. Ashland then pointed the gun at officers who were in the front of PO Fintel's squad car. At that point, one or more officers discharged their weapons.

After the shots were fired, one officer on scene took control of the radio. A shield team was assembled, and they began to approach Ashland. A Pewaukee police officer said he would secure Ashland's weapon, and PO Larsen put on a pair of latex gloves so he could handcuff and search Ashland. Ashland was still breathing at this point. Once he was handcuffed, hospital staff immediately came out with a gurney. PO Larsen assisted in lifting Ashland up, and with pushing the gurney into ER room #1.

PO Larsen stayed at the doorway of the ER room until Ashland was pronounced deceased. PO Larsen stayed with the body until he was relieved.

PO Larsen’s statement was completed at that point.

Wauwatosa Police Department

Supplemental Report

Incident Report Number:	Incident Location:			Incident Date:
20-007316	1700 N 116 St, Wauwatosa, WI, 53226			04/15/2020
New Incident:		Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Subpoena for records

On 04/15/2020, I was contacted by Attorney Michael Dean. Attorney Dean was representing F[redacted] and the [redacted] church. Attorney Dean was in possession of the text messages sent between F[redacted] and Ashland on 04/14/2020 and 04/15/2020. Attorney Dean said he was willing to turn the text messages over to me, but requested a subpoena before he would do so. I prepared a subpoena for records, and sent it to Milwaukee County Assistant District Attorney Sara Hill. ADA Hill requested that I send the subpoena through Waukesha County Circuit Court. On 04/24/2020, I spoke with Waukesha County District Attorney Susan Opper regarding the subpoena.

DA Opper approved a new subpoena. The subpoena was signed by Waukesha County Circuit Court Judge Brad Schimel. The subpoena was served to Attorney Dean on 05/04/2020.

Reporting Officer(s):		Payroll Number :	Report Date:
Donovan, James P.		5699	05/04/2020
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Wauwatosa Police Department — Supplemental Report

Incident Report Number:	Incident Location:		Incident Date:
20-007316	1700 N 116 St, Wauwatosa, WI, 53226		04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On 05/05/2020, I received the requested text message from Attorney Dean. In part, they read as follows:

Ashland—"I'm not doing well" 6:34:56 AM, 04/14/2020

Ashland—"So sorry I just don't know if I'm gonna get through all this shit forgiv (sp) my lan" 9:58:22pm, 04/14/2020

Ashland—"I'm done" 11:02:39pm, 04/14/2020

Ashland—"Please let me go" 11:06:07pm, 04/14/2020

Ashland—"Just kill me" 11:15:02pm, 04/14/2020

Ashland—"Please just kill me please" 11:19:38pm, 04/14/2020

F[redacted] tells Ashland he is coming over to Ashland's house

Ashland—"You will come to a bad thing I'm please stop now okay" 12:05:09am, 04/15/2020

Ashland—"Pastor please help my family get through this and gosh whatever I have please pay funeral and most of all love M[redacted] I always love ya always" 12:11:09am, 04/15/2020

The full list of messages are attached to this report.

On 05/06/2020, I returned the subpoena to the Waukesha County Clerk of Courts.

Reporting Officer(s):		Payroll Number :	Report Date:
Donovan, James P.		5699	05/07/2020
Reviewed by:	Payroll Number :	Copy To:	Page:
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Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Cell Phone Examination

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Assignment

—

I was assigned to search the contents of Ashland’s phone for any information of evidentiary value.

Search Warrant

I drafted a Search Warrant for the contents of Ashland’s cellular phone (Item 20-001304-001) that was recovered on-scene and entered into property by Detective Technician Stephen Kirby. Waukesha County District Attorney Susan Opper reviewed the Search Warrant paperwork. On 04/29/2020, the Search Warrant paperwork was reviewed and approved by Waukesha County Circuit Court Judge Brad Schimel.

Phone extraction

Ashland's cell phone was passcode protected. The system in use by the Wauwatosa Police Department is Cellebrite. At this time, Cellebrite does not offer a lock bypass for Apple iPhones in the current package used by the department.

I met with Milwaukee County District Attorney Investigator Ronald LaGosh and presented him with a copy of the Search Warrant. Investigator LaGosh processed the Apple iPhone XR using the GreyKey system. He was successful in extracting information.

The extraction was saved to a thumb drive and turned over to me. At the Wauwatosa Police Department, I opened the GreyKey extraction using the Cellebrite Physical Analyzer program. My intention was to review the previous two days in an attempt to find any evidence of Ashland's state of mind leading up to his death. There were some text messages conversations that Ashland had indicating that he has been in physical pain for a while. He refers to having recently been in the hospital with chest pains. There did not appear to be anything of significant importance, relating to Ashland's potential suicidal ideations, until 6:32 AM on 04/14/2020.

There was a significant chat conversation between Ashland and Pastor J[redacted] F[redacted]. The first message in that entire conversation was rather innocuous; it was sent from Pastor F[redacted] to Ashland on 04/10/2020 at 5:52 PM regarding bible study. The second chat message is sent by Ashland to Pastor F[redacted] on 04/14/2020 at 6:32 AM, it reads: "I'm not doing well". There are 280 messages in this specific chat between Ashland and F[redacted]. All but one message (the initial bible study message) is specific to the suicidal ideations that Ashland was going through on 04/14/2020 and into 04/15/2020. I generated a report of this chat conversation and attached it to the case file.

Messages with Pastor J[redacted] F[redacted]

I utilized the "Time Line" function of the program to review the last 48 hours of Ashland's life. There were times that Ashland used his phone throughout this time-period. However, none of the phone usage had any direct indication that Ashland was having suicidal or homicidal ideations. The first indication that Ashland was having difficulties was the first message Ashland sent to

Pastor J[redacted] F[redacted] on 04/14/2020 at 6:32 AM; Ashland began with "I'm not doing well".

There are a long series of messages back and forth. Within them, Ashland also sent and received a few messages; none of them had any reference to suicidal or homicidal ideations. Based on the messages, Pastor F[redacted] arrives at Ashland's residence at 12:18 AM. He sent Ashland "I am here" (12:18:37 AM), "In the driveway" (12:18:43 AM), "Where r u?" (12:19:20 AM) and "It a little chilly…can you make it out here? Let's go to the hospital" (12:20:42 AM). Ashland responds "I'm done why ya come it's over you pushed me over" (12:20:46 AM). At 12:21:06 AM, Ashland sends "Stop" to Pastor F[redacted]. This is the last message Ashland will send.

At 12:21:21 AM, Pastor F[redacted] sends "I am looking for the door". At 12:23:07 AM, Ashland accepts a phone call from Pastor F[redacted]; the duration of the call is 22 Minutes and 3 Seconds. Based on the investigation, it is after this phone call that Ashland comes out of his residence and rides to Waukesha Memorial Hospital with Pastor F[redacted]. At 1:38:51 AM, Ashland's phone receives the message "Are you ok?" from Pastor F[redacted]. This is in response to Pastor F[redacted] hearing gunshots.

Keyword Search

I conducted Keyword Searches on Ashland's phone (All Project Tree search) on the following words: Kill, Suicide and Done. Below are the results of the search related to the suicidal ideations?

"Kill"

The below messages are all from Ashland to Pastor J[redacted] F[redacted].

10:46 PM (04/14/2020); Oh my dear friend I have tried so many times to do this and I'm a evenfailure kill myself

11:15 PM; Just kill me

11:15 PM; Just kill me please

11:19 PM; Please just kill me please

Following the above referenced requests to have Pastor F[redacted] "kill" him, Pastor F[redacted] advises, at 11:57:41 PM, "I am coming to get you". Ashland responds, at 11:57:51 PM, "PLEASE DON'T". Pastor F[redacted] asks, "What is the harm?" (11:58:04 PM) to which Ashland says, "IM DONE" (11:58:04 PM) and "please don't" (11:58:18PM). Ashland follows up with, "You come you put me out okay" (11:59:12 PM). Ashland advises, "I don't want to do this here I cannot make this a bad place for my brother here okay" (12:01:17 AM). Pastor F[redacted] responds, "I will be quiet as a mouse" (12:01:39 AM). Ashland warns, "I hear a knock and that is it" (12:01:59 AM) followed by "Okay" (12:02:07 AM) and "Please don't" (12:02:33 AM). Pastor F[redacted] sends back; "Ok" (12:02:38 AM). Ashland, again says, "Please don't" (12:02:53 AM).

"Suicide"

The below message is from Pastor J[redacted] F[redacted] to Ashland.

10:44 PM (04/14/2020); You know I almost committed suicide. Before I was a believer. I could not seen past my pain.

"Done"

The below messages are all from Ashland to Pastor J[redacted] F[redacted].

10:57 PM; I am really done here if I'm here I love ya

11:02 PM; I'm done

11:08 PM; Ya but I'm sorry I'm done

11:23 PM; I'm done I love y'all

11:29 PM; I'm done

11:40 PM; I'm done my brother

11:46 PM; I'm so very tired y'all so done I love ya so much please forgive me for leaving this way

11:47 PM; I'm sorry I'm done here love y'all so much

11:56 PM; I'm done I cannot breath

11:58 PM; IM DONE

12:08 AM (04/15/2020); Go to bed I'm not gonnaim done please help my sons and M[redacted] I love her so much ok God bless

12:13 AM; I'm done here I luv you

12:17 AM; I done now pastor I luv ya and please look out for my kids

12:20 AM; I'm done why ya come it's over ya pushed me over

Call Log and messages from Dr Schubert's office

Ashland made or received several phone calls on 04/14/2020. Of interest were three phone calls to or from "New Dr. Shubert" with the phone number "414-773-6600". I conducted an internet search and learned that Dr. Matthew Schubert has this phone number listed. Dr Schubert is a Family Medicine

Physician that practices at Ascension Columbia St. Mary's Milwaukee at Gateway (801 S 70 St, West Allis).

On 04/14/2020, Ashland called Dr Schubert's office at 11:14 AM; the call was answered and lasted 5 minutes and 17 seconds. Dr Schubert's office called Ashland at 3:04 PM; the call was answered and lasted 2 minutes and 31 seconds. The office called Ashland, again, at 4:21 PM; the call was answered and lasted 27 seconds.

Ashland received the following messages from Dr Schubert's office:

04/13/2020, at 4:20 PM: *Confirm your 3:15PM appt on 04-14 at Ascension Med Grp with MATTHEW SCHUBERT MD via https://patm.sg/3eisQXN. Txt HELP for help. Txt 299STOP to end alerts.* This message was "read" at 4:55 PM.

04/14/2020, at 4:21 PM: *Confirm your 8:00AM appt on 04-16 at Ascension Med Grp with MATTHEW SCHUBERT MD via https://patm.sg/2VbpkqO. Txt HELP for help. Txt 299STOP to end alerts.* This message was "read" at 4:21 PM.

04/15/2020, at 6:01 PM: *See you at 8:00AM on 04-16 at Ascension Med Grp with MATTHEW SCHUBERT MD. Pls check in when you arrive or call to reschedule.*

Based on the nature and timing of the messages and phone calls involving Dr Schubert's office. It appears as though an appointment(s) may have been cancelled or rescheduled. Additionally, it coincides with the nature and timing of messages between Pastor J[redacted] F[redacted] and Ashland; specifically: on 4/14 at 9:58 PM, Pastor F[redacted] asks, "Hey brother, What did the docs say?" Ashland responds, at 9:59 PM, "I didn't go cause I just wasn't feeling well". Pastor F[redacted] asks, at 10:00 PM, "R u able to reschedule or r u giving up?" Ashland answers, at 10:02 PM, "I'm so very selfish forgive me no I'm still gonna go Wednesday and I make a new appointment for my chest".

Further, at 11:39 PM, Ashland states "I love ya your awesome and I hope you will remember me as a lovin man Please don't let them forget how much I loved

them k". Pastor F[redacted] responds, at 11:40 PM, "Randy. That's not how it has to return out. What am I suppose to say? You don't want to face the Lord in this way." Immediately followed up by Pastor F[redacted] with "What if the doctors have you relief tomorrow? Would that makes difference?" Ashland immediately answers, "I'm done my brother".

On 05/14/2020, I spoke with Dr Schubert regarding Ashland. Dr Schubert was aware of Ashland's death after having read about it. He explained that he (Dr Schubert) was surprised by the nature of Ashland's death. Although Ashland had never voiced any suicidal or homicidal ideations, he always looked like he was in pain.

Dr Schubert had been treating Ashland for chronic pain and last saw him in person on 01/07/2020. This was a follow-up appointment for pain, anxiety and neuropathy. I asked Dr Schubert if Ashland had ever voiced any suicidal or homicidal ideations; he had not. However, Dr Schubert said that Ashland was one of only two patients he treats that is prescribed high dose narcotics to deal with his pain. Ashland was prescribed a generic Lexapro for anxiety and morphine (30 mg, 3 times daily; 30-day prescription) for pain. The last dose was prescribed on 03/13/2020 and dispensed on 03/14/2020. Ashland regularly submitted to drug tests at his doctor's office. The tests confirmed that he was taking his prescribed medications. On 04/13/2020, Ashland called Dr Schubert's office and requested a morphine refill. He notified staff that he just ran out and wanted the prescription filled prior to his 04/15/2020 appointment.

Dr Schubert's office advised that he wanted to meet with Schubert prior to issuing the prescription. Because of the Covid-19 Pandemic, Dr Schubert called Ashland to conduct an appointment; however, Ashland did not respond.

There were no indications of suicidal ideations in Ashland's file other than a suspected suicide attempt in 2015. In that incident, Ashland consumed more prescription medication than had been prescribed. Dr Schubert was uncertain of the amounts but recalls that Ashland was quite embarrassed by the incident. Their only discussion was a commitment by Ashland to not repeat that act.

I asked Dr Schubert if the drug tests he gave to Ashland would show a positive

result for 6-Monoacetylmorphine (heroin metabolite). Dr Schubert said the test would only confirm that morphine was present and would not give any indication of heroin or its metabolite. Based on Ashland's test results always confirming the presence of his prescription medication, Dr Schubert was unaware of any illicit drug use.

Messages and Call log for "J[redacted] F[redacted]"

One person that Ashland contacted via phone and messages on 04/13 and 04/14 is J[redacted] F[redacted] (M/W [redacted]/[redacted]/1961, 23[redacted] N 114 St, Wauwatosa, 53226, [redacted]-[redacted]-[redacted]).

There were six messages F[redacted] sent to Ashland on 04/13 that appeared to be one long and continuous message. He stated that he was praying for Ashland and discussed his own issues with being in pain. Ashland thanked him for his words in a lengthy response. Ashland went on to explain that he had been to the Emergency Room twice and to his heart doctor once to help with pain. There were three sent from Ashland to F[redacted] on 04/15. None of the messages between the two discuss and suicidal or homicidal ideations.

There were five phone calls that Ashland made to F[redacted] on 04/14. The first phone call was at 2:30 PM and lasted 33 minutes and 43 seconds. The remaining calls are reported as answered but show a short duration of five seconds or less.

I contacted F[redacted] and discussed Ashland with him. F[redacted] was aware that Ashland dealt with chronic pain and had a medical device implanted on his spine. F[redacted] did not recall the nature of the 33-minute conversation but said that nothing seemed out of the ordinary. He met Ashland in August 2016 when he (F[redacted]) joined the same church. He said that Ashland was the first person that welcomed him in. F[redacted] described Ashland as a "really nice guy" and was surprised to hear about his death. F[redacted] said that he never would have thought that Ashland "would do what he did". F[redacted] said that Ashland never voiced any suicidal or homicidal ideations.

Call log for "[redacted]"

On 04/14, at 7:09 AM, Ashland called "[redacted]"; the call lasted 33 minute and 8 second. Using investigative resources, I learned that this number belonged to A[redacted] S[redacted] (DOB: [redacted]/1964, 51[redacted] N Lovers Lane Rd #[redacted], Milwaukee). In reviewing the chat messages with Pastor F[redacted], the Pastor provides Ashland with S[redacted]' contact phone numbers and inquires, at 11:07 PM, if he (Ashland) ever made contact with A[redacted]. That message was preceded by Ashland telling Pastor F[redacted], "Please please let me go". Pastor F[redacted] responded, "I can't let you go!" and followed up with "By the way did you talk to A[redacted]? How did that go?" Ashland responds, "Ya please" and "Ya o did". Pastor F[redacted] inquires, "Did he share anything that was helpful?" Ashland answers, "Ya but I'm sorry I'm done".

I spoke with S[redacted] and learned that the two went to church and participated in a Men's Bible Study group together. He does remember receiving a phone call from Ashland the morning of 04/14. S[redacted] recalled Ashland declaring that he was depressed. S[redacted] shared his personal experiences from having been in a state of depression in the past and provided him solutions. After a while, Ashland told S[redacted] that he had a doctor's appointment and ended the conversation. Ashland said that he would call S[redacted] back, but he never did.

S[redacted] recalled Ashland as always being "joyful". The only complaint he ever voiced at the Bible Study was that he was in pain. Prior to the phone call, S[redacted] did not know that Ashland was depressed and had never heard him voice any suicidal or homicidal ideations.

Evidence

I saved the extraction report to a disc and entered it into property under **20-001521-001**. Ashland's cell phone is still in the possession of DA Investigator LaGosh so GreyKey can determine the passcode. As such, I have not yet processed the phone using Fernico or BlackLight.

Disposition

With the exception of the chat messages between Pastor F[redacted] and Ashland, there do not appear to be any outright suicidal or homicidal ideations located on Ashland's phone and within the previous 24-48 hours. However, the referenced chat messages indicate a clear desire, or perceived desire, by Ashland to complete suicide or have someone else kill him. For additional information, refer to the attached chat transcript.

NAMES

Police

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

OTHER NAMES

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001521				
1	EVI		GreyKey and Cellebrite extraction	1.000 $1.00 [Recovered]

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922. I, Detective Stephen F. Kirby, continued my assistance in the investigation of this case.

Evidence Return from Wisconsin State Crime Lab (WSCL)

On May 19, 2020 I received evidence returned from the Wisconsin State Crime Lab in this case. The items were all received sealed appropriately and then returned to the Wauwatosa Police Department evidence vaults for storage. The items for Crime Lab case number **R20-1100** were:

Item “A”, Wauwatosa Police item 20-1311-1, Sgt. DeKarske’s LWRC rifle.

Item “B”, Wauwatosa Police item 20-1311-3, Officer Solberg’s Sig Sauer rifle.

The return receipt was scanned and attached to this case.

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department

Supplemental Report

Incident Report Number:	Incident Location:		Incident Date:
20-007316	1700 N 116 St, Wauwatosa, WI, 53226		04/15/2020
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922. I, Detective Stephen F. Kirby, continued my assistance in the investigation of this case.

ATF Trace Results

Property Clerk Karen Roy forwarded me the [redacted] from the Taurus revolver recovered in this case. The results were scanned and attached to this case as well as uploaded to the MAIT server.

The Taurus revolver with serial number [redacted] was purchased F[redacted]2 by Randy Steven Ashland through a F[redacted] in B[redacted] Wisconsin.

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

NARRATIVE

Reports from the Waukesha County Medical Examiner's Office

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Waukesha County Medical Examiner's Office report

On 05/29/2020, I received the Autopsy Protocol report from the Waukesha County Medical Examiner's Office. Waukesha County Medical Examiner Dr. Lynda Biedrzycki determined that Ashland's cause of death was "Multiple gunshot wounds". A toxicology report from NMS Labs is also included.

Autopsy Protocol

Dr Biedrzycki notes 10 gunshot wounds:

Gunshot wound to right mandible/ear,

Gunshot wound to right upper arm posterior,

Gunshot wound to right upper arm anterior,

Gunshot wound to mid-chest,

Gunshot wound left side of chest,

Gunshot wound to posterior left thigh,

Gunshot wound, left lower leg superior,

Gunshot wound to left lower leg inferior,

Gunshot wound, left thigh antero-medial,

Gunshot wound, left thigh postero/lateral.

Dr. Biedrzycki reports “wound tracks refer to the body in anatomic position. No soot or gunpowder is seen on the skin around any entrance wounds. Some wounds maybe re-entries”. In addition to the gunshot wounds, there were “superficial abrasions and contusions” on Ashland’s body.

NMS Labs

The following compounds were found in Ashland’s bodily fluids:

Ethanol – 219 mg/dL (Iliac Blood)

Blood Alcohol Concentration - .219 g/100 mL (Iliac Blood)

Caffeine – Positive (Iliac Blood)

Morphine Total – 1700 ng/mL (Iliac Blood)

Clonazepam – 3.6 ng/mL (Iliac Blood)

7-Amino Clonazepam – 37 ng/mL (Iliac Blood)

Morphine Free – 740 ng/mL (Iliac Blood)

Morphine Free - >2500 ng/mL (Urine)

I spoke with Dr. Biedrzycki and confirmed that Ashland did not have any heroin in his system at the time of his death. However, in addition to having a .219 g/100mL blood alcohol concentration, there was a significant amount of morphine present. Dr. Biedrzycki explained that, although the levels were high, it was not a surprise given that he was being treated for chronic pain.

Additionally, Dr. Biedrzycki explained that there would be a supplemental toxicology report in the near future for the medication Pregabalin. After this toxicology report was completed, Dr. Biedrzycki learned that Ashland had also been prescribed Pregabalin (Nerve pain medication, common brand: Lyrica). Not aware of the prescription, she did not order its screening. For additional information, refer to the attached reports from the Waukesha County Medical Examiner’s Office and NMS Labs.

NAMES

Police

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wednesday, April 29, 2020 12:16:15
** For official use only *

Wauwatosa Police Department
Property Release Form

Property Report# 20-001312 **Case#** 20-007316

Owner Waukesha Police Departmer

1901 Delafield St
Waukesha WI 53188

Sequence#: 1 **Gun** **Recovered:** Yes **Reported:** 04/15/20 02:57
Type: Evidence
Description: Filter's Rifle: BCM brand BCM4 model AR style rifle S/N [redacted] labeled Fleet 18 with magazine labeled Fleet 18

Make: **Caliber:** .223
Model: **NCIC#:**
Serial#: [redacted] **OAN#**

Sequence#: 2 **Gun** **Recovered:** Yes **Reported:** 04/15/20 02:57
Type: Evidence
Description: Filter's Ammunition: 28 cartridges of .223 rifle ammunition from magazine labeled Fleet 18

Make: **Caliber:** .223
Model: **NCIC#:**
Serial#: **OAN#**

Sequence#: 3 **Gun** **Recovered:** Yes **Reported:** 04/15/20 02:57
Type: Evidence
Description: 40mm Less Lethal munitions/impact launcher: Penn Arms brand GL1-40-C single shot launcher S/N [redacted] with label of "DeKarske"

Make: **Caliber:** 40mm
Model: **NCIC#:**
Serial#: [redacted] **OAN#**

Disposition of Property

Release Date/Time: 4/29/2020 12:45 pm	Proof of Ownership: DL	Signature of Officer Authorizing Release: DET. TECH. STEPHEN F. VERBY	PF Number 5874
Release to Printed Name: SGT. DAVID DAILY WAUKESHA P.D.		Address: —	
Signature of Owner/Agent: X [signature] #931		Signature of Officer Releasing Property: [signature]	PF Number 5874

Brown Deer Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-000348	20-004306	4800 W Green Brook Dr,PD Brown Deer, WI, 53223	04/15/2020 08:37:20

Name (Last, First, Middle)	DOB:	Race/Sex:
Ashland, Randy, S		

Address: (Address, City, State, Zip)	Home Phone Number:
19[redacted] Milky Way Waukesha, WI, 53188	

Details of Recovery

Recovered Location: (Address, City, State, Zip)	Recovery Date:
19[redacted] Milky Way Waukesha, WI, 53188	04/15/2020 07:30:00

Found in Possession of:	Address: (Address, City, State, Zip)

☐ Evidence	Place Retained:	Sent to Property Room 04/15/2020 07:30:00	☐ Found Property

Recovered Location :19[redacted] **Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# **Type** **Reason**

20-000348 - 1 Gun Seized 13x

Description: Plastic ammo case containing 20x 40SW, 16x 45ACP, and 21x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A
Quan/Value: 57.000 / $1.00 54.0
Disposition: Sent To Property Room

Recovered Location :19[redacted] **Milky Way**
Recovered Date :**04/15/20 07:30**

Item# **Type** **Reason**

20-000348 - 2 Gun Seized

Description: Box of ammo Barnes VOR-TX 20x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A
Quan/Value: 20.000 / $1.00
Disposition: Sent To Property Room

Recovered Location :19[redacted] **Milky Way**
Recovered Date :**04/15/20 07:30**

Item# **Type** **Reason**

Reporting Officer:	Payroll Number	Reviewed by:	Payroll Number	Report Date
Morgan, Joshua E	jem337	King, George A	gak307	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
04/15/2020 10:55:49		
Owner - Agent Printed Name:		Owner - Address:
Signature of Owner - Agent:		Signature of Officer Releasing Property:

20-000348 - 3 Gun Seized

Description: Box of ammo Hornady Critical Defense 15x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 15.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item#	Type	Reason

20-000348 - 4 Gun Seized

Description: Box of ammo Winchester PDX1 10x 410ga shotgun rounds, found on wall shelf in bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 10.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item#	Type	Reason

20-000348 - 5 Gun Seized

Description: Box of ammo Barnes VOR-TX 15x 45 Colt rounds, found on wall shelf in bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 15.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item#	Type	Reason

20-000348 - 6 Article Seized

Description: Bound journal of Randy Ashland, found on bed in bedroom of basement by Guenette

Quan/Value: 1.000 / $0.00

Continuation

Property Number:	Case Number:	Location:	Incident Date:
20-000348	20-004306	4800 W Green Brook Dr,PD Brown Deer, WI, 53223	04/15/2020

Disposition: Sent To Property Room

Reporting Officer(s):	Payroll Number:	Pages:
Morgan, Joshua E	gak307	3

Wauwatosa Police Department — Incident Report

Incident: Assist Other Agency

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-007316			4/15/20	02:57

Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name *(Last, First, Middle)*	DOB:	Race/Sex
COM	City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Phone 1
1901 Delafield St, Waukesha, WI, 53186	(262) 524-3831
Employer	Phone 2
Employer Address	Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

Investigator Joshua Morgan and Investigator Brian Guenette, as part of the Milwaukee Area Investigative Team (MAIT), assisted in an officer involved shooting investigation in the City of Waukesha.

	Vehicle Information: (*Year, Make, Model, Style, Color*)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Schultz, Michael F.	5438	05/04/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
02:57:11	10:27:21	502, 508, 520, 542, 543	1 Of 7

Reviewed by:	Payroll Number :	Copy To
6454	6454	

Date: 05/04/2020

CFS Code-1: ASSIST

Incident Report Number: 20-007316

NAMES

Offender
Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155
Eyes: Brown

Police Officer
Guenette, Brian C of 4800 W Green Brook Dr,pd, Brown Deer,WI,53223

Phone 1:(414) 371-2900

Contact
R[redacted], M[redacted] W/M-53 of 19[redacted] Milky Way Rd, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1967
HT: 601 WT: 220
Eyes: Blue

==========

NARRATIVE

ASSIGNMENT TO CALL:

On 04/15/20 at about 4:00am, as part of the Milwaukee Area Investigative Team (MAIT), Investigator Joshua Morgan and I responded to ProHealth Waukesha Memorial Hospital, 725 American Avenue in Waukesha, WI to assist in an officer involved shooting investigation. The MAIT case number for the lead agency, Wauwatosa Police Department, is 20-7316 and the Waukesha Police Department incident number is 20-16731.

After our arrival, we were briefed on the investigation and advised that the deceased was **Randy S ASHLAND (M/W [redacted]/[redacted]/1961)** and that he had lived with his roommate, **M[redacted] R[redacted]**, at 19[redacted] Milky Way Road Waukesha, WI.

At around 5:45am, Investigator Morgan and I responded to 19[redacted] Milky Way to interview R[redacted], along with Waukesha Police Detective Cory Koeppel and West Allis Police Detectives including Detective Dave Madden. See Detective Madden's report for details on R[redacted]'s interview and

consent to search ASHLAND's basement bedroom.

SEARCH OF BASEMENT BEDROOM:

Upon descending the basement stairs, the bedroom was located in the southwest portion of the basement and was open to the remaining areas of the basement. The bedroom consisted of a bed, a night stand, a dresser, a television, a couch and other miscellaneous furniture/items.

I first took overall photographs of the basement bedroom and additional photographs of items noted or collected during the search. The photographs were downloaded and attached to the case file. Investigator Joshua Morgan, Detective Madden and I searched the bedroom.

Identifiers:

On a small table behind the couch, there were several pieces of mail addressed to ASHLAND. Also on the couch/table was a pair of jeans. Inside the jeans was a wallet, which contained ASHLAND's Wisconsin driver's license.

Alcohol:

On the floor between the bed and the dresser was a 1/4 full bottle of 1.75L Bacardi Gold rum. Underneath the bed was another 1.75 empty bottle of Bacardi rum.

Medical Paperwork:

On a small table behind the couch was a packet of ASHLAND's medical paperwork from ProHealth Waukesha Memorial Hospital, titled "After Visit Summary" from 04/04/20 - 04/06/20. The packet listed ASHLAND's next appointment as a follow up visit on 04/15/20 at 12:15pm with Dr Matthew J Schubert at 801 S 70th Street in West Allis, WI. The paperwork included a listing of ASHLAND's medications which were:

- Carboxymethylcellulose
- Clonazepam 1mg (Common name: Klonopin)
- Lactobacillus Rhamnosus (Common name: Culturelle)
- Lyrica 75mg (Generic: Pregabalin)
- Morphine 30mg
- Polyethylene Glycol 17g (Common name: Miralax)
- Relistor 12mg
- Trazodone 100mg tablet

Medications:

Laying on the bed were loose prescription pills including: 1 Lyrica 75mg pill, 2 Clonazepam 1mg pills,

and 2 Trazodone pills.

On the dresser next to the bed were the following prescription medications bottles with prescription pills. The prescription bottle label indicate that the medications were prescribed to ASHLAND by Dr Matthew Schubert:

1. Lyrica 75mg (2 bottles)
2. Clonazepam 1mg (2 bottles)
3. Pregabalin 75mg (2 bottles)
4. Morphine Sulfate IR 30mg (2 bottles)
5. Trazodone 100mg (2 bottles)
6. Cephalexin 500mg
7. Empty box of Albuterol

Firearms -

Leaning against the wall in the southwest corner of the basement bedroom next to the dresser was:

1. An unloaded black Hi Point 4095 Carbine rifle - .40SW caliber - Serial #[redacted].

Leaning against the wall in the northwest corner of the basement bedroom next to the night stand were:

2. An unloaded black Savage 93R17 bolt action rifle - 17HMR caliber - Serial #[redacted]

3. An unloaded black Stevens Model 320 12ga pump action shotgun - Serial #[redacted]

4. An unloaded camouflage Mossberg 12ga pump action shotgun - Model 835 - Serial #[redacted]

5. An unloaded black Smith & Wesson .223Rem M&P-15 sport rifle - Serial #[redacted]

6. An unloaded black Remington 7600 pump action rifle -30-06 - Serial #[redacted]

Inside of a black range bag that was on the floor behind the couch in the basement bedroom was:

7. A silver Ruger P9DC .45ACP caliber handgun - Serial #[redacted].

Inside of the bottom right drawer of the dresser next to the bed were:

8. A black Beretta PX4 Storm 9mm handgun - Serial #[redacted] (Loaded inside of a black leather

holster)

9. A loaded black Colt Python 357 Magnum revolver - Serial #[redacted] (Loaded)

Ammunition -

Inside of the bottom right drawer of the dresser next to the bed were:

1. A full box of Hornady Critical Defense 410ga Triple Defense ammunition (20 rounds)

2. A full box of Barnes VOR-TX 45 Colt ammunition (20 rounds) - Handwritten on the box is "The Judge". I collected this item and it was placed on Brown Deer Inventory #20-348-2.

3. A box of Hornady Critical Defense 45 Colt ammunition (15 rounds) - I collected this item and it was placed on Brown Deer Inventory #20-348-3).

4. A black/yellow plastic ammunition container with 21 rounds of Hornady 45 Colt and 33 miscellaneous rounds. I collected this item and it was placed on Brown Deer Inventory #20-348-1.

Found on a wooden wall shelf in the basement bedroom were:

5. A full box of Winchester PDX1 410ga shotgun rounds (10 rounds) - I collected this item and it was placed on Brown Deer Inventory #20-348-4.

6. A box of Barnes VOR-TX 45 Colt ammunition (15 rounds) - I collected this item and it was placed on Brown Deer Inventory #20-348-5.

Additionally, throughout the bedroom there were firearm holsters, additional ammunition, bb guns and other firearm related accessories.

JOURNAL:

On the bed was a black leather bound journal. On the title page underneath "this journal belongs to," is the written inscription:

Randy Ashland
July 6 2008
2[redacted] E South St Reedstown
WI 54652 [redacted]-[redacted]-[redacted]

The journal entries mainly consisted of undated religious writings and gospel verses. In addition, there were 3 consecutive pages containing 3 individual letters, detailed below, which were located in the

middle of the journal. Following the letters were a large amount of blank journal pages. The last couple pages of the journal contained additional religious writings.

The 3 undated letters are as follows:

1st Letter -

Titled "[redacted] [redacted] *Church*" and stated:

To all of you, my Brothers and Sisters. This is a shock to you all I know but I have sufferd for a long time both physically and mentally keeping this inside. This shadow of self destruction mostly hidden though it has reared its ugly head from time to time. Now, I see the end is near to me, forgive me, I know ive caused much pain to your hearts and to my families lives.

Its nobody's fault, please don't ask yourselves why?

I want to say too you all that if you will learn anything from this is please, please, share your deep dark secrets with someone. It is the only way you will be free from your pain, whatever that may be.

i hope that each week you all felt my love for you all. My way to express that was to hug you and even kiss some of you . My Brothers please love one another, hug one another and tell everyone that you love them. Pray for it!!! I did and my God filled me with a wonderful love for you all.

One day I hope to see all of you. With all of my heart and the love of God. Peace be with you.

Your friend in Christ

Randy

2nd Letter -

Titled "*My son C*[redacted]" and stated:

C[redacted] *I know you are sad right now and I won't try to explain why I have gone. But know I am with God now and I will see you again someday. Stay close to Him for me please. You have always been very special to me. You know me better than B*[redacted] *and J*[redacted] *and I love you so very much. Be strong and couragous now for me and for all your life my son.*

You have a loving heart C[redacted]*. Not many people are so blessed as you are son. i see God has touched you and (illegible) you. I know you can feel Him working in your life it was made very plane too me by God.*

Be glad for me son I will have a new body and be in the presents of the King.

C[redacted] I am leaving everything I own to you, storage pod / all firearms and the money that is in the truck under arm rest lock box.

Talk with Pastor K[redacted] to do a service if you, well you probably should. Don't let them cut me up! Cremation is good. I love you C[redacted]. Always forgive and love others.

Love Dad.

3rd Letter -

Titled "*J[redacted] and B[redacted]*" and stated:

J[redacted] I am and was very surprised that your heart is so hard. Maybe I deserved it, but its a heavy weight to carry. B[redacted] is the same, hard heart never wanting to forgive. I hope you both will learn to love and forgive.

PROPERTY DISPOSITION:

Items were taken as evidence, transported to the Brown Deer Police Department, and inventoried (see supplemental report by Investigator Joshua Morgan). On 04/15/20, Investigator Joshua Morgan and I delivered the inventoried property and a CD containing the bedroom photographs to the Wauwatosa Police Department. The items were turned over to Detective James Short.

OFFICER'S DISPOSITION:

This report will be attached to the case file and forwarded to lead investigative agency, Wauwatosa Police Department.

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NAMES

Police Officer

Morgan, Joshua E M of 4800 W Green Brook Dr,pd, Brown Deer,WI,53223

Phone 1:(414) 371-2900

Released To

Wauwatosa Police Department of 1700 N 116 St,Wauwatosa,WI,53213

Phone 1:(414) 471-8430

==========

OTHER NAMES

Ashland, Randy S
of 19[redacted] Milky Way
Waukesha,WI,53188

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 1 Gun Seized

Description: Plastic ammo case containing 20x 40SW, 16x 45ACP, and 21x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 57.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 2 Gun Seized

Description: Box of ammo Barnes VOR-TX 20x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 20.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 3 Gun Seized

Description: Box of ammo Hornady Critical Defense 15x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 15.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 4 Gun Seized

Description: Box of ammo Winchester PDX1 10x 410ga shotgun rounds, found on wall shelf in bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 10.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 5 Gun Seized
Description: Box of ammo Barnes VOR-TX 15x 45 Colt rounds, found on wall shelf in bedroom in basement by Guenette
Serial#: N/A
Quan/Value: 15.000 / $1.00
Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item# Type Reason

20-000348 - 6 Article Seized
Description: Bound journal of Randy Ashland, found on bed in bedroom of basement by Guenette
Quan/Value: 1.000 / $0.00
Disposition: Sent To Property Room

NARRATIVE

ASSIGNMENT TO CALL:

On 4/15/2020 while assigned to the Investigative Bureau, I assisted with the recovery and inventory of evidence seized from 19[redacted] Milky Way Rd in Waukesha, WI, related to an officer involved shooting investigation.

EVIDENCE INVENTORY:

After packaging and cataloging the recovered evidence, I conducted a visual audit prior to placing the items into our secure property locker, and noted an error related to property item 20-348-1, a plastic ammunition case containing assorted handgun ammunition. The property entry lists a total of 57 items, including 16 of .45ACP ammunition. The audit revealed an actual total of 54 items, including only 13 of .45ACP ammunition.

Due to limitations of the records management system, the original property entry cannot be edited to reflect this discrepancy.

OFFICER'S DISPOSITION:

This supplemental report and the inventoried items will be turned over to the Wauwatosa Police

Department, the lead agency in this investigation.

Brown Deer Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-000348	20-004306	4800 W Green Brook Dr,PD Brown Deer, WI, 53223	04/15/2020 08:37:20

Name *(Last, First, Middle)*	DOB:	Race/Sex:
Ashland, Randy, S		

Address: *(Address, City, State, Zip)*	Home Phone Number:
[redacted]	

Details of Recovery

Recovered Location: *(Address, City, State, Zip)*	Recovery Date:
[redacted]	04/15/2020 07:30:00

Found in Possession of:	Address: *(Address, City, State, Zip)*

☐ Evidence	Place Retained:	Sent to Property Room 04/15/2020 07:30:00	☐ Found Property

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**
Owner :**Ashland, Randy, S,19[redacted] Milky Way Waukesha, WI, 53188**

Item#	**Type**	**Reason**
20-000348 - 1	Gun	Seized

Description: Plastic ammo case containing 20x 40SW, 16x 45ACP, and 21x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette
Serial#: N/A
Quan/Value: 57.000 / $1.00
Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**

Item#	**Type**	**Reason**
20-000348 - 2	Gun	Seized

Description: Box of ammo Barnes VOR-TX 20x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette
Serial#: N/A
Quan/Value: 20.000 / $1.00
Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**
Recovered Date :**04/15/20 07:30**

Item#	**Type**	**Reason**

Reporting Officer:		Reviewed by:		Report Date
Morgan, Joshua E	jem337	King, George A	gak307	

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
04/15/2020 10:55:49		

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

20-000348 - 3 Gun Seized

Description: Box of ammo Hornady Critical Defense 15x 45 Colt rounds, found in bottom right dresser drawer of bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 15.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item# Type Reason

20-000348 - 4 Gun Seized

Description: Box of ammo Winchester PDX1 10x 410ga shotgun rounds, found on wall shelf in bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 10.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item# Type Reason

20-000348 - 5 Gun Seized

Description: Box of ammo Barnes VOR-TX 15x 45 Colt rounds, found on wall shelf in bedroom in basement by Guenette

Serial#: N/A

Quan/Value: 15.000 / $1.00

Disposition: Sent To Property Room

Recovered Location :**19[redacted] Milky Way**

Recovered Date :**04/15/20 07:30**

Item# Type Reason

20-000348 - 6 Article Seized

Description: Bound journal of Randy Ashland, found on bed in bedroom of basement by Guenette

Quan/Value: 1.000 / $0.00

Continuation

Property Number:	Case Number:	Location:	Incident Date:
20-000348	20-004306	4800 W Green Brook Dr,PD Brown Deer, WI, 53223	04/15/2020

Disposition: Sent To Property Room

Reporting Officer(s):		Pages:
Morgan, Joshua E	gak307	3

West Allis Police Department			Supplemental Report
Incident Report Number: 20-012925	Incident Location: 725 American Ave,CW		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NAMES

Contact

R[redacted], M[redacted] L W/M-53 of 19[redacted] Milky Way, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1967

Phone 1: ([redacted]) [redacted]-[redacted]

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-002128				
1	EVI		Consent to Search 19[redacted] Milky Way	1.000 $0.00 [Recovered]

NARRATIVE

PRELIMINARY INFORMATION

After I interviewed Deputy Dominguez, I was assigned to go to the residence of Randy Ashland, 19[redacted] Milky Way, Waukesha, Wisconsin. I went to this address with LT Saftig, LT Sitter, Brown Deer Police Detective Morgan, Brown Deer Police Detective Guenette, and a City of Waukesha Police Officer and Detective.

CONTACT M[redacted] R[redacted]

When we started walking up the driveway at 19[redacted] Milky Way, we saw a person, later identified as M[redacted] R[redacted], in the front window of the address. R[redacted] came outside when we got to the front porch. I identified myself and informed R[redacted] we were at the house to speak to him about Randy Ashland. R[redacted] confirmed Ashland lived at the house and I asked for consent to come inside and speak to R[redacted]. R[redacted] agreed and invited us inside.

When we were inside, I asked whether the other officers could walk through the house for a protective sweep. R[redacted] agreed and while I initially spoke to

him, the other officers did a protective sweep with negative results. R[redacted] immediately asked me whether Ashland was dead. I responded, "yes," and explained that we were investigating the circumstances surrounding it. The other officers informed me there was an empty handgun holster on the bed in the basement in plain view.

In response to my questions, R[redacted] stated he last saw Ashland yesterday, 04/14/2020, at about 1600 hrs., when R[redacted] took Ashland dinner. Ashland lives in the basement of R[redacted]'s residence. R[redacted] owns the house and Ashland pays R[redacted] $300 a month to live on the south side of the open floor plan basement.

R[redacted] stated he had an appointment and left the house on 04/14/2020 at about 1600-1630. He arrived home again at 2000 hrs., and did not see Ashland. R[redacted] did not know Ashland was not at the house until I confirmed Ashland was deceased. R[redacted] looked outside and saw both of Ashland's trucks were parked outside the house; a Dodge Dakota pick up and a Chevrolet Avalanche.

R[redacted] stated he works as a mortgage broker and, as it is an essential industry under the current government travel and employment restrictions, he is currently working and his appointment was for work. R[redacted] stated Ashland was working as a, "handyman." R[redacted] stated Ashland was not working much due to, "pain issues that lead to medication issues." R[redacted] stated Ashland was supposed to have a doctor's appointment yesterday but did not go as he claimed to be not feeling well.

R[redacted] stated to his knowledge Ashland has had nine (9) surgeries for unknown reasons and a long time ago Ashland accidently shot himself in the leg. R[redacted] stated Ashland also had heart problems with a "blockage."

R[redacted] stated that yesterday, Ashland wanted to chop wood. There was an old axe stuck in the top of a piece of wood on the back patio. R[redacted] told Ashland not to chop wood due to his heart blockage. R[redacted] stated he is currently heating the house with the natural wood fireplace as Ashland was self quarantining for possible COVID 19 exposure. Ashland had been hospitalized from April 3 to April 6. Due to his stay at Waukesha Memorial Hospital and potential for exposure to COVID 19 at the hospital, Ashland was on a self quarantine. R[redacted] turned off the forced air furnace to prevent any virus from circulating in the house. R[redacted] stated he purchased two face cords of firewood to use for heat so Ashland would not need to chop the wood.

R[redacted] stated Ashland did have mental health issues but did not know what specifically the issues were. R[redacted] stated Ashland was, "a bit of a hypochondriac." Ashland had a drinking/alcohol abuse problem that R[redacted] was not aware of until a three to six months after Ashland moved in to the basement. R[redacted] stated Ashland took a lot of different medications but he did not know what they were.

R[redacted] stated he has known Ashland for about 15 years. R[redacted] knows Ashland from the church they both attend, [redacted] [redacted] Church. Due to the COVID 19 restrictions, Ashland was not currently attending services or participating in the church. R[redacted] stated Ashland's, "main support was the church," and Ashland is currently, "separated from that."

R[redacted] stated Ashland has lived in the basement for about one and a half (1.5) years. R[redacted] has complete access to the basement, can enter the basement any time he wants, and does use the basement when ever he wants to. R[redacted] stated Ashland did not restrict R[redacted]'s access to the basement as it was, "my house." R[redacted] stated if Ashland had tried to restrict R[redacted]'s access, R[redacted] would have had Ashland move out.

I asked R[redacted] if we could search the basement for any items that might shed some light on the incident we were investigating. He initially agreed and I completed a Consent to Search form. I presented the form to R[redacted] and explained it to him. R[redacted] stated he would be prefer to consult with an attorney before signing the form. I told R[redacted] he could absolutely consult with an attorney and waited while he sent and received some text messages. R[redacted] ultimately informed me we could search the residence and signed the form after response from the attorney he had been texting. The other officers began the search of the basement while I completed the interview.

R[redacted] stated that yesterday, he saw Ashland had a .40 caliber handgun in a holster on his bed. R[redacted] stated Ashland has four (4) or five (5) handguns and four (4) long guns. Ashland did not say what he was doing with the handgun on his bed.

R[redacted] stated he could not tell when and if Ashland was drinking. Ashland's preferred drink was rum.

R[redacted] stated Ashland had not expressed any intent to harm himself or others. If Ashland had expressed such an intent, R[redacted] would have called 911. R[redacted] stated he suspected Ashland's recent hospital stay was a 72 hour hold as a result of Ashland's use of medications.

R[redacted] stated when he saw Ashland before R[redacted] left the house on 04/14/2020, R[redacted] told Ashland, "if you have any trouble, 911."

R[redacted] stated on Saturday, Ashland had collapsed on the lawn outside the house. R[redacted] found Ashland and told Ashland to text R[redacted] if it happened again and Ashland needed help. R[redacted] stated when Ashland moved into the house, Ashland weighed about 130# and recently Ashland was up to 150#. R[redacted] stated, "he was on the road to recovery."

R[redacted] stated Ashland quit smoking about three months ago. Ashland was using Chantex as a nicotine source to help him quit.

R[redacted] stated Ashland, "never tried to harm anyone else." R[redacted] stated Ashland, "tried to harm himself in the past." The most recent self harm was last summer when Ashland, "drank too much and was cutting himself."

R[redacted] stated Ashland went to the hospital on 04/03/2020, via ambulance, at about midnight. R[redacted] picked Ashland up at Waukesha Memorial Hospital on 04/06/2020 at about 1500 hrs. R[redacted] stated he did not know Ashland went to the hospital until about 1700 hrs., on 04/04/2020. R[redacted] stated he found Ashland missing in the morning and, saw both of Ashland's cars were in the driveway, and was concerned Ashland had done something to himself.

R[redacted] stated Ashland had been talking about shed hunting in the park near the house. Ashland had gone to cut wood for 10 hours, and Ashland never returned home that night.

R[redacted] stated Ashland had been, "a little more up and down than normal," over the last few days but R[redacted] could not specify a time frame for the different behavior.

R[redacted] stated Ashland was, "going through the process of stabilizing his mood." R[redacted] stated Ashland might have quit drinking since his hospital stay and knew Ashland did not drink for the three days Ashland was in the hospital.

After we completed the search, I informed R[redacted] we were done with the search and would be taking some ammunition for the firearm and a note book. I sat down to briefly explain the circumstances of the investigation to R[redacted] and he immediately asked, "was it suicide by cop?" I confirmed it was a law enforcement shooting and R[redacted] asked, "is your cop ok?' I confirmed the officer was ok. R[redacted] had no further questions. We left the residence at 0752 hrs.

The Brown Deer detectives took the ammunition and notebook as evidence. See the Brown Deer Police reports for the search and evidence.

PROPERTY

I put the Consent to Search form on property as set forth above.
An electronic copy is attached to this report.

NARRATIVE

This report was completed by Wauwatosa Police Detective James Donovan as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of Waukesha. This report will be attached to Wauwatosa Police Department incident number #20-7316.

J[redacted] F[redacted] statement

On 04/15/2020, I, Detective James Donovan, was notified of a request for the MAIT team to investigate an officer involved shooting at Waukesha Memorial Hospital, 725 American Avenue, Waukesha. Along with Detective Paula Roberson, I responded to the hospital and met with Lieutenant Michael Schultz. We were directed to interview a J[redacted] F[redacted]. F[redacted], a Pastor at [redacted] Church, drove the deceased, Randy Ashland to the hospital prior to the shooting.

F[redacted]'s vehicle had become part of the crime scene, and could not be moved. Because of that, we transported him to the Wauwatosa police department for the interview. The interview was conducted in detective bureau interview room 143. The following is a summary of the recorded interview, and is not meant to serve as a transcript:

F[redacted] has been with the [redacted] church since July of 2018. He has known Randy Ashland for that entire time. Ashland resides in Waukesha at 19[redacted] Milky Way. He is divorced, and has three children. Ashland lives with a roommate, M[redacted] R[redacted].

Ashland had recently been in Waukesha Memorial for mixing medication with alcohol. It is unknown if this was an emergency detention or if this was on a voluntary basis. They last spoke on the phone Monday April 13th. Ashland complained of both physical and emotional pain. He has struggled with his divorce, and has had recurrent chest pains. Ashland has also had to cope with

the recent death of his brother.

Ashland texted F[redacted] around 10:00pm last night (April 14th). F[redacted] said the texts showed Ashland was upset, and the discussion turned to suicide. Ashland did not say how he was going to commit suicide, but Ashland was saying his goodbyes. F[redacted] was able to get Ashland's address from someone at the church sometime around midnight. He immediately got in his car and headed to Ashland's house.

I asked F[redacted] if I could photograph the text messages that were exchanged with Ashland. F[redacted] said he was not comfortable sharing those texts with me until he received guidance from the church. I stressed the importance of the texts, as it could help show Ashland's state of mind. F[redacted] said if the church ok'd the release of the texts, he would.

When F[redacted] arrived at Ashland's house, he sent a text saying he was there. That was at 12:18am. At 12:23am, F[redacted] called Ashland on the phone. They spoke for 22 minutes. Ashland told F[redacted] to go away, and said he was going to kill himself. Ashland said he had a gun. F[redacted] was able to convince Ashland to come out of the house. Ashland came out, and was holding a gun to his own head. F[redacted] used his cellphone flashlight, and was able to see the large silver revolver handgun Ashland was holding. Ashland said he could blow his own head off at any moment.

F[redacted] was able to talk Ashland into getting in the car. F[redacted] asked Ashland to put the gun in the backseat or set it down, but Ashland refused. F[redacted] was very concerned driving with Ashland holding the gun, as F[redacted] could see the hammer was back and the trigger was to the rear. Ashland kept the gun to his own head while they drove to the hospital. They talked about the Bible, and what they were going to do once they got to the hospital. Ashland said he was not going to shoot anyone, but he was "still deciding what (he) was going to do".

F[redacted] and Ashland arrived at Waukesha Memorial around 1:30am. F[redacted] parked by the emergency entrance. F[redacted] said they had to go in. Ashland refused to go inside. Ashland said he was not going to go in without his gun. F[redacted] told Ashland he could not take the gun in, as Ashland would end

up getting shot if he went inside with a gun in his hand. F[redacted] said he would go in and speak with the doctors. When F[redacted] exited the car, Ashland was still holding the gun to his own head. F[redacted] went inside and told someone at a desk (possibly named L[redacted]) there was someone in the car who had a gun. She told a security officer, believed to be "B[redacted]". F[redacted] then told the security officer that there was someone in his car with a gun, and that the person would turn the gun over to him (F[redacted]) if they went outside. At that point, per F[redacted], the security officer followed protocol and locked the hospital down. Within minutes, several "SWAT" type officers ran out the hospital door. F[redacted] sent a text at 1:38am to Ashland, asking if he was ok. At that point, the security officer handed a phone to F[redacted]. F[redacted] believes he was talking to a police dispatcher. He told her that Ashland would turn the gun over to him if he was allowed to go outside with the police. While he was talking to the dispatcher, F[redacted] heard gunshots. F[redacted] did not see what happened. He saw Ashland being brought in on a stretcher.

At that point, I stepped out of the interview to make arrangements for a welfare check on roommate M[redacted] R[redacted].

I returned and recapped the details that F[redacted] had provided, including the phone call on the 13th. Ashland was depressed during that call, but made no reference to suicide. F[redacted] said Ashland has had "struggles" in his life, but nothing to this extent. Ashland has been attending Bible study regularly at the church. F[redacted] said between the phone call on Monday and tonight there were no red flags. Everything changed with the first text tonight.

Ashland implied that if F[redacted] called the police or anyone else, Ashland would kill himself. That is why F[redacted] went on his own to the house. F[redacted] did not smell alcohol on Ashland tonight, but believes Ashland was taking pain meds. Ashland was tired and anxious. When Ashland first exited the house, he told F[redacted] he wanted to die, and said he was in pain.

I obtained written consent from F[redacted] for the search of his vehicle. He provided the key to the car, which was later turned over to the Waukesha police department. At the request of the State of Wisconsin Crime Lab, a DNA swab was collected from F[redacted].

The interview was completed at that point. F[redacted] was given a conveyance to his residence.

NAMES

Police

Donovan, Det James W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Witness

F[redacted], J[redacted] D W/M-52 of 27[redacted] N 85 St, Milwaukee,WI,53222
DOB: [redacted]/[redacted]/1968

Phone 1:([redacted]) [redacted]-[redacted]

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001291				
1	EVI		Toyota Corolla key	1.000 $0.00 [Recovered]

West Allis Police Department
CONSENT TO SEARCH - RESIDENCE

I, M[redacted] R[redacted], hereby give consent to WAPD police, Wauwatosa Police, Brown Deer Police to search my residence located at: 19[redacted] Mikey Way, Waukesha WI. I hereby give this consent to search, and fully understand that by consenting I will be given no consideration for immunity, promises or any other consideration.

M[redacted] R[redacted]
(signature)

4/15/2020
(date)

D. Madden
(witness)

4/15/2020
(date)

Wauwatosa Police Department			Incident Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 4/15/20
New Incident: Assist Other Agency	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Autopsy

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Assignment

I was assigned to attend the autopsy of the decedent on 04/15/2020 at 11:30 AM at the Waukesha County Medical Examiner's Office, 515 W. Moreland Blvd. in the City of Waukesha.

In addition to myself, the following people were present for the autopsy:

Medical Examiner Dr. Lynda Biedrzycki

Deputy Medical Examiner Dalelynn Modrak

Deputy Medical Examiner Warren Becker

Crime Lab Supervisor Benjamin DeStaercke

Crime Lab Employee Pamela Taylor

Crime Lab Employee Leaha Lacviowski

The decedent was inside of a white body bag. Prior to my arrival, his body had already been x-rayed and his body had been observed by Waukesha County Medical Examiner's Office staff.

Clothing

Ashland's clothing had been laid out on clean white backdrop. While removing Ashland's pants from their evidence bag, several pieces of bullet fragments fell from the bag and onto the white backdrop. These fragments were collected and retained as evidence. Clothing that had been cut apart was placed back together for inspection by Dr Biedrzycki. Following the inspection and photographs, the autopsy began.

Autopsy

Ashland sustained several wounds during the Officer Involved Shooting. When Dr Biedrzycki's final report is received, it will be attached to the case.

Property

Following the autopsy, Deputy Medical Examiner Modrak packaged Ashland's property and turned them over to me. Additionally, I received a DNA card and four tins containing bullets or bullet fragments. I accepted these items and signed the Waukesha County Medical Examiner's Office Evidence Disposition Receipt form (see attached). Additionally, after signing the Wisconsin DOJ Receipt of Physical Evidence (attached), I received a set of Major Case Prints (fingerprints) of Ashland that were taken by DeStaercke and Taylor.

Prior to leaving, I filled out a Waukesha County Medical Examiner's Office Request for Non-Disclosure of Information (attached). I indicated that it would be acceptable for their office to turn information over to the Waukesha County District Attorney's Office at their specific request.

Evidence

Once back at the department, I entered the following property into evidence:

Left Hand bag; **20-001302-001**

Right Hand bag; **20-001302-002**

One pair of grey socks; **20-001302-003**

Camouflage compression pants; **20-001302-004**

Boxer/Brief style underwear; **20-001302-005**

One pair of brown Crocs sandals; **20-001302-006**

Black t-shirt; **20-001302-007**

Grey sweatpants; **20-001302-008**

Plaid jacket; **20-001302-009**

Red/White/Blue bandana; **20-001302-010**

Metal chain, pendant, prayer card; **20-001302-011**

DNA card; **20-001302-012**

Tin (partial bullet and fragments from left lower leg); **20-001302-013**

Tin (bullet from left hip); **20-001302-014**

Tin (fragments from clothing); **20-001302-015**

Tin (bullet from right shoulder); **20-001302-016**

Major case prints; **20-001302-017**

The clothing items were still wet with Ashland's blood. As such, I hung them in the clean Drying Cabinet to assist in their drying process.

On 04/24/2020, I removed the clothing from the drying cabinet and packaged them. Once completed, I turned them over to Property Clerk Karen Roy.

NAMES

Witness-1
Becker, Warren M of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-2
Biedrzycki, Lynda F of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-3
DeStaercke, Benjamin M of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

Witness-4
Lacviowski, Leaha F of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

Police
Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Witness-5
Modrak, Dalelynn F of 515 W Moreland Bl, Waukesha,WI,53188

Phone 1:(262) 548-7575

Witness-6
Taylor, Pamela F of 1578 S 11 St, Milwaukee,WI,53204

Phone 1:(414) 382-7500

OTHER NAMES

Ashland, Randy S M-58 of 19[redacted] Milky Way, Waukesha,WI,53187
DOB: [redacted]/[redacted]/1961
Phone 1:([redacted]) [redacted]-[redacted]

Waukesha Police Dept of 1901 Delafied St, Waukesha,WI,53186
Phone 1:(262) 524-3831

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001302				
1	EVI		Left Hand bag	1.000 $1.00 [Recovered]
2	EVI		Right Hand bag	1.000 $1.00 [Recovered]
3	EVI		One pair	1.000 $0.00 [Recovered]
4	EVI		Camo compression pants	1.000 $1.00 [Recovered]
5	EVI	Champion	Boxer/brief style	1.000 $1.00 [Recovered]
6	EVI	Crocs	One pair Sandals	1.000 $1.00 [Recovered]
7	EVI		T-shirt	1.000 $0.00 [Recovered]
8	EVI		Sweat pants	1.000 $1.00 [Recovered]
9	EVI		Plaid black/grey/white	1.000 $1.00 [Recovered]
10	EVI		Red/white/blue bandana	1.000 $1.00 [Recovered]

11	EVI	Chain, pendant, prayer card	1.000 $1.00 [Recovered]
12	EVI	DNA card taken at autopsy	1.000 $1.00 [Recovered]
13	EVI	Partial bullet with fragments from left lower leg	1.000 $1.00 [Recovered] [Recovered]
14	EVI	Bullet from left hip	1.000 $1.00 [Recovered]
15	EVI	Bullet fragments from clothing bag (pants)	1.000 $1.00 [Recovered]
16	EVI	Bullet from right shoulder	1.000 $1.00 [Recovered]
17	EVI	Major Case Prints	1.000 $1.00 [Recovered]

NARRATIVE

Reports from the Waukesha County Medical Examiner's Office

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Randy S. Ashland (M/B [redacted]/[redacted]/1970) on Wednesday, April 15, 2020. This incident occurred in the parking lot of Waukesha Memorial Hospital, 725 American Ave, in the City of Waukesha and involved officers of the Waukesha Police Department. The Wauwatosa Police Department is the lead investigative agency with master report number 20-7316.

Waukesha County Medical Examiner's Office report

On 05/29/2020, I received the Autopsy Protocol report from the Waukesha County Medical Examiner's Office. Waukesha County Medical Examiner Dr. Lynda Biedrzycki determined that Ashland's cause of death was "Multiple gunshot wounds". A toxicology report from NMS Labs is also included.

Autopsy Protocol

Dr Biedrzycki notes 10 gunshot wounds:

Gunshot wound to right mandible/ear,

Gunshot wound to right upper arm posterior,

Gunshot wound to right upper arm anterior,

Gunshot wound to mid-chest,

Gunshot wound left side of chest,

Gunshot wound to posterior left thigh,

Gunshot wound, left lower leg superior,

Gunshot wound to left lower leg inferior,

Gunshot wound, left thigh antero-medial,

Gunshot wound, left thigh postero/lateral.

Dr. Biedrzycki reports “wound tracks refer to the body in anatomic position. No soot or gunpowder is seen on the skin around any entrance wounds. Some wounds maybe re-entries”. In addition to the gunshot wounds, there were “superficial abrasions and contusions” on Ashland’s body.

NMS Labs

The following compounds were found in Ashland’s bodily fluids:

Ethanol – 219 mg/dL (Iliac Blood)

Blood Alcohol Concentration - .219 g/100 mL (Iliac Blood)

Caffeine – Positive (Iliac Blood)

Morphine Total – 1700 ng/mL (Iliac Blood)

Clonazepam – 3.6 ng/mL (Iliac Blood)

7-Amino Clonazepam – 37 ng/mL (Iliac Blood)

Morphine Free – 740 ng/mL (Iliac Blood)

Morphine Free - >2500 ng/mL (Urine)

I spoke with Dr. Biedrzycki and confirmed that Ashland did not have any heroin in his system at the time of his death. However, in addition to having a .219 g/100mL blood alcohol concentration, there was a significant amount of morphine present. Dr. Biedrzycki explained that, although the levels were high, it was not a surprise given that he was being treated for chronic pain.

Additionally, Dr. Biedrzycki explained that there would be a supplemental toxicology report in the near future for the medication Pregabalin. After this toxicology report was completed, Dr. Biedrzycki learned that Ashland had also been prescribed Pregabalin (Nerve pain medication, common brand: Lyrica). Not aware of the prescription, she did not order its screening. For additional information, refer to the attached reports from the Waukesha County Medical Examiner’s Office and NMS Labs.

NAMES

Police

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department — Incident Report

Incident: Assist Other Agency

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-007316			4/15/20	02:57

Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name *(Last, First, Middle)*	DOB:	Race/Sex
COM	City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Phone 1
1901 Delafield St, Waukesha, WI, 53186	(262) 524-3831
Employer	Phone 2
Employer Address	Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

On Wednesday, 04/15/20, at approximately 0217 hours, the Milwaukee Area Investigative Team conducted a call out Mutual Aid request for investigative assistance with an officer involved shooting incident. Team members were directed to Waukesha Memorial Hospital, 725 American Ave, Waukesha, Wisconsin, 53188. The City of Wauwatosa Police Department was designated as the lead investigative agency. DET BRIAN ZALEWSKI and I responded to assist with the investigation.

See supplementary report for details.

	Vehicle Information: (*Year, Make, Model, Style, Color*)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Schultz, Michael F.	5438	05/04/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
02:57:11	10:27:21	502, 508, 520, 542, 543	1 Of 1

Reviewed by:	Payroll Number :	Copy To
6454	6454	

Date: 05/04/2020

CFS Code-1: ASSIST

Incident Report Number: 20-007316

Wauwatosa Police Department			Supplemental Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

This is a supplement report regarding a Milwaukee Area Investigative Team call out. This is related to Wauwatosa Police Department Case # 20-7316 and City of Waukesha Police Department Case # 20-16731.

On Wednesday, 04/15/20, at 0217 hours, I was notified of an officer involved shooting at Waukesha Memorial Hospital, located at 725 American Ave, Waukesha, WI 53188. As part of the Milwaukee Area Investigative Team, **DETECTIVE SERGEANT JEREMY FADNESS** and myself responded.

Upon arrival DET SGT FADNESS and myself were tasked with interviewing an officer involved witness, New Berlin Police Department (NBPD) **PO JAMES AMENT**.

At approximately 0430 hours, DET SGT FADNESS and myself met with PO AMENT in a room at Waukesha Memorial Hospital.

Police Officer Witness Interview- PO AMENT (NBPD)

PO AMENT was working in full uniform for the City of New Berlin Police Department on 04/14/20. During the course of his duties, he had a subject in his custody for Domestic Violence. After attempting to turn his prisoner over to the Waukesha County Jail, the prisoner was denied due to a possible fever and needed medical clearance. PO AMENT and **PO JOSH LEDZIAN** (NBPD) where with the prisoner at Waukesha Memorial Hospital while the subject was getting medical clearance.

PO AMENT observed **PO TIMOTHY FILTER** of the City of Waukesha Police Department enter the hospital through the ambulance bay area with a rifle. PO FILTER was looking for someone. PO LEDZIAN and PO AMENT stepped outside of the room their prisoner was in. PO AMENT listened as PO LEDZIAN spoke to PO FILTER. PO FILTER stated he was looking for a guy with a gun. PO LEDZIAN asked PO FILTER if he needed them both (referring to PO LEDZIAN and PO AMENT), when PO FILTER replied, "Yeah". PO AMENT left the prisoner in the room and notified a security officer to watch the prisoner.

The 3 officers (PO AMENT, PO LEDZIAN and PO FILTER) exited the Waukesha Memorial Hospital Emergency Room entrance toward the parking lot. PO AMENT observed a group of 2 - 3 officers taking cover against the far left cement post of the emergency room overhang, closest to the parking lot. This group of officers was communicating with and confronting a subject in the parking lot with a gun. PO AMENT stated the group of 2-3 officers continued to grow in a stack to possibly 7 - 8 officers utilizing shields, but was unsure on the exact number.

PO AMENT, PO LEDZIAN and PO FILTER took cover at the second cement pillar from the right, of the emergency room overhang closest to the parking lot. PO FILTER had a rifle, and was on the right side of the pillar. PO LEDZIAN had

his handgun out and was on the left side of the pillar. With no more room to be effective with a handgun, PO AMENT utilized his flashlight to illuminate the the subject with a gun in the parking lot.

PO AMENT observed an older white male approximately 50 - 60's years of age, rolling around on his back (with his feet facing officers/ toward the emergency room entrance), holding a handgun. He was rolling around on the ground next to the passenger side of a white 4 door vehicle parked in the parking lot. During communication with police, the male subject said his name was "Randy". The subject also told police, "I don't want to hurt you." While the subject continued to roll around on the ground, he pointed the gun at his own head, body and had his thumb in the trigger guard at times. PO AMENT described the subjects behavior as possibly being under the influence of alcohol or drugs.

Negotiations with the subject went on for 3- 4 minutes. During this time PO AMENT left the negotiations to check on his prisoner inside the hospital emergency room. Waukesha Memorial Hospital was now in lock down and had to have security unlock the door for him to enter. PO AMENT met with security again and checked on his prisoner. Everything inside the hospital with his prisoner was fine, so PO AMENT returned to back to the negotiations and continued to take cover with PO LEDZIAN and PO FILTER.

PO AMENT stated the subject continued to roll around on the ground while holding the gun. The group of police to PO AMENT'S left, continued to tell the subject they wanted to help him. The police told the subject to put the gun down and to roll away from it. PO AMENT stated the subject did put the gun down at some point but didn't roll away from it. PO AMENT said it looked like the subject lost track of where the gun was when he was rolling around. After a short time period, the subject picked the gun up again. PO AMENT believed the subject picked the gun up with his right hand. The subject began to roll to the subjects right and brought his right hand with the firearm in it, from the left side of his body, across his body to the subjects right side. As the subject began to direct the gun in the direction of the "stack" of officers with shields, police discharged their weapons. After shots were fired, PO AMENT stated he notified his dispatch that shots were fired, a suspect was down and officers were OK.

PO AMENT said he did not fire his weapon, but heard what he initially thought was 4-5 gun shots. After the incident, PO AMENT stated he saw seven bullet casings.

After shots were fired at the subject with a gun, PO AMENT observed the subject drop the gun. The subject was still breathing, although there was a lot of blood visible on the ground.

PO AMENT went back into the hospital and grabbed a gurney from trauma room #1. When PO AMENT returned with the gurney, the initial contact team was still in the process of handcuffing the subject. The subject was loaded onto the the gurney and wheeled into the hospital as soon as possible to receive medical care.

After the incident PO AMENT stayed with one of the officers that had fired at the subject.

While speaking to PO AMENT, he was asked if he was injured, to which he stated, "No." SGT FADNESS and myself conducted a round count of PO AMENT. He caries a Sig P320 9mm firearm. The magazine capacity is 17 rounds, and he is issued 3 magazines. PO AMENT was found to have 52 rounds (17 x 3 +1 = 52) which was consistent with him not discharging his firearm. PO AMENT does not wear a body camera.

This concluded the interview/ officer witness statement of PO AMENT.

Wauwatosa Police Department — Incident Report

Incident: Assist Other Agency

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-007316			4/15/20	02:57

Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name *(Last, First, Middle)*	DOB:	Race/Sex
COM	City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Phone 1
1901 Delafield St, Waukesha, WI, 53186	(262) 524-3831
Employer	Phone 2
Employer Address	Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

Responded to Waukesha Police Department for mutual aid reference an officer involved shooting. Assistance rendered, Report filed.

	Vehicle Information: (*Year, Make, Model, Style, Color*)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Schultz, Michael F.	5438	05/04/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
02:57:11	10:27:21	502, 508, 520, 542, 543	1 Of 7

Reviewed by:	Payroll Number :	Copy To
6454	6454	

Date: 05/04/2020

CFS Code-1: ASSIST

Incident Report Number: 20-007316

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155
Eyes: Brown

Police Officer-1

Barth, Julie M Det W/F of 5911 W Grange Ave,PD, Greendale,WI,53129

Phone 1:(414) 423-2121 Phone 2:(414) 423-2121

Police Officer-2

Danowski, Brandon D W/M of 1901 delafield st, Waukesha,WI,53188

Phone 1:(262) [redacted]

NARRATIVE

On Wednesday, 04/15/2020 at 07:25 hours, I Detective BARTH, responded to Waukesha Police Department, located at 1901 Delafield St, Waukesha, WI for Milwaukee Area Investigative Team (MAIT) call up, in reference to an officer involved shooting. Upon my arrival, I met with Lieutenant Michael SCHULTZ, with Wauwatosa Police Department for a briefing.

This report is in reference to Wauwatosa Police Department's police report number 20-007316. Waukesha Police Departments original police report number in reference this incident is 20-16731. LT Michael SCHULTZ assigned me to interview an Waukesha Police Officer witness to this incident: DANOWSKI/Brandon/D, Badge # 567.

At approximately 09:30 hours, I met with Officer DANOWSKI. Officer DANOWSKI provided the following statement:

Officer DANOWSKI stated that he is a patrol officer and his normal tour of duty is [redacted]:[redacted] hours to [redacted]:[redacted] hours. He stated that because of COVID-19 their shifts have been adjusted and he works 18:00 hours to 06:00a.m. He stated that he works two days on and has four off. Officer DANOWSKI stated that Tuesday, 04/14/20, it was his first night back from his off days. Officer DANOWSKI stated he was on mutual aid at a traffic post assisting Waukesha County Sheriff's Department on a fatal traffic accident on I94/Meadowbrook Road. Officer DANOWSKI stated that he had remained on scene with Wisconsin State Patrol who was conducting an accident reconstruction at the scene. Officer DANOWSKI stated that he had been on scene of the traffic accident for approximately an hour. Officer DANOWSKI stated as he was walking up to his squad car he saw his computer screen start to flash with red. DANOWSKI explained that when their computers flash red the call is an emergency call. Officer DANOWSKI stated that he then looked at the notes in the call which indicated that there was a man with a gun at Waukesha Memorial Hospital.

Officer DANOWSKI stated that he stopped the camera recording in his squad car. Officer DANOWSKI stated that Waukesha Police Department does not have body cameras. He believes that it was around 01:30 hours when he began responded to Waukesha Memorial Hospital. Officer DANOWSKI stated that he immediately cleared from mutual aid and began to respond lights and sirens to Waukesha Memorial Hospital. Officer DANOWSKI stated that he heard three officers dispatched to this call. He explained when there is a high risk call, most officers will begin to respond to the location of that call. Officer DANOWSKI stated that they were notified that Waukesha Memorial Hospital had been put on lockdown and that there was a man that had a gun pointed to his head.

Officer DANOWSKI stated that as he was in route he heard Officer FINTEL notify dispatch that he had arrived and was in the area. Officer DANOWSKI stated that it

was relayed that the suspect was described as a male Hispanic wearing a white t-shirt. Officer DANOWSKI stated that Officer FINTEL advised dispatch that he had the suspect, who was later identified by law enforcement as: ASHLAND/Randy, at gun point. Officer FINTEL stated that ASHLAND was in the vestibule of the entrance to Waukesha Memorial Hospital.

Officer DANOWSKI stated that as he got near N Washington Ave and Michican Ave, Officer SCHMIDT, requested to hold radio frequency for communication related to the emergent call they were on. Officer DANOWSKI was updated by officers that the ASHLAND was now in the parking lot with a gun and he was lying next to a white vehicle in the parking lot.

Officer DANOWSKI stated that Sergeant DEKARSKE got on the air and requested a secondary team of officers respond to the Law Enforcement Entrance, which was located on the west side of the building. Officer DANOWSKI explained that the vestibule where ASHLAND was first encountered is located on the northwest side of the hospital.

Officer DANOWSKI stated that the ambulance bay entrance is located off the west end of the hospital. Officer DANOWSKI stated that he drove north off of Dopp Street until the road dead ended. Officer DANOWSKI stated that the front of his squad car was facing northbound. Officer DANOWSKI stated he removed his rifle from the front seat of his squad car. Officer DANOWSKI stated his rifle is a Remington 700. He stated that he is not a sniper, however, he trains with the sniper team and carries a Remington 700, bolt action rifle, chambered in 308, in his squad car, which is issued by his department. Officer DANOWSKI stated that he began running straight ahead or northbound to Officer FINTEL'S squad car was parked. Officer DANOWSKI stated that he believed his squad car camera was pointed in the direction of Officer FINTEL'S squad car. Officer DANOWSKI explained that Officer FINTEL'S Squad car was parked in the southwest corner of the parking lot and the front of the vehicle was facing eastbound. Officer DANOWSKI stated that he approached Officer FINTEL'S squad car, where Officer SOLBERG and Officer SCHMIDT were posted near the front of the squad car, on the hood. Officer DANOWSKI stated that he posted in the middle of Officer SOLBERG and Officer SCHMIDT.

Officer DANOWSKI stated that he has a Leopold ten power scope on his rifle. He stated he had the scope on the highest power and the scope was zoomed in all the way on ASHLAND. Officer DANOWSKI stated that he maintained a visual of ASHLAND through his Leopold Scope for the entirety of the incident. Officer DANOWKSI explained that there were only a few occasions in which he glanced away and explained it was when he was trying to relay information to the other officers who were on scene. Officer DANOWSKI believed he was approximately thirty yards away from ASHLAND as he maintained a visual through his Leopold Scope and was able to maintain that visual with such clarity due to the scope. Officer DANOWSKI stated that ASHLAND was lying on the ground on his back and that is head was facing north and is feet were facing south. Officer DANOWSKI stated that ASHLAND'S head was closest to the rear passenger door of the white sedan and his feet were closest to

the officers.

Officer DANOWSKI stated that ASHLAND was wearing a white t-shirt and had glasses on, he believes he may have been wearing jeans and he had a pair of shoes on. He also stated that ASHLAND was an older male in his mid fifties. Officer DANOWSKI stated that ASHLAND had a silver revolver with a black handle that way laying on his chest. Officer DANOWSKI stated that he could observe that this handgun had a large cylinder on it. From his training and experience, he believed this to be a high powered handgun due to the size of the cylinder on the gun. Officer DANOWSKI stated that he was attempting to relay what he observed through his scope to the officers on scene, as well as, over the radio.

Officer DANOWSKI stated that Officer SOLBERG was attempting to communicate with ASHLAND and develop a rapport. Officer DANOWSKI stated that Officer SOLBERG was repeatedly telling ASHLAND to drop the gun. Officer DANOWSKI stated that multiple officers were telling ASHLAND to put the gun down and to drop the gun. Officer DANOWSKI stated that Officer SOLBERG was able to get ASHLAND to tell him his name was Randy. Officer DANOWSKI recalls ASHLAND saying "I am not here to hurt you, or Im not trying to hurt you" to Officer SOLBERG.

Officer DANOWSKI stated that ASHLAND then picked up the gun in his right hand and pointed the end of the barrel toward his right eye. ASHLAND put his thumb on the trigger. Officer DANOWSKI stated that he had taken the safety off of his rifle. Officer DANOWSKI stated that ASHLAND had the gun pointed at his head long enough for Officer DANOWSKI to relay to the other officers on scene, that he was pointing the gun at his head. Officer DANOWSKI stated that he and Officer SOLBERG began autogenic breathing to keep themselves calm and focused. Officer DANOWSKI described ASHLAND'S movements as being slow and lethargic, as if he were intoxicated. Officer DANOWSKI stated that although his body movements appeared as if he were intoxicated, his speech did not seem as if he were.

Officer DANOWSKI stated that ASHLAND then dropped the gun and it landed on his chest, nearest his right armpit. Officer SOLBERG then began yelling to ASHLAND to show him his hands. Officer DANOWSKI stated that ASHLAND then lifted his head and was looking toward the officers. He stated that ASHLAND kept both of his arms tucked near his body and showed both his left and right hands to the officers. Officer DANOWSKI stated that he was looking at the officers, between his left and right feet, which were nearest the officers and slightly apart. Officer DANOWSKI stated that it looked as if ASHLAND was going to comply with officers commands that they were giving to him.

Officer DANOWSKI stated that Officer SCHMIDT asked SGT DEKARSKE if his squad car was open so that he could retrieve the PGL less lethal gun from his squad car. Officer DANOWSKI stated that when he left to retrieve the less lethal gun, Officer Katie SCHMIDT, replaced Officer SCHMIDT's location to the right of him and she had a shield.

Officer DANOWSKI stated that ASHLAND then put his left hand on the cylinder of the gun which was still on his chest. Officer DANOWSKI stated that ASHLAND then extended his left arm out while he had the gun his hand. ASHLAND'S was holding his hand on cylinder of the gun as he extended his left arm and rolled to his right side in the officers direction. Officer DANOWSKI stated that it appeared as ASHLAND rolled to his right to possibly put the gun on the ground. Officer DANOWSKI reiterated to me that he was observing the movements of ASHLAND through his Leopold scope which was magnified by ten and was zoomed in on ASHLAND. He stated that ASHLAND'S left arm was extended outward when he heard a pop. He stated that it didn't sound like it was a shot from a rifle. He stated that he then heard multiple gun shots from officers. He stated that he heard gun shots coming from the south of where he was standing. He stated that he could observe muzzle flash from SGT DEKARSKE'S rifle. Officer DANOWSKI stated that he was approximately twenty yards from SGT DEKARSKI when he saw the muzzle flash from his gun. He stated it sounded as if multiple officer from the secondary team had shot. Officer DANOWSKI stated that the secondary team was under the canopy of the hospital entrance so when they shot, the shots echoed, due to the canopy being above their heads. Officer DANOWSKI stated that he also heard gun shots that sounded as if they were closer to him as well.

Officer DANOWSKI stated that the gun that ASHLAND had in his hand fell to the ground and he rolled onto his back. Officer DANOWSKI stated that he could see that ASHLAND was breathing. Officer DANOWSKI relayed to the other officers that the gun was on the ground to the right of ASHLAND and that he was still breathing. SGT DEKARSKE immediately relayed to their dispatch that shots had been fired. SGT DEKARSKE then coordinated a team to approach ASHLAND in attempt to secure the gun and ASHLAND. Officer DANOWSKI stated that there was a large team of officers that approached ASHLAND. As the officers approached ASHLAND, Officer DANOWSKI, moved south toward a pillar of the canopy where SGT DEKARSKE had been standing.

Officer DANOWSKI stated that ASHLAND had been handcuffed and that hospital personal came out with a cot and placed ASHLAND on the cot, where he was taken into the hospital. Officer DANOWSKI stated that he then began to check on the officers and see if they were okay. He stated that he was then assigned by SGT BENITEZ to be SGT DEKARSKE'S support officer. Officer DANOWSKI stated that he then carried his rifle to his squad car where he ejected the round from the port of his rifle and secured his rifle in the rifle case.

Officer DANOWSKI stated that he placed SGT DEKARSKE'S rifle in his squad car and then drove SGT DEKARSKE back to the Waukesha Police Department. SGT DEKARSKE'S rifle was placed in SGT DEKARSKE'S office. Officer Katie SCHMIDT then took over as support officer for SGT DEKARSKE. It was later determined that Officer SOLBERG had also fired his weapon. Officer DANOWSKI stated that he then took over as support officer for Officer SOLBERG.

I asked Officer DANOWSKI how many times he heard officers tell ASHLAND to put the gun down or drop the gun. He stated that it was repeatedly by multiple officers.

ASHLAND was also told that officers wanted to help him and that they did not want to hurt him. I asked Officer DANOWSKI how far he believed he was from ASHLAND. This did end my interview with Officer DANOWSKI.

Milwaukee Police Department
749 W. State Street Milwaukee, WI 53233
414-933-4444

POLICE REPORT

Case Number: 201060020.001

Report Type: **Supplemental Report**

Nature of Incident:

Narrative

Title

OFFICER INVOLVED SHOOTING WAUKESHA PD-PO RYAN SOLBERG

This supplemental report is written by Detective Matthew BELL, assigned to Criminal Investigations Bureau-Homicide Unit late shift.

On 04-17-20, my partner Detective Michael FEDEL and I conducted follow up regarding the Waukesha Police Department Officer Involved Shooting which occurred on 04-15-20 at Waukesha Memorial Hospital. This follow up consisted of conducing an interview with Police Officer (P.O.) Ryan SOLBERG which was scheduled to commence at 10:00AM. This interview took place at the Waukesha Police Department in the command staff meeting room. Present for this interview were the following individuals:

-SOLBERG

-James PALMER-WI Professional Police Association-Executive Director

-Andrew SCHAUER-WI Professional Police Association-Staff Attorney

-Jim SCHUMITSCH-WI Professional Police Association-Business Agent

-Police Officer Jason TRIMBORN-Waukesha Police Union Representative

This appointment time was agreed upon by SOLBERG, PALMER, and SCHAUER with time allowed for SOLBERG to get rest in between the incident and this interview.

EDUCATION/APPOINTMENT/TRAINING/FIELD TRAINING

SOLBERG stated he was "conditionally hired" by Waukesha PD in December of 2016, began at Waukesha County Technical College Law Enforcement Academy 01-09-17 and officially hired by Waukesha PD on 01-24-17. He added he completed the upgraded academy class containing 720 hours, graduated 05-12-2017 and sworn in at Waukesha PD on 05-15-17 with a Badge #566. He added while enrolled in the Academy he had "no issues" while completing the necessary competencies.

SOLBERG mentioned when he started at Waukesha PD his initial schedule was the following:

-Initial Orientation (2 weeks dayshift hours)

-Field Training (1st Five Weeks with P.O. Michelle ENDERLE 3:00PM to 11:00PM)

-Field Training (2nd Five Weeks with P.O. Jay CARPENTER 7:00AM to 3:00PM)

-Field Training (3rd Five Weeks with P.O. Nick HENDRICKSON 11:00PM to 7:00AM)

-Shadow Training (2 weeks with P.O. ENDERLE-Completed Field Training)

SOLBERG stated in September 2017 he completed Field Training, was assigned to 2nd Shift ([redacted] to [redacted]), and was assigned to patrol as a one man squad. He added he successfully completed his probationary period in September of 2018. He stated he has maintained his annual qualification with his firearms and completed a training program called A-RIDE which targets drivers who are impaired. SOLBERG stated he remained on 2nd Shift until recently (March 26, 2020) when the Department switched schedules to address the COVID-19 pandemic adjusted his schedule to working two 12 hour days followed by four days off.

SOLBERG mentioned prior to his Law Enforcement career he graduated from University WI-Milwaukee.

PRIOR CRITICAL INCIDENT

SOLBERG mentioned prior to this critical incident, in June of 2017 he was involved in another critical incident. He explained fellow Police Officers and him were dispatched to a suicidal subject with a gun in their backyard. He added during this incident he was providing cover for other officers while holding a shield. We discussed how this incident made him feel. He mentioned it was an "uneasy" feeling and caused him to be "fearful of getting shot or other getting shot." However, ultimately his "training" took over and while he would, "try not to use it (deadly force)," if the scenario warrants it he could utilize it.

SOLBERG added he, "doesn't seek out use of force" techniques and will employ them only, "when justified and necessary to keep citizens, other officers and me safe." He described himself as, "calm and collected" while hoping his preferred method of communication skills will, "get suspects to comply."

SOLBERG denied having any prior recreational or work related injuries, has not been diagnosed with any mental health issues, does not take any prescribed medication, does take a multi vitamin daily, does work out frequently and does not wear glasses or contacts while adding his vision is "20/20."

DATE OF INCIDENT (PRIOR TO WORK)

SOLBERG explained the night before this incident occurred (Monday 04-13-20 into Tuesday 04-14-20), he fell asleep at [redacted]AM "on the couch" before he moved to his bed at [redacted]AM. He added he remained sleeping until "[redacted]ish" woke up to spend some time with his wife before she left for work. He added he had a "snack" and went back to bed until approximately [redacted]AM to [redacted]PM. He said he felt "good" and had "plenty of sleep" while being well rested before his shift began in six (6) hours. He added when he woke up, "ate food" but did not recall exactly what he ate. He then "worked out" at home and described this as "normal daily activity" on a work day. He stated he began to get ready for work at [redacted]PM, left his house at [redacted]PM, drove to the Police Department arriving around [redacted]PM.

DATE OF INCIDENT (AT WORK)

SOLBERG stated upon arrival at work, they had roll call which was shorter than usual because of the adjusted hour shifts. He mentioned he was assigned to squad 120, without a partner with the responsibility of patrolling the downtown area. He added he was assigned squad 44 (marked Ford Explorer) which is equipped with both squad audio/camera. He stated he did not wear a body worn camera because the Department does not have them but did wear an audio recorder that he confirmed was functional at the beginning of his shift.

SOLBERG described the start of his shift as "fairly busy" with teenagers breaking windows of cars and

ensuing fights because of this. He responded to the area, and the fight had already disbursed prior to his arrival. He stated his work load prior to the shooting was "nothing stressful or out of the ordinary."

SOLBERG was conducting follow up regarding the criminal damage to property investigation from earlier in the evening when he was inside his squad preparing to give the victim of the damage an informative document. While doing this he heard the dispatcher send an "emergency call" which means "something bigger is happening" which requires numerous squads to respond. He stated initially 3 squads were sent which was also an indication this call was more serious. He mentioned the call came over as a, "man with a gun to his head in the parking lot and security is with him." SOLBERG said he sprinted from his car to deliver the literature to the citizen, sprinted back and started to respond to the hospital while activating his lights and sirens.

SOLBERG mentioned as he drove there, this was "more stressful then normal" because of the urgency of a subject with gun. However, he felt "calm and able to think clearly" while en route even though there were "not many" updates from dispatch while he was driving. He added, via radio, P.O. FINTEL arrived first and Sergeant DEKARSKE and Sergeant BENITEZ arrived shortly after. When they arrived, he was in the Southeast area of the hospital and DEKARSKE stated over the radio that if the subject with gun was in the lobby area there should have officers approach from approach from inside the hospital from the emergency vehicle sally port.

Because of this, SOLBERG drove in that direction which was located on the West side of the building, and arrived in the area with two other squads. While arriving there, FINTEL radioed he had the suspect with gun at, "gunpoint in front of the entrance." Because of this he "parked, got my rifle, racked it and turned on" the sight. He added because of this update, he "sprinted" to the North on the Westside of the building to the main entrance to where FINTEL was. He added with him was P.O. Nate SMIDT and one other unknown officer.

Upon arrival to the front entrance, their focus was on the vestibule where they thought the suspect was and giving this person commands to put his hands up. While the were doing this, SMIDT stated, "isn't he suppose to be in the parking lot?" This is when their attention turned to the North parking lot and they observed the suspect laying on the ground in the parking lot next to a parked car. He observed the suspect was laying in the first row of parking spots closest to the building with his "head to the North and his feet to the South." He estimated he was "60 feet" from where the suspect was but was not for certain. He added the lighting was "dark" but there was a street light that lit up the area the suspect was in.

SOLBERG mentioned it was "pretty hard to see him" and this was, "one of the scarier parts of it. Uneasy, because it was dimly lit." However, he stated it was reassuring that, "Brandon had his sniper rifle" which was equipped with a 8x magnifying scope that allowed him to see clearly what the suspect was doing. SOLBERG also stated Brandon was able to provide them frequent updates on the suspect and his actions also confirming he had a gun that was "silver metal" and also Brandon was "relaying very detailed descriptions of the suspects movements with the gun."

SOLBERG stated his rifle is equipped with a sight that provides 3x magnification which was also helpful in seeing what the suspect was doing and he was able to see that the suspect was holding a gun.

SOLBERG said he moved to the far side of the SUV patrol vehicle and used the "engine block" as cover while putting the vehicle between him and the suspect. He added Brandon was to the "right" of him while using the hood of the SUV to balance his rifle. SOLBERG said from this position he "started dialogue" with the suspect. He added he "took over dialogue" but others as well as him were giving

"direct commands" verbally for the suspect to "drop the gun." He estimated they gave the suspect "a lot" of commands, "20 plus" which he described as "heavy control talk." SOLBERG stated the suspect "mumbled" something but he was unable to understand what the suspect said so he transitioned into "asking him his name." At this point the suspect was "laid flat on his back most of the time" with the "gun pointed at his face or head to resting on his chest area."

SOLBERG stated as he was talking to the suspect attempting to negotiate a surrender from him. He stated his name was Randy and explained to Randy, "We don't want you to hurt yourself, we don't want to hurt you Randy." He continued, "my name is Officer SOLBERG. I want to try and get you help. But I can't do that until you put the gun down. He added the suspect yelled, "I don't want to hurt you." SOLBERG responded, "I know we don't want to hurt you and we don't want you to hurt yourself." SOLBERG described his demeanor as he spoke to the suspect as "loud talking, I was trying to get communication going." SOLBERG said the suspect, "mumbled" something and he responded to him, "Randy I want to get closer to you, to hear you but I need you to put the gun down first." SOLBERG said this exchange continued intermittently for 5-10 minutes as he attempted to continue to maintain dialogue with him.

We asked SOLBERG what the goal of his communication with the suspect was. He stated he was, "trying to (get him) to put down the gun, to help him. I don't want him to get hurt or us to get hurt."

SOLBERG said as this verbal exchange was occurring, "Brandon was trying to get comfortable with the rifle" and ultimately he moved with the rifle to the hood of the squad they were using as cover. He stated when Brandon moved to the hood area of the vehicle, SOLBERG crouched down near the engine block of the SUV but was able to maintain visual of suspect while holding his rifle with the "safety off" and "finger off the trigger." He noted after he moved positions the suspect "still had his hand on the gun, and could turn it on us and shoot at us at any second."

SOLBERG admitted his goal was to still communicate, negotiate and command the suspect to, "set the gun on the ground away from us. Don't point the gun at us and roll away from the gun." He added he said this, "2 to 3 times" and was "very clear what his expectations were." As this continued, the suspect put his right arm out to his side as the gun was in his left hand and then the suspect moved it to his "right bicep area and rests it (gun) there." As this occurred Brandon was able to communicate these movements clearly due to the scope he was using. Brandon relayed the suspect "took his hand off the gun" and he yelled to the suspect, "Okay Randy, your doing a very good job, can you put your hands in the air for me? He actually did, barely above his chest." He yelled, "Randy can you put your hands up all the way and roll away from the gun?"

SOLBERG said he, "put his hands back down again" while he commanded him to "put them back up" which he did "for a couple seconds. He then brought his hands back down and rolled towards the gun and us" with his body now, "orientated towards us. Now he is facing us, instantly making me fearful for myself and other officers." SOLBERG stated that what the suspect was doing was making him "more fearful is him directly contradicting the commands I'm giving him. He's rolling towards the gun opposed to away. His hands are going towards/grasping the gun and now he is faced directly at us."

SOLBERG continued that he was unsure what hand the suspect was holding the gun in. But the suspect "extends the arm and gun towards us. I can see the silver reflection from the light, the gun was in his hand, and pointed towards us." He added, "I got very fearful he was going to shoot us." We discussed why he was fearful and he stated "(the) gun was in his hand, which I saw pointed at us. He had been given clear commands, he was disobeying commands. Because of his actions I was forced to move my

finger to the trigger and I could hear everyone screaming commands at him" which were all "various forms of drop the gun." He also said he believed the suspect, "readjusted to have a better view to shoot us."

SOLBERG stated as the suspect was pointing the gun at them, "I heard two (2) gunshots to my right" which he recognized as one from a less lethal device and a gunshot from a rifle. He added "this is when I shot." He stated, "I thought he was going to kill us by shooting us. He had the gun pointed at us and was refusing to listen to commands." He added, "every one of his actions I would find consistent with someone trying to shoot at us, not surrender."

SOLBERG mentioned he "shot two (2) times in quick succession" while he heard several additional shots fired from the right from the "other group of officers" and that it happened "all very fast." He said it was immediately relayed that all officers were okay but he was "reassessing the threat" while the suspect was laying on his back with the gun on his right side and his hands on his chest. He continued to give the suspect commands to include putting his hands in the air and "not reach for the gun" but got "no response or movement" from the suspect to these commands.

SOLBERG said "Brandon was detailing info from his scope" and mentioning the suspect had "very little breathing, very little movement" and it "appeared (the) threat was stopped." He stated there was a quick dialogue with the suspect without response and the other group of officers moved towards the suspect to arrest while "we were the cover group for them." He mentioned the arrest team approached the suspect from the West and with a shield so they would be safe in case the suspect was still alive. Upon arrival at the victim, "someone secured the gun and they handcuffed him."

After the suspect was arrested SOLBERG "ran into the hospital" with a New Berlin Police Officer, encountered the nursing staff, and saw other officers running out with a gurney. He then told the trauma area they had a suspect that was shot in the parking lot several times and they were bringing him in. We discussed why he did this. SOLBERG said he "didn't know his status" and "we wanted to save his life. I remember thinking, I hope this guy makes it." SOLBERG declared he "truly been trying to help him the whole time. But we were forced by him to use deadly force." SOLBERG said after the suspect was brought into the hospital, he encountered Sergeant BENITEZ who asked if he discharged his weapon. SOLBERG responded he did and was brought to the Police Station by P.O. K. SMIDT.

SOLBERG concluded the suspect gave them "no other options, I don't second guess. I gave him every opportunity to comply and surrender. And to get him help."

END OF REPORT

Report Type: **Supplemental Report**
Nature of Incident:

Narrative

Title
INTERVIEW OF SERGEANT IAN DEKARSKE - OIS WAUKESHA PD

This report is written by **Detective Michael FEDEL** assigned to the Criminal Investigation Bureau, Homicide Unit, Late Shift.

On 04/22/2020 at 2:00 PM, **Detective Matthew BELL** and I conducted an interview of **Sergeant Ian DEKARSKE** regarding the Officer Involved Shooting that occurred on 04/15/2020 at 1:30 AM, outside of Waukesha Memorial Hospital, which is located at 725 American Ave, Waukesha, WI.

The interview was conducted inside of the conference room at the Waukesha Police Department.

Sergeant DEKARSKE was represented by **Attorney Michael STEINLE**, who was present during the interview.

The following is a summary of the interview.

The interview began with some background of Sgt. DEKARSKE's career as a Police Officer and then later as a Sergeant.

Sgt. DEKARSKE stated that he attended Waukesha County Technical College from May of 2008 to August of 2008. After graduating he applied for and then was hired by Waukesha Police Department on December 8th, 2008. Sgt. DEKARSKE stated that after his field training was complete, he was assigned to Early Shift, with his normal working hours being [redacted] to [redacted].

Sgt. DEKARSKE stated that he took the Promotion Exam for Police Sergeant and was promoted to Sergeant in January of 2015.

Sgt. DEKARSKE stated that he teaches Firearms and Defense And Arrest Tactics for Waukesha PD, and also does some some teaching at Waukesha County Technical College. The two topics that he teaches at WCTC are Defense And Arrest Tactics and Tactical Response.

Sgt. DEKARSKE stated that he has no health problems or mental health problems, and has twenty twenty vision. He does not take any medication, only some daily vitamins. He further stated that he is happily married with one child.

Sgt. DEKARSKE stated that he is currently assigned to second shift, [redacted] to [redacted], but because of the Corona Virus their department made some changes. He explained that the entire department is broken into a total of three platoons. This was done to limit the amount of officers in the building at any given time. There were also some changes to their work schedule. Sgt. DEKARSKE stated that they now all work two days on, then have four days off. Officers now work twelve hours instead of their usual eight hours. This meant that for the officers, their normal work hours were now 6:00 PM to 6:00 AM.

Sgt. DEKARSKE stated that on the day of the incident at Waukesha Memorial Hospital, that was his first day back after being off for four days. He stated that coming into work he felt good, well rested, and full of energy. Sgt. DEKARSKE stated that his fellow Sergeant, Sergeant BENITEZ had just come back from family leave, and they decided to ride together that night.

Sgt. DEKARSKE stated that after roll call, he went out on patrol with Sgt. BENITEZ. He stated that it was a fairly busy night, but around 1:00 AM, things had quieted down. He stated that they went into the station to grab a bite to eat and review e-mails and reports. He stated that it was just about the time that he sat down to eat was when the emergency tones came over the radio.

Sgt. DEKARSKE stated that after the emergency tones, a call of a Subject With A Gun To His Head came over the radio. He stated that the subject with a gun was reported to be at the main entrance to the hospital, in a white Toyota Corolla.

Sgt. DEKARSKE stated that his squad was a black in color, unmarked Ford Expedition. He further stated that he is also assigned to the Tactical Enforcement Unit, and that because of that assignment, he has his own rifle that he keeps in the back of his squad. Sgt. DEKARSKE stated that because of the nature of the call, when they went out to their vehicle, he took his rifle out of the case, chambered a round, and then put the gun back in the case.

Sgt. DEKARSKE stated that based on his notes from that night, the call came in at 1:31 AM, with an arrival time between 1:35 AM to 1:36 AM.

Sgt. DEKARSKE explained that on the way to the call, he was developing a plan of response. Based on the information of the subject being at the main entrance of the hospital, he wanted to split the responding officers into two teams. Sgt. DEKARSKE stated that he went over the radio to have some of the responding officers to enter the hospital through the police entrance, which was right by the ambulance bay. Sgt. DEKARSKE stated that if the man was inside of the hospital, the officers could attempt to contain him to that main entrance area.

Sgt. DEKARSKE stated that P.O. FINTEL was the first officer onscene and reported that he had the subject in the vestibule at the main entrance. He stated that it was later determined that this man was not involved.

Sgt. DEKARSKE stated that upon their arrival the subject with the gun was now located in the parking lot of the hospital, across from the main entrance, laying next to the passenger side of a white Toyota Corolla. He stated that when they exited their squad, Sgt. BENITEZ grabbed the shield, and he grabbed his rifle. Sgt. DEKARSKE stated that their were several officers standing at the marked squad already talking to the subject.

Sgt. DEKARSKE stated that Sgt. BENITEZ and himself moved to one of the support columns to the hospital entrance and that this position gave them some concealment and also gave them a good view of the subject with the gun. He stated that his first observation of the subject with the gun was of a white male, who was laying flat on his back with a large silver revolver to the right side of his head. Sgt. DEKARSKE explained that he could observe, even without the magnification of his rifle scope, that the subject had a "shooters grip" on the revolver.

Sgt. DEKARSKE explained that having a "shooters grip" on a handgun meant that he was holding the handgun with a grip that was between the thumb and index finger, and his finger was on the trigger. Sgt. DEKARSKE further described that he was holding the gun in the same way it was designed to be fired.

Sgt. DEKARSKE stated that he then made a request over the radio for the armored vehicle from the Waukesha County Sheriff's Office. Sgt. DEKARSKE stated that he already knew that their own armored vehicle was out of service.

Sgt. DEKARSKE stated that he heard P.O. SOLBERG giving commands to the subject and also asked him for his name. Sgt. DEKARSKE stated that he heard the man say his name was Randy. Sgt. DEKARSKE stated that P.O. SOLBERG was pleading with the man to put the gun down, but that he was not complying. Sgt. DEKARSKE stated that the subject then stated that he doesn't want to hurt anyone, that he only wanted to hurt himself.

Sgt. DEKARSKE stated that the subject then moved the gun from his side now to holding the gun right at his own face, with his thumb on the trigger. Sgt. DEKARSKE explained that the gun barrel was pointed directly at the mans eye.

Sgt. DEKARSKE stated that P.O. SOLBERG continued talking to the subject, in the attempt to get him to comply and put the gun down. He stated that at one point it appeared to be working, because the man put the gun down.

Sgt. DEKARSKE stated that Officer SOLBERG then told the subject to now roll away from the gun, and not to touch the gun anymore. He stated that the subject was not listening and then picked up the gun again. He stated that he now observed that the subject was now holding the gun with his finger on the trigger again.

Sgt. DEKARSKE stated that this made him very nervous, because he was not listening to any of their commands. He stated that it made him nervous because the subject could have easily turned the gun in the direction of himself and his fellow officers. Sgt. DEKARSKE stated that he was also concerned for the patients, staff and visitors to the hospital.

Sgt. DEKARSKE stated that action always beats reaction, and that the man could have gotten a shot off at them before they could respond. He stated that he was becoming increasingly uneasy and afraid that the subject was not complying with their orders. Sgt. DEKARSKE stated that based upon the totality of the circumstances, there were no other viable alternatives. The use of a firearm was the only option to stop the threat to himself, other officers, and the general public on the hospital grounds.

Sgt. DEKARSKE stated that P.O. SOLBERG continued giving commands to the subject, but he was not listening to any of them. He stated that what happened next was that the subject put the gun down on his chest, but he maintained the shooters grip on the gun at all times.

Sgt. DEKARSKE stated that the subject then picked the gun back up, and now took a slow and controlled aim at himself, Sgt. BENITEZ, and a deputy from the Waukesha County Sheriff's Office who had taken up a position of concealment with them at the column.

Sgt. DEKARSKE stated that he "absolutely" feared for his life and the life of the other officers so he fired his rifle as the subject was taking aim at them to stop the threat.

Sgt. DEKARSKE stated that he does not remember how many times he fired, but he fired until the threat was stopped. He explained that meant he fired until the subject was no longer pointing the gun at him and his fellow officers. Sgt. DEKARSKE stated that he looked through the scope on his rifle and observed that the man was not moving and the gun was now laying on the ground right next to him. Therefore Sgt. DEKARSKE did not fire any additional rounds.

Sgt. DEKARSKE stated that they then organized a Suspect Rescue, but that it had to be done safely. Sgt. DEKARSKE stated that they did not know if the man was still alive or not at that point. He stated that himself and several other officers were able to safely make it to the subject where they observed that he appeared to be lifeless. He stated that the subject was handcuffed and then carried into the hospital on a stretcher.

Sgt. DEKARSKE stated that based on his training and experience he knew that if a subject is suicidal then they could also be homicidal and could have easily taken the life of another person before killing them-self.

I asked Sgt. DEKARSKE if he thought he could have done something different? Sgt. DEKARSKE stated no, that based on the situation they faced, using a firearm to stop the threat was the only option.

After the incident was over, I met with Sgt. DEKARSKE at the Waukesha Police Department and conducted a round count. It was then determined that Sgt. DEKARSKE had fired his rifle a total of five times, which meant he had 23 rounds remaining inside of his rifle.

End of Report.

M.F.

Franklin Police Department			Supplemental Report
Incident Report Number: 20-010542	Incident Location: Waukesha Memorial Hospital, 725 American Ave		Incident Date: 04/15/2020
New Incident:	Original Offense - 1: 9006	New Offense - 1:	New Offense - 2:

NARRATIVE

This is a supplement report regarding a Milwaukee Area Investigative Team call out. This is related to Wauwatosa Police Department Case # 20-7316 and City of Waukesha Police Department Case # 20-16731.

On Wednesday, 04/15/20, at 0217 hours, I was notified of an officer involved shooting at Waukesha Memorial Hospital, located at 725 American Ave, Waukesha, WI 53188. As part of the Milwaukee Area Investigative Team, **DETECTIVE SERGEANT JEREMY FADNESS** and myself responded.

Upon arrival DET SGT FADNESS and myself were tasked with interviewing an officer involved witness, New Berlin Police Department (NBPD) **PO JAMES AMENT.**

At approximately 0430 hours, DET SGT FADNESS and myself met with PO AMENT in a room at Waukesha Memorial Hospital.

Police Officer Witness Interview- PO AMENT (NBPD)

PO AMENT was working in full uniform for the City of New Berlin Police Department on 04/14/20. During the course of his duties, he had a subject in his custody for Domestic Violence. After attempting to turn his prisoner over to the Waukesha County Jail, the prisoner was denied due to a possible fever and needed medical clearance. PO AMENT and **PO JOSH LEDZIAN** (NBPD) where with the prisoner at Waukesha Memorial Hospital while the subject was getting medical clearance.

PO AMENT observed **PO TIMOTHY FILTER** of the City of Waukesha Police Department enter the hospital through the ambulance bay area with a rifle. PO FILTER was looking for someone. PO LEDZIAN and PO AMENT stepped outside of the room their prisoner was in. PO AMENT listened as PO LEDZIAN spoke to PO FILTER. PO FILTER stated he was looking for a guy with a gun. PO LEDZIAN asked PO FILTER if he needed them both (referring to PO LEDZIAN and PO AMENT), when PO FILTER replied, "Yeah". PO AMENT left the prisoner in the room and notified a security officer to watch the prisoner.

The 3 officers (PO AMENT, PO LEDZIAN and PO FILTER) exited the Waukesha Memorial Hospital Emergency Room entrance toward the parking lot. PO AMENT observed a group of 2 - 3 officers taking cover against the far left cement post of the emergency room overhang, closest to the parking lot. This group of officers was communicating with and confronting a subject in the parking lot with a gun. PO AMENT stated the group of 2-3 officers continued to grow in a stack to possibly 7 - 8 officers utilizing shields, but was unsure on the exact number.

PO AMENT, PO LEDZIAN and PO FILTER took cover at the second cement pillar from the right, of the emergency room overhang closest to the parking lot. PO FILTER had a rifle, and was on the right side of the pillar. PO LEDZIAN had

his handgun out and was on the left side of the pillar. With no more room to be effective with a handgun, PO AMENT utilized his flashlight to illuminate the the subject with a gun in the parking lot.

PO AMENT observed an older white male approximately 50 - 60's years of age, rolling around on his back (with his feet facing officers/ toward the emergency room entrance), holding a handgun. He was rolling around on the ground next to the passenger side of a white 4 door vehicle parked in the parking lot. During communication with police, the male subject said his name was "Randy". The subject also told police, "I don't want to hurt you." While the subject continued to roll around on the ground, he pointed the gun at his own head, body and had his thumb in the trigger guard at times. PO AMENT described the subjects behavior as possibly being under the influence of alcohol or drugs.

Negotiations with the subject went on for 3- 4 minutes. During this time PO AMENT left the negotiations to check on his prisoner inside the hospital emergency room. Waukesha Memorial Hospital was now in lock down and had to have security unlock the door for him to enter. PO AMENT met with security again and checked on his prisoner. Everything inside the hospital with his prisoner was fine, so PO AMENT returned to back to the negotiations and continued to take cover with PO LEDZIAN and PO FILTER.

PO AMENT stated the subject continued to roll around on the ground while holding the gun. The group of police to PO AMENT'S left, continued to tell the subject they wanted to help him. The police told the subject to put the gun down and to roll away from it. PO AMENT stated the subject did put the gun down at some point but didn't roll away from it. PO AMENT said it looked like the subject lost track of where the gun was when he was rolling around. After a short time period, the subject picked the gun up again. PO AMENT believed the subject picked the gun up with his right hand. The subject began to roll to the subjects right and brought his right hand with the firearm in it, from the left side of his body, across his body to the subjects right side. As the subject began to direct the gun in the direction of the "stack" of officers with shields, police discharged their weapons. After shots were fired, PO AMENT stated he notified his dispatch that shots were fired, a suspect was down and officers were OK.

PO AMENT said he did not fire his weapon, but heard what he initially thought was 4-5 gun shots. After the incident, PO AMENT stated he saw seven bullet casings.

After shots were fired at the subject with a gun, PO AMENT observed the subject drop the gun. The subject was still breathing, although there was a lot of blood visible on the ground.

PO AMENT went back into the hospital and grabbed a gurney from trauma room #1. When PO AMENT returned with the gurney, the initial contact team was still in the process of handcuffing the subject. The subject was loaded onto the the gurney and wheeled into the hospital as soon as possible to receive medical care.

After the incident PO AMENT stayed with one of the officers that had fired at the subject.

While speaking to PO AMENT, he was asked if he was injured, to which he stated, "No." SGT FADNESS and myself conducted a round count of PO AMENT. He caries a Sig P320 9mm firearm. The magazine capacity is 17 rounds, and he is issued 3 magazines. PO AMENT was found to have 52 rounds (17 x 3 +1 = 52) which was consistent with him not discharging his firearm. PO AMENT does not wear a body camera.

This concluded the interview/ officer witness statement of PO AMENT.

Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 15th, 2020 at approximately 3:30 AM, I, Lieutenant ASHENHURST, responded to PRO -HEALTH WAUKESHA MEMORIAL HOSPITAL, 725 American Avenue, Waukesha, Wisconsin to assist the MILWAUKEE AREA INVESTIGATIVE TEAM (MAIT) in the investigation of an officer -involved shooting.

I was assigned to interview NEW BERLIN POLICE DEPARTMENT officer Joshua LEDZIAN. LEDZIAN was a witness to the officer-involved shooting. At approximately 3:45 AM on April 15th, 2020, I met with LEDZIAN alone in a waiting room within the hospital.

LEDZIAN said he was at WAUKESHA MEMORIAL HOSPITAL with a second New Berlin officer, Officer AMENT. They were with a prisoner for medical clearance. LEDZIAN said that at approximately 1:00 AM, he was with the prisoner in a police hold room.

Later, LEDZIAN witnessed a CITY OF WAUKESHA POLICE DEPARTMENT officer run past the police hold room carrying a squad rifle. LEDZIAN asked the officer if he needed help. The Waukesha officer told LEDZIAN that he did need help as there was a man with a gun. LEDZIAN followed the Waukesha officer to the nearby lobby area of the hospital. LEDZIAN overheard police radio transmissions that said that the armed man was inside the vestibule. LEDZIAN believed that this was the vestibule leading to the emergency department. LEDZIAN and the Waukesha officer reached the vestibule area on the north side of the hospital. LEDZIAN observed a hospital security officer standing with a man. The security officer said that the armed subject was outdoors, by the white Toyota Corolla. LEDZIAN said that he and the Waukesha officer exited the doors from the north side vestibule. He observed a thin white male, wearing blue jeans, lying on the ground next to a white Toyota Corolla in the parking lot. This man was lying on his back and on his right side, rolling back and forth. LEDZIAN said he was approximately 50 feet south of the person lying on the ground by the Corolla. LEDZIAN was behind a concrete pillar outside of the emergency department entrance doors. LEDZIAN said to his left, there was what he believed to be seven or eight officers. LEDZIAN could hear one of these officers giving commands to the subject to drop the gun and also verbalizing to the subject that they could see a gun. LEDZIAN said that these commands lasted a couple of minutes. He also heard officers tell the subject that they were there to help him, ask him to roll away from the gun, and asked for his name. LEDZIAN believed that the officer was verbally trying to build a rapport with the subject.

LEDZIAN could see the subject by the Toyota Corolla. LEDZIAN said he observed the subject carrying a handgun. He stated the subject at one point was carrying the gun above his body, pointed down towards the subject's head.

LEDZIAN could hear from other officers on scene that the subject had dropped the gun. Officers asked the subject to separate himself from the gun and roll away from it. LEDZIAN observed the

subject pick up the weapon. He believed the subject pointed it west towards officers. LEDZIAN then heard approximately five gunshots. After the sound of gunshots, LEDZIAN said that two dual shield teams were set up to approach the suspect. LEDZIAN said he provided cover for the officers on the shield teams. He observed officers provide commands to the suspect. The shield team approached the suspect, the suspect was handcuffed, and put on a cot that was gathered from the emergency department. LEDZIAN said he assisted in picking the suspect up from the ground and lifting him onto the cot.

NAMES

Police Officer

Ledzian, Joshua W/M of 16300 W National Ave, New Berlin,WI,53151

Phone 1:(262) 782-6640

==========

City of New Berlin Police Department

Officer Report for Incident E20007499

Nature: ASSIST OTH DPT **Location:** NBL01
Address: 725 AMERICAN AVE, WAUKESHA WI 53186
WAUKESHA WI 53186

Offense Codes:
Received By: GRABER AT **How Received:** T **Agency:** NBP
Responding Officers:
Responsible Officers: AMENT JJE **Disposition:** REP 04/15/20
When Reported: 01:31:32 04/15/20 **Occurred Between:** **:**:** **/**/** and **:**:** **/**/**

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

Complainant: 306042
Name: WAUKESHA POLICE DEPARTMENT ,
Address: 1901 DELAFIELD ST
WAUKESHA, WI 53188
DOB: **/**/** **Dr Lic:**
Race: **Sex:** **Phone:** (262)524-3831

Alert Codes:

Offense Codes

Reported: **Observed:** ASST Agency Assist
Additional Offense: ASST Agency Assist
Additional Offense: UOF Use of Force

Circumstances

UOF02 FIREARM DISPLAYED

Responding Officers: **Unit :**
LEDZIAN JDE

Responsible Officer: AMENT JJE **Agency:** NBP
Received By: GRABER AT **Last Radio Log:** 07:54:05 04/15/20 ONDT
How Received: T Telephone **Clearance:** RTF Report to Follow
When Reported: 01:31:32 04/15/20 **Disposition:** REP **Date:** 04/15/20
Judicial Status: **Occurred between:** **:**:** **/**/**

Misc Entry: **and:** **:**:** **/**/**

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description	
04/22/20	Name	WAUKESHA MEMORIAL HOSPITAL,	OTHER
04/22/20	Name	WAUKESHA POLICE DEPARTMENT,	COMPLAINANT
04/22/20	Name	WAUWATOSA POLICE DEPARTMENT,	OTHER
04/15/20	Cad Call	01:31:32 04/15/20 ASSIST OTH DPT	INITIATING CALL

Narrative

City of New Berlin Police Department

NARRATIVE: On Wednesday, 04/15/20 at approximately 1:36 AM, the New Berlin Police Department provided mutual aid to the city of Waukesha Police Department in response to a man with a gun incident at Waukesha Memorial Hospital, 725 American Avenue.

During this time, the suspect was located and an Officer Involved Shooting (OIS) occurred in which the suspect was later pronounced deceased.

Additional information regarding this incident can be obtained in investigative reports compiled by the Wauwatosa Police Department, as the lead agency for the Milwaukee Area Investigative Team (MAIT), under incident #20-7316. This incident is related to Waukesha Police Department incident #20-16731.

_____

Responsible LEO:

_____

Approved by:

_____

Date

Supplement

City of New Berlin Police Department

Reporting Officer's Name: J. Ledzian

NARRATIVE: On Wednesday, 04/15/20, I assisted the City of Waukesha Police Department with a man with a gun complaint at Waukesha Memorial Hospital (WMH). The incident resulted in an officer involved shooting where the suspect was pronounced deceased.

Myself and Officer AMENT were at WMH obtaining a medical clearance for an unrelated call. At approximately 1:30 AM, a City of Waukesha Police Department officer entered hospital carrying a squad rifle. I asked that officer if he needed our assistance. That officer stated they were investigating a man with a gun complaint and requested our assistance.

See the Milwaukee Area Investigative Team (MAIT) report for additional details as I already provided a witness statement in regards to this investigation.

JDL/jat

Name Involvements:

OTHER : 306846
Last: WAUWATOSA POLICE DEPARTMENT **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:** 1700 N 116TH ST
Race: **Sex:** **Phone:** ( ) - **City:** WAUWATOSA, WI 53226

COMPLAINANT : 306042
Last: WAUKESHA POLICE DEPARTMENT **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:** 1901 DELAFIELD ST
Race: **Sex:** **Phone:** (262)524-3831 **City:** WAUKESHA, WI 53188

OTHER : 217767
Last: WAUKESHA MEMORIAL HOSPITAL **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:** 725 AMERICAN AV
Race: **Sex:** **Phone:** ( ) - **City:** WAUKESHA, WI 53188

City of New Berlin Police Department

Officer Report for Incident E20007501

Nature: ASSIST OTH DPT **Location:** NBL01
Address: 725 AMERICAN AVE, WAUKESHA WI 53186
WAUKESHA WI 53186

Offense Codes:
Received By: PIEPLOW RC **How Received:** T **Agency:** NBP
Responding Officers:
Responsible Officers: AMENT JJE **Disposition:** REP 04/15/20
When Reported: 06:32:39 04/15/20 **Occurred Between:** **:**:** **/**/** and **:**:** **/**/**

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

Complainant: 306846
Name: WAUWATOSA POLICE DEPARTMENT ,
Address: 1700 N 116TH ST
WAUWATOSA, WI 53226
DOB: **/**/** **Dr Lic:**
Race: **Sex:** **Phone:** ( ) -

Alert Codes:

Offense Codes

Reported: **Observed:** ASST Agency Assist
Additional Offense: K9 Canine Assist
Additional Offense: ASST Agency Assist

Circumstances

K9 K9 Callout

Responding Officers: **Unit :**

Responsible Officer: AMENT JJE **Agency:** NBP
Received By: PIEPLOW RC **Last Radio Log:** 06:54:28 04/15/20 ONDT
How Received: T Telephone **Clearance:** RTF Report to Follow
When Reported: 06:32:39 04/15/20 **Disposition:** REP **Date:** 04/15/20
Judicial Status: **Occurred between:** **:**:** **/**/**
Misc Entry: **and:** **:**:** **/**/**

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description	
04/22/20	Name	WAUKESHA MEMORIAL HOSPITAL,	OTHER
04/22/20	Name	WAUKESHA POLICE DEPARTMENT,	OTHER
04/22/20	Name	WAUWATOSA POLICE DEPARTMENT,	COMPLAINANT
04/15/20	Cad Call	06:32:39 04/15/20 ASSIST OTH DPT	INITIATING CALL

Narrative

City of New Berlin Police Department

SUMMARY: On Wednesday, 04/15/20 at 6:00 AM, the New Berlin Police Department provided mutual aid to the Wauwatosa Police Department as the lead agency for the Milwaukee Area Investigative Team (MAIT), to conduct a search for evidence at Waukesha Memorial Hospital, 725 American Avenue, subsequent an Officer Involved Shooting.

NARRATIVE: On Wednesday, 04/15/20 at approximately 6:00 AM, Detective KIRBY of the Wauwatosa Police Department requested I deploy Canine CONDOR on a search for evidence in the parking lot of Waukesha Memorial Hospital, 725 American Avenue, subsequent to an officer involved shooting at that location.

Canine CONDOR is a dual-purpose canine, trained and certified in evidence recovery as well as firearms detection. Canine CONDOR holds two current certifications in evidence recovery and one current certification in firearms detection.

Prior to the search, Detective KIRBY advised that investigators had located a projectile that had struck a vehicle in the lot of Waukesha Memorial Hospital following an earlier officer involved shooting. Detective KIRBY requested I attempt to search the parking lot for additional evidence.

The parking lot searched was the lot located north of the Emergency Room entrance. The area searched was roughly east of Greenwood Avenue, south of Lawndale Avenue, west of American Avenue, and north of the Emergency Room entrance.

I deployed Canine CONDOR and directed him to search for firearms. Canine CONDOR first showed a behavioral change and began pulling towards the previously discovered projectile in the lot. I praised Canine CONDOR off of this projectile and directed him to continue searching.

I observed one additional behavioral change from Canine CONDOR, indicating he detected a target odor. I observed that two vehicles were parked adjacent to each other near the center of the parking lot. As Canine CONDOR reached the first vehicle, he abruptly changed directions and began heading towards the northern vehicle, which was a minivan that had plastic over the rear window. I then observed Canine CONDOR attempt to go underneath the vehicle and succeed in doing so. Canine CONDOR then laid down, which his final indication for detecting firearms. During that time, Canine CONDOR must have had contact with the item, which I observed roll out from under the minivan. I observed the item to be a 40mm less lethal projectile. Additionally, next to the 40mm less lethal projectile, was what appeared to be a projectile from a firearm. Both items were located underneath this minivan.

The location of the items was relayed to investigators, who documented the location as well as the collection of these items.

See Wauwatosa police incident #20-7316 for more information regarding this incident. This is also related to Waukesha Police Department incident #20-16731.

_____

Responsible LEO:

_____

Approved by:

_____

Date

Name Involvements:

COMPLAINANT : 306846

Last: WAUWATOSA POLICE DEPARTMENT **First:** **Mid:**

DOB: **/**/** **Dr Lic:** **Address:** 1700 N 116TH ST

Race: **Sex:** **Phone:** ( ) - **City:** WAUWATOSA, WI 53226

OTHER : 306042

Last: WAUKESHA POLICE DEPARTMENT **First:** **Mid:**

DOB: **/**/** **Dr Lic:** **Address:** 1901 DELAFIELD ST

Race: **Sex:** **Phone:** (262)524-3831 **City:** WAUKESHA, WI 53188

OTHER : 217767

Last: WAUKESHA MEMORIAL HOSPITAL **First:** **Mid:**

DOB: **/**/** **Dr Lic:** **Address:** 725 AMERICAN AV

Race: **Sex:** **Phone:** ( ) - **City:** WAUKESHA, WI 53188

Oak Creek Police Department — Incident Report

Incident: Law Enforcement Agency Assist - MA

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-007410			4/15/20	03:09

Incident Location: 1901 Delafield St, Waukesha, WI, 53188

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
9078			
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)*	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

Detective assisted in a MAIT investigation.

	Vehicle Information: *(Year, Make, Model, Style, Color)*			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Mendola, Brett A.		04/15/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
03:09:10	03:10:14	879, 877	1 Of 4

Reviewed by:	Payroll Number :	Copy To
Ashenhurst, David S.		

Date: 04/15/2020

CFS Code-1: 9078

Incident Report Number: 20-007410

NARRATIVE

On April 15th, 2020, I (Detective MENDOLA) responded to the WAUKESHA MEMORIAL HOSPITAL (WMH) emergency room to assist in an MILWAUKEE AREA INVESTIGATIVE TEAM (MAIT) investigation. I was assigned to do a witness interview of Waukesha County Deputy Kurt THOMPSON.

THOMPSON advised me he was working on the night of this incident, 12:00 AM to 7:00 AM. He had worked on April 14th doing K9 training. He worked on the 14th from 7:00 AM to 2:00 PM and was able to get to bed at approximately 3:00 PM. He had one beer at about 2:30 PM. THOMPSON does not take any prescription medications, is not on any over-the-counter medications, and does not take any sleeping medication.

Before the call at the Waukesha Memorial Hospital (WMH) came in, he was on patrol, driving on Watertown Road at Pewaukee Road. He heard another K9 handler, Matt MCINTYRE, say over the air that he was heading to WMH. THOMPSON then saw on the computer screen a "be on the lookout" call at WMH. He looked at the notes and observed that it stated that there was an individual with a gun to his head near a white Toyota Corolla in the parking lot. THOMPSON then told his dispatch that he was going to be responding to WMH as well. He went lights and siren to WMH. THOMPSON was not sure the exact time that the call came out or what time he arrived. It should be noted that I obtained the CAD call from the dispatch center delineating all the times that the sheriff's department noted. That CAD call is attached to this report.

THOMPSON was advised that the safe route to enter was through the law enforcement parking lot. He parked his squad to the west of the emergency entrance and could not see the white Corolla from where he parked. He heard over the air that the WAUKESHA POLICE DEPARTMENT had the subject at gunpoint.

THOMPSON took his squad rifle, an M4, and approached from the west. He met up with another WAUKESHA POLICE DEPARTMENT officer, but did not know their name. He observed that there were at least seven officers lined up, blocking the entrance to the emergency room (East to West) , with their guns drawn, facing the subject. THOMPSON observed a male subject lying on his back on the ground, next to the passenger side of the white Corolla. The subject's legs were towards the officers and his head was towards the north. He saw the subject holding a silver revolver, pointing the revolver barrel at his mouth. The subject was using both hands to hold the gun. One hand was holding the barrel and the other was on the grip, with his trigger finger moving on and off the trigger. THOMPSON believed that the subject's right hand was the one holding the grip portion of the gun, however, he was not 100-percent sure.

THOMPSON heard officers giving commands to the subject on the ground, including: "Drop the gun," "We want to end this peacefully," "We don't want to hurt you," "We don't want you to hurt yourself," and "Don't point the guns at us."

THOMPSON advised the commands continued all the way until the shooting. THOMPSON heard the subject was talking and heard the subject state, "I'm not going to point the gun at you. I don't want to hurt you guys." The subject said other things that THOMPSON was unable to hear.

THOMPSON heard MCINTYRE approaching the scene with his K9. THOMPSON left the scene and approached Deputy MCINTYRE and advised him that he should not bring the dog to the scene as it was not an appropriate situation for the K9. The WAUKESHA POLICE DEPARTMENT had requested the sheriff's Bearcat, so THOMPSON told Deputy MCINTYRE to go get the Bearcat from the station. At that time, Deputy MCINTYRE left the scene to retrieve the Bearcat. After MCINTYRE left, THOMPSON went back to his spot where he was previously. THOMPSON was at the westernmost part of the line, blocking the hospital entrance. When THOMPSON arrived back on the line, he observed that the subject was lying on his right side, with his face facing west and his head still towards the north. The gun was not in his hands; it was laying on the ground near his right hand. THOMPSON still heard commands being given to the subject to include: "Put your hands up," and, "Stand up and come towards us." THOMPSON noted that the subject would put his hands up and then put them back down several times. THOMPSON observed the subject grab the gun with his left hand and the barrel was facing west at that time. Officers started yelling at the subject to drop the gun three to four times before THOMPSON heard gunfire. THOMPSON heard gunfire from the east of his position and estimated that six to eight shots were fired. He thought it sounded like two rifles firing. THOMPSON observed rounds strike the subject's chest and stomach area. The subject dropped the gun, rolled onto his back, and the gunfire stopped. The subject then laid on his back and put his hands onto his stomach. Officers gave additional announcements to the subject to move away from the gun, but he did not move away. THOMPSON observed at that time the subject was still breathing because he would still see chest movement.

THOMPSON called to Officer Kristin SMIDT, who was holding a shield to come over by him. A hasty approach was formulated with two shields, along with cover officers. THOMPSON provided cover and was with Kristin SMIDT and Nate SMIDT from the Waukesha Police Department, as well as Antonio DOMINGUEZ from the Waukesha Sheriff's Department. THOMPSON advised that six to eight officers approached the subject, however, he does not know the names of all of them. As they approached the subject, THOMPSON moved off and started to clear the white Corolla as the others were handcuffing the subject. As THOMPSON cleared the Corolla, hospital staff wheeled a stretcher out and loaded the subject onto a stretcher to take him into the hospital. By the time THOMPSON had completed clearing the Corolla, the subject was already inside the ER or on the way to the ER on the stretcher.

I took photographs of THOMPSON from all angles to show what he was wearing at the time of the incident. I also took a photograph of his rifle and did a round count of his magazine. THOMPSON advised that he normally keeps 28 rounds in his rifle magazines. The rifle contained one round in the chamber and 27 rounds in the magazine. The rifle was .223 caliber M4 rifle.

NAMES
Police Officer-1

Dominguez, Antonio U/M of 515 W Moreland Blvd, Waukesha,WI,53187

Police Officer-2
Mcintyre, Matthew U/M of 515 W Moreland Blvd, Waukesha,WI,53188

Police Officer-3
Smidt, Kristin U/F of 1901 Delafield St, Waukesha,WI,53188

Police Officer-4
Smidt, Nate U/M of 1901 Delafield St, Waukesha,WI,53188

Police Officer-5
Thompson, Kurt G W/M-31 of 515 W Moreland Blvd, Waukesha,WI,53188
DOB: [redacted]

Business
Waukesha Memorial Hospital of 725 American Ave,Waukesha,WI,53188
Phone 1:(262) 928-1000

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Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 15th, 2020 at approximately 3:30 AM, I, Lieutenant ASHENHURST, responded to PRO -HEALTH WAUKESHA MEMORIAL HOSPITAL, 725 American Avenue, Waukesha, Wisconsin to assist the MILWAUKEE AREA INVESTIGATIVE TEAM (MAIT) in the investigation of an officer -involved shooting.

I was assigned to interview NEW BERLIN POLICE DEPARTMENT officer Joshua LEDZIAN. LEDZIAN was a witness to the officer-involved shooting. At approximately 3:45 AM on April 15th, 2020, I met with LEDZIAN alone in a waiting room within the hospital.

LEDZIAN said he was at WAUKESHA MEMORIAL HOSPITAL with a second New Berlin officer, Officer AMENT. They were with a prisoner for medical clearance. LEDZIAN said that at approximately 1:00 AM, he was with the prisoner in a police hold room.

Later, LEDZIAN witnessed a CITY OF WAUKESHA POLICE DEPARTMENT officer run past the police hold room carrying a squad rifle. LEDZIAN asked the officer if he needed help. The Waukesha officer told LEDZIAN that he did need help as there was a man with a gun. LEDZIAN followed the Waukesha officer to the nearby lobby area of the hospital. LEDZIAN overheard police radio transmissions that said that the armed man was inside the vestibule. LEDZIAN believed that this was the vestibule leading to the emergency department. LEDZIAN and the Waukesha officer reached the vestibule area on the north side of the hospital. LEDZIAN observed a hospital security officer standing with a man. The security officer said that the armed subject was outdoors, by the white Toyota Corolla. LEDZIAN said that he and the Waukesha officer exited the doors from the north side vestibule. He observed a thin white male, wearing blue jeans, lying on the ground next to a white Toyota Corolla in the parking lot. This man was lying on his back and on his right side, rolling back and forth. LEDZIAN said he was approximately 50 feet south of the person lying on the ground by the Corolla. LEDZIAN was behind a concrete pillar outside of the emergency department entrance doors. LEDZIAN said to his left, there was what he believed to be seven or eight officers. LEDZIAN could hear one of these officers giving commands to the subject to drop the gun and also verbalizing to the subject that they could see a gun. LEDZIAN said that these commands lasted a couple of minutes. He also heard officers tell the subject that they were there to help him, ask him to roll away from the gun, and asked for his name. LEDZIAN believed that the officer was verbally trying to build a rapport with the subject.

LEDZIAN could see the subject by the Toyota Corolla. LEDZIAN said he observed the subject carrying a handgun. He stated the subject at one point was carrying the gun above his body, pointed down towards the subject's head.

LEDZIAN could hear from other officers on scene that the subject had dropped the gun. Officers asked the subject to separate himself from the gun and roll away from it. LEDZIAN observed the

subject pick up the weapon. He believed the subject pointed it west towards officers. LEDZIAN then heard approximately five gunshots. After the sound of gunshots, LEDZIAN said that two dual shield teams were set up to approach the suspect. LEDZIAN said he provided cover for the officers on the shield teams. He observed officers provide commands to the suspect. The shield team approached the suspect, the suspect was handcuffed, and put on a cot that was gathered from the emergency department. LEDZIAN said he assisted in picking the suspect up from the ground and lifting him onto the cot.

NAMES

Police Officer

Ledzian, Joshua W/M of 16300 W National Ave, New Berlin,WI,53151

Phone 1:(262) 782-6640

==========

Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 16, 2020, I, Lieutenant ASHENHURST, responded to the VILLAGE OF PEWAUKEE POLICE DEPARTMENT to recover Officer Travis TYLER's body camera footage from the officer involved shooting incident in Waukesha on April 15, 2020. I received a DVD-R copy of the body camera footage and later reviewed its content.

On the body camera footage in the upper left-hand corner of the screen reads 2020-04-15 1:46:43 GMT-5, for the time.

The footage shows numerous officers nearby a white vehicle outdoors. Two officers are on the ground appearing to provide medical attention to somebody on the ground. The injured person can't be seen on the camera footage.

- 1:47:47 Officers with a stretcher arrived and the injured person is moved from the ground to the stretcher at 1:48 and the stretcher is moved towards the hospital.
- 1:49:04 It appears that Officer TYLER is the only officer outdoors in the area of the vehicle.
- 1:51:03 A Waukesha officer is with Officer TYLER and Officer TYLER asks if it is OK to unload the gun.
- 1:51:17 The Waukesha officer, identified by the shoulder patch, says that it is best if we do for safety purposes.
- 1:51:55 The WAUKESHA POLICE DEPARTMENT officer says that he is not great with guns, and asks Officer TYLER if he knows how to unload it.
- 1:52:08 Officer TYLER confirms if it is OK for him to unload the gun.
- 1:52:45 The gun is visible on the footage with the cylinder open and five shells were removed.
- 1:53:01 The gun was left on the ground near the passenger side rear of the vehicle and the five rounds were put on the ground next to it.
- 1:53:19 Officer TYLER identifies himself to the WAUKESHA POLICE DEPARTMENT officer for report purposes.
- 1:54:43 Video ends.

I, Lieutenant ASHENHURST, made a copy of the camera footage to provide to lead investigating agency WAUWATOSA POLICE DEPARTMENT and placed the original OAK CREEK POLICE DEPARTMENT property.

Reporting Officer(s): Ashenhurst, David S.		Payroll Number :	Report Date: 04/20/2020
Reviewed by: Ashenhurst, David S.	Payroll Number :	Copy To:	Page: 1 Of 1

Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 15th, 2020 at approximately 3:30 AM, I, Lieutenant ASHENHURST, responded to PRO -HEALTH WAUKESHA MEMORIAL HOSPITAL, 725 American Avenue, Waukesha, Wisconsin to assist the MAIT in the investigation of an officer-involved shooting.

I was assigned to interview VILLAGE OF PEWAUKEE POLICE DEPARTMENT Officer Travis TYLER. TYLER was a witness to the officer-involved shooting. At approximately 4:20 AM on April 15th, 2020, I met with TYLER in a waiting room within the emergency department of the hospital.

TYLER is a third shift officer with the VILLAGE OF PEWAUKEE POLICE DEPARTMENT. He works from [redacted] to [redacted]. He was on duty and on an assignment at the WAUKESHA MEMORIAL HOSPITAL at the time of this incident.

At approximately 1:30 PM, TYLER had been previously dispatched to the hospital to assist the WAUKESHA COUNTY SHERIFF'S DEPARTMENT and the STATE PATROL with a Fast ID on a driver from an accident that occurred in Waukesha County. TYLER was with Deputy SCHUTTE and another Waukesha County deputy in the emergency room of the hospital. Deputy SCHUTTE received a radio transmission that a man with a gun was at WAUKESHA MEMORIAL HOSPITAL. Deputy SCHUTTE asked TYLER to go with him. They went to the security office camera room and the security officer showed them a white Toyota Corolla in the parking lot, outside of the emergency department. TYLER could see the white Corolla on camera, but could not see a person by the vehicle. He and Deputy SCHUTTE exited the security office out a door on the west side of the building. TYLER said they sprinted to a WAUKESHA POLICE DEPARTMENT squad car that was at a 45-degree angle to the white Corolla. TYLER took a position at the front of the WAUKESHA POLICE DEPARTMENT squad car, by the brush guard. TYLER said that he could "see the suspect" on the ground, by the passenger side of the Corolla. TYLER said observed the man was armed with a weapon. TYLER said that a WAUKESHA POLICE DEPARTMENT officer was giving commands to the male by the Corolla. He indicated that the WAUKESHA POLICE DEPARTMENT officer identified himself and tried to ask for the suspect's name. The WAUKESHA POLICE DEPARTMENT officer asked the suspect to put his hands in the air. A WAUKESHA POLICE DEPARTMENT officer then verbalized that he could see the suspect had a gun, that it was pointed up, then at his head, and also by his arm pit. TYLER said a short time later, he heard the sound of six to eight gunshots. TYLER believed the suspect had been shot. TYLER indicated that shield teams were formed and the suspect was approached. TYLER was with a shield team as they approached the suspect. TYLER said that he was identified as the officer that would secure the suspect's gun. He put on latex gloves and cloth gloves and located the gun laying next to the male's arm pit, pointed on the ground to the west. TYLER picked up the handgun, noted it was a silver revolver, identified as a Taurus Judge handgun. TYLER said that the hammer was fully cocked back and it appeared to have ammunition inside of it. TYLER said he held onto the handgun while the injured male was put on a stretcher and moved into the hospital. He was asked by a

WAUKESHA POLICE DEPARTMENT officer to stand by the vehicle until a security element was established. TYLER said that he did so for approximately five minutes. TYLER said that a WAUKESHA POLICE DEPARTMENT officer advised TYLER that he was not familiar with guns and asked TYLER to unload the weapon. TYLER said that he eased the hammer of the weapon back and opened the cylinder of the gun. He then removed five rounds of ammunition cartridges from the weapon. TYLER said that the WAUKESHA POLICE DEPARTMENT officer asked him to place the handgun on the ground, along with the ammunition.

TYLER had a body camera on the outside of his uniform shirt. I asked for the body camera footage. TYLER advised that the footage was brief and explained that the body camera footage only captured the end of the incident. See supplemental report in regards to the viewing of the body camera footage.

Moments later, Detective Brett MENDOLA took photographs of TYLER and conducted a round count from the weapon that TYLER possessed. TYLER carries a Sig Sauer Tac Ops 1911. The weapon had one round in the chamber and ten rounds full in the magazine. On TYLER's duty belt, he had four magazines with eight round capacity. Each magazine was full to the eight round capacity.

NAMES

Police Officer

Tyler, Travis W/M of 235 Hickory St, Pewaukee,WI,53072

Phone 1:(262) 691-5678

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WAUWATOSA POLICE DEPARTMENT
CONSENT TO SEARCH

Complaint # 20-7316 Date of Complaint: 04/15/2020 Class: _____ Type: _____
Incident: Asst other Agency
Location of Incident: City of Wauksha

I, [redacted], hereby grant my consent to officers of the Wauwatosa Police Department and other law enforcement officers assisting them to search the following:

Vehicle described as:
Year: 2016 Make: Toyota Model: Corolla Color: Wht Body Style: 4DR
License Number: [redacted] State: WI V.I.N. # [redacted]
This is to include any part, compartment, container, trunk or contents of the of the vehicle and therein.

Apartment / House / Room Located at: _____
This is to include any part, compartment, storage area, garage or objects therein the home or room or apartment or real estate.

Place of Business known as and located at: _____
This is to include any part, compartment or object therein the business.

I further authorize said officers to remove from my residence, real estate, room, business and or motor vehicle whatever documents, or items of property, whatsoever which they deem pertinent to their investigation, and fully realize said evidence may be used against me in a Court Of Law, and with the understanding that said officers will give me a receipt for whatever is removed. Such items may include: glass, blood, bullet evidence, firearm, property of deceased

I understand that I have the right to refuse to consent to the search described above and to refuse to sign this form. I further state that no promises, threats, force, or physical or mental coercion of any kind whatsoever have been used to cause me to consent to the search described above or to sign this form.

Date: 04/15/2020 Time: 520A M. Signature: X [redacted]

Witnessed By: Video Officer: James Dwyer

Date: 04/15/2020 Emp.# 5699

Witnessed By: _____

Supervisor: _____ Emp.# _____

Rev: 01/95)

WAUWATOSA POLICE DEPARTMENT
AUTHORIZATION FORM

I do hereby consent to give Buccal Swab(s) (oral swabs), which will be obtained by Detective/Police Officer James Duncan, of the Wauwatosa Police Department. I realize these samples will be examined by an authorized representative of the Wisconsin State Crime Lab.

I have had the collection procedure explained to me by Detective/Police Officer Duncan, and I understand that I do not have to submit to the collection of said samples and I do so knowingly and voluntarily. I further state that no threats, force, or physical or mental coercion has been done to me and I have not been promised food, drink or medical attention to consent to this form.

Dated this 15 day of April, 2020

X [redacted]
Signature of Consenting Party

Witnessed By

J [redacted] F [redacted]
Print Name

James Duncan
Print Name

Date of Birth [redacted]/[redacted]/68

NMS Labs
200 Welsh Road, Horsham, PA 19044-2208
Phone: (215) 657-4900 Fax: (215) 657-2972
e-mail: nms@nmslabs.com
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory

CONFIDENTIAL

Supplemental Report

Report Issued 05/24/2020 17:00
Last Report Issued 05/11/2020 15:01

To: **10328**
Waukesha County Medical Examiner
Dr. Lynda Biedrzycki
515 W. Moreland Blvd.
Waukesha, WI 53188

Patient Name	ASHLAND, RANDY S
Patient ID	20-0847
Chain	20132289
Age 58 Y	**DOB** [redacted]1961
Gender	Male
Workorder	20132289

Positive Findings:

Compound	Result	Units	Matrix Source
Ethanol	219	mg/dL	001 - Iliac Blood
Blood Alcohol Concentration (BAC)	0.219	g/100 mL	001 - Iliac Blood
Caffeine	Positive	mcg/mL	001 - Iliac Blood
Morphine - Total	1700	ng/mL	001 - Iliac Blood
Clonazepam	3.6	ng/mL	001 - Iliac Blood
7-Amino Clonazepam	37	ng/mL	001 - Iliac Blood
Morphine - Free	740	ng/mL	001 - Iliac Blood
Morphine - Free	>2500	ng/mL	003 - Urine

See Detailed Findings section for additional information

Testing Requested:

Analysis Code	Description
8052B	Postmortem, Expanded, Blood (Forensic)
8665U	6-Monoacetylmorphine - Free (Unconjugated), Urine
8672B	Morphine - Total (Conjugated/Unconjugated), Blood

Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	Gray Top Tube	8.75 mL	04/15/2020 14:10	Iliac Blood	
002	Gray Top Tube	8 mL	04/15/2020 14:10	Iliac Blood	
003	White Plastic Container	20 mL	04/15/2020 14:15	Urine	

All sample volumes/weights are approximations.

Specimens received on 05/14/2020, 04/28/2020.

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Ethanol	219	mg/dL	10	001 - Iliac Blood	Headspace GC
Blood Alcohol Concentration (BAC)	0.219	g/100 mL	0.010	001 - Iliac Blood	Headspace GC
Caffeine	Positive	mcg/mL	0.20	001 - Iliac Blood	LC/TOF-MS
Morphine - Total	1700	ng/mL	25	001 - Iliac Blood	LC-MS/MS
Clonazepam	3.6	ng/mL	2.0	001 - Iliac Blood	LC-MS/MS
7-Amino Clonazepam	37	ng/mL	5.0	001 - Iliac Blood	LC-MS/MS
Morphine - Free	740	ng/mL	50	001 - Iliac Blood	LC-MS/MS
Ethanol	Confirmed	mg/dL	10	001 - Iliac Blood	Headspace GC
Morphine - Free	>2500	ng/mL	25	003 - Urine	LC-MS/MS

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. 7-Amino Clonazepam (Clonazepam Metabolite) - Iliac Blood:

   7-Amino-Clonazepam is a major metabolite of clonazepam. Plasma concentrations following chronic therapy with 6 mg/day of clonazepam were found to be 20 - 140 ng/mL.

2. Caffeine (No-Doz®) - Iliac Blood:

   Caffeine is a xanthine-derived central nervous system stimulant. It also produces diuresis and cardiac and respiratory stimulation. It can be readily found in such items as coffee, tea, soft drinks and chocolate. As a reference, a typical cup of coffee or tea contains between 40 to 100 mg caffeine.

   The reported qualitative result for this substance was based upon a single analysis only. If confirmation testing is required please contact the laboratory.

3. Clonazepam (Klonopin®) - Iliac Blood:

   Clonazepam is a DEA Schedule IV benzodiazepine-derivative anticonvulsant agent. It is used in both the prophylaxis and treatment of various seizure disorders. The dosage of clonazepam should be carefully and slowly adjusted to meet the needs and requirements of the individual. Initial adult dose, however, should not exceed 1.5 mg daily. Adult maintenance dosage should generally not exceed 20 mg daily.

   Usual therapeutic serum levels of clonazepam range from 10 to 60 ng/mL. Values in excess of 100 ng/mL have been associated with adverse effects including drowsiness and ataxia. 7-Aminoclonazepam is the major metabolite of the drug; it achieves plasma concentrations equivalent to those of clonazepam, but is a poor anticonvulsant.

   Overdosage with clonazepam can produce somnolence, confusion, ataxia and coma. However, as with most benzodiazepines, death due solely to clonazepam is generally not seen.

4. Ethanol (Ethyl Alcohol) - Iliac Blood:

   Ethyl alcohol (ethanol, drinking alcohol) is a central nervous system depressant and can cause effects such as impaired judgment, reduced alertness and impaired muscular coordination. Ethanol can also be a product of decomposition or degradation of biological samples. The blood alcohol concentrations (BAC) can be expressed as a whole number with the units of mg/dL or as a decimal number with units of g/100 mL which is equivalent to % w/v. For example, a BAC of 85 mg/dL equals 0.085 g/100 mL or 0.085% w/v of ethanol.

Reference Comments:

5. Morphine - Free (Codeine Metabolite) - Iliac Blood:

   Morphine is a DEA Schedule II narcotic analgesic. In analgesic therapy, it is usually encountered as the parent compound, however, it is also commonly found as the metabolite of codeine and heroin. In illicit preparations from which morphine may arise, codeine may be present as a contaminant. A large portion of the morphine is bound to the blood proteins or is conjugated; that which is not bound or conjugated is termed 'free morphine'. Hydromorphone is a reported metabolite of morphine.

   In general, free morphine is the active biologic agent. Morphine has diverse effects that may include analgesia, drowsiness, nausea and respiratory depression. 6-monoacetylmorphine (6-MAM) is the 6-monoacetylated form of morphine, which is pharmacologically active. It is commonly found as the result of heroin use.

   Peak serum concentrations occur within 10 to 20 minutes of a 10 mg/70 kg intramuscular dose, with an average concentration of 60 ng/mL 30 minutes following administration. IV administration of the same dose resulted in an average concentration of 80 ng/mL after 30 minutes. Chronic pain patients receiving an average of 90 mg (range 20 - 1460) daily oral morphine had average serum concentrations of 73 ng/mL (range 13 - 710) morphine. In 15 cases where cause of death was attributed to opiate toxicity (heroin, morphine or both), free morphine concentrations were 0 - 3700 ng/mL (mean = 420 +/- 940). In comparison, in cases where COD was unrelated to opiates (n=20) free morphine was 0 - 850 ng/mL (mean = 90 +/- 200). The ratio of whole blood concentration to serum or plasma concentration is approximately one.

6. Morphine - Free (Heroin Metabolite) - Urine:

   Morphine is a DEA Schedule II narcotic analgesic. In analgesic therapy, it is usually encountered as the parent compound, however, it is also commonly found as the metabolite of codeine and heroin. In illicit preparations from which morphine may arise, codeine may be present as a contaminant. A large portion of the morphine is bound to the blood proteins or is conjugated; that which is not bound or conjugated is termed 'free morphine'. Hydromorphone is a reported metabolite of morphine.

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7. Morphine - Total - Iliac Blood:

   Morphine is a DEA Schedule II narcotic analgesic. In analgesic therapy, it is usually encountered as the parent compound, however, it is also commonly found as the metabolite of codeine and heroin. In illicit preparations from which morphine may arise, codeine may be present as a contaminant. A large portion of the morphine is bound to the blood proteins or is conjugated; that which is not bound or conjugated is termed 'free morphine'. Hydromorphone is a reported metabolite of morphine.

   In general, free morphine is the active biologic agent. Morphine has diverse effects that may include analgesia, drowsiness, nausea and respiratory depression. 6-monoacetylmorphine (6-MAM) is the 6-monoacetylated form of morphine, which is pharmacologically active. It is commonly found as the result of heroin use.

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 20132289 was electronically signed on 05/24/2020 16:43 by:

Erik Flail, B.A.
Certifying Scientist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 50012B - Benzodiazepines Confirmation, Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
7-Amino Clonazepam	5.0 ng/mL	Flurazepam	2.0 ng/mL
Alpha-Hydroxyalprazolam	5.0 ng/mL	Hydroxyethylflurazepam	5.0 ng/mL
Alprazolam	5.0 ng/mL	Hydroxytriazolam	5.0 ng/mL
Chlordiazepoxide	20 ng/mL	Lorazepam	5.0 ng/mL
Clobazam	20 ng/mL	Midazolam	5.0 ng/mL
Clonazepam	2.0 ng/mL	Nordiazepam	20 ng/mL
Desalkylflurazepam	5.0 ng/mL	Oxazepam	20 ng/mL
Diazepam	20 ng/mL	Temazepam	20 ng/mL
Estazolam	5.0 ng/mL	Triazolam	2.0 ng/mL

Acode 50016B - Opiates - Free (Unconjugated) Confirmation, Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
6-Monoacetylmorphine - Free	1.0 ng/mL	Hydromorphone - Free	1.0 ng/mL
Codeine - Free	5.0 ng/mL	Morphine - Free	50 ng/mL
Dihydrocodeine / Hydrocodol - Free	5.0 ng/mL	Oxycodone - Free	5.0 ng/mL
Hydrocodone - Free	5.0 ng/mL	Oxymorphone - Free	1.0 ng/mL

Acode 52250B - Alcohols and Acetone Confirmation, Blood - Iliac Blood

-Analysis by Headspace Gas Chromatography (GC) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

Acode 8052B - Postmortem, Expanded, Blood (Forensic) - Iliac Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Barbiturates	0.040 mcg/mL	Gabapentin	5.0 mcg/mL
Cannabinoids	10 ng/mL	Salicylates	120 mcg/mL

-Analysis by Headspace Gas Chromatography (GC) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

Analysis Summary and Reporting Limits:

-Analysis by High Performance Liquid Chromatography/Time of Flight-Mass Spectrometry (LC/TOF-MS) for: The following is a general list of compound classes included in this screen. The detection of any specific analyte is concentration-dependent. Note, not all known analytes in each specified compound class are included. Some specific analytes outside these classes are also included. For a detailed list of all analytes and reporting limits, please contact NMS Labs.
Amphetamines, Anticonvulsants, Antidepressants, Antihistamines, Antipsychotic Agents, Benzodiazepines, CNS Stimulants, Cocaine and Metabolites, Hallucinogens, Hypnosedatives, Hypoglycemics, Muscle Relaxants, Non-Steroidal Anti-Inflammatory Agents, Opiates and Opioids.

Acode 8665U - 6-Monoacetylmorphine - Free (Unconjugated), Urine

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
6-MAM - Free	5.0 ng/mL	Morphine - Free	25 ng/mL

Acode 8672B - Morphine - Total (Conjugated/Unconjugated), Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Morphine - Total	25 ng/mL		

Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 15th, 2020 at approximately 3:30 AM, I, Lieutenant ASHENHURST, responded to PRO -HEALTH WAUKESHA MEMORIAL HOSPITAL, 725 American Avenue, Waukesha, Wisconsin to assist the MAIT in the investigation of an officer-involved shooting.

I was assigned to interview VILLAGE OF PEWAUKEE POLICE DEPARTMENT Officer Travis TYLER. TYLER was a witness to the officer-involved shooting. At approximately 4:20 AM on April 15th, 2020, I met with TYLER in a waiting room within the emergency department of the hospital.

TYLER is a third shift officer with the VILLAGE OF PEWAUKEE POLICE DEPARTMENT. He works from [redacted] to [redacted]. He was on duty and on an assignment at the WAUKESHA MEMORIAL HOSPITAL at the time of this incident.

At approximately 1:30 PM, TYLER had been previously dispatched to the hospital to assist the WAUKESHA COUNTY SHERIFF'S DEPARTMENT and the STATE PATROL with a Fast ID on a driver from an accident that occurred in Waukesha County. TYLER was with Deputy SCHUTTE and another Waukesha County deputy in the emergency room of the hospital. Deputy SCHUTTE received a radio transmission that a man with a gun was at WAUKESHA MEMORIAL HOSPITAL. Deputy SCHUTTE asked TYLER to go with him. They went to the security office camera room and the security officer showed them a white Toyota Corolla in the parking lot, outside of the emergency department. TYLER could see the white Corolla on camera, but could not see a person by the vehicle. He and Deputy SCHUTTE exited the security office out a door on the west side of the building. TYLER said they sprinted to a WAUKESHA POLICE DEPARTMENT squad car that was at a 45-degree angle to the white Corolla. TYLER took a position at the front of the WAUKESHA POLICE DEPARTMENT squad car, by the brush guard. TYLER said that he could "see the suspect" on the ground, by the passenger side of the Corolla. TYLER said observed the man was armed with a weapon. TYLER said that a WAUKESHA POLICE DEPARTMENT officer was giving commands to the male by the Corolla. He indicated that the WAUKESHA POLICE DEPARTMENT officer identified himself and tried to ask for the suspect's name. The WAUKESHA POLICE DEPARTMENT officer asked the suspect to put his hands in the air. A WAUKESHA POLICE DEPARTMENT officer then verbalized that he could see the suspect had a gun, that it was pointed up, then at his head, and also by his arm pit. TYLER said a short time later, he heard the sound of six to eight gunshots. TYLER believed the suspect had been shot. TYLER indicated that shield teams were formed and the suspect was approached. TYLER was with a shield team as they approached the suspect. TYLER said that he was identified as the officer that would secure the suspect's gun. He put on latex gloves and cloth gloves and located the gun laying next to the male's arm pit, pointed on the ground to the west. TYLER picked up the handgun, noted it was a silver revolver, identified as a Taurus Judge handgun. TYLER said that the hammer was fully cocked back and it appeared to have ammunition inside of it. TYLER said he held onto the handgun while the injured male was put on a stretcher and moved into the hospital. He was asked by a

WAUKESHA POLICE DEPARTMENT officer to stand by the vehicle until a security element was established. TYLER said that he did so for approximately five minutes. TYLER said that a WAUKESHA POLICE DEPARTMENT officer advised TYLER that he was not familiar with guns and asked TYLER to unload the weapon. TYLER said that he eased the hammer of the weapon back and opened the cylinder of the gun. He then removed five rounds of ammunition cartridges from the weapon. TYLER said that the WAUKESHA POLICE DEPARTMENT officer asked him to place the handgun on the ground, along with the ammunition.

TYLER had a body camera on the outside of his uniform shirt. I asked for the body camera footage. TYLER advised that the footage was brief and explained that the body camera footage only captured the end of the incident. See supplemental report in regards to the viewing of the body camera footage.

Moments later, Detective Brett MENDOLA took photographs of TYLER and conducted a round count from the weapon that TYLER possessed. TYLER carries a Sig Sauer Tac Ops 1911. The weapon had one round in the chamber and ten rounds full in the magazine. On TYLER's duty belt, he had four magazines with eight round capacity. Each magazine was full to the eight round capacity.

NAMES

Police Officer

Tyler, Travis W/M of 235 Hickory St, Pewaukee,WI,53072

Phone 1:(262) 691-5678

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Oak Creek Police Department			Supplemental Report
Incident Report Number: 20-007410	Incident Location: 1901 Delafield St, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 9078	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

On April 16, 2020, I, Lieutenant ASHENHURST, responded to the VILLAGE OF PEWAUKEE POLICE DEPARTMENT to recover Officer Travis TYLER's body camera footage from the officer involved shooting incident in Waukesha on April 15, 2020. I received a DVD-R copy of the body camera footage and later reviewed its content.

On the body camera footage in the upper left-hand corner of the screen reads 2020-04-15 1:46:43 GMT-5, for the time.

The footage shows numerous officers nearby a white vehicle outdoors. Two officers are on the ground appearing to provide medical attention to somebody on the ground. The injured person can't be seen on the camera footage.

- 1:47:47 Officers with a stretcher arrived and the injured person is moved from the ground to the stretcher at 1:48 and the stretcher is moved towards the hospital.
- 1:49:04 It appears that Officer TYLER is the only officer outdoors in the area of the vehicle.
- 1:51:03 A Waukesha officer is with Officer TYLER and Officer TYLER asks if it is OK to unload the gun.
- 1:51:17 The Waukesha officer, identified by the shoulder patch, says that it is best if we do for safety purposes.
- 1:51:55 The WAUKESHA POLICE DEPARTMENT officer says that he is not great with guns, and asks Officer TYLER if he knows how to unload it.
- 1:52:08 Officer TYLER confirms if it is OK for him to unload the gun.
- 1:52:45 The gun is visible on the footage with the cylinder open and five shells were removed.
- 1:53:01 The gun was left on the ground near the passenger side rear of the vehicle and the five rounds were put on the ground next to it.
- 1:53:19 Officer TYLER identifies himself to the WAUKESHA POLICE DEPARTMENT officer for report purposes.
- 1:54:43 Video ends.

I, Lieutenant ASHENHURST, made a copy of the camera footage to provide to lead investigating agency WAUWATOSA POLICE DEPARTMENT and placed the original OAK CREEK POLICE DEPARTMENT property.

Reporting Officer(s): Ashenhurst, David S.		Payroll Number :	Report Date: 04/20/2020
Reviewed by: Ashenhurst, David S.	Payroll Number :	Copy To:	Page: 1 Of 1

West Allis Police Department			Supplemental Report
Incident Report Number: 20-012925	Incident Location: 725 American Ave,CW		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NAMES

Police Officer
Schutte, Anthony U/ of 515 W Moreland Avenue, Waukesha,WI,53188

NARRATIVE

Det. Jason Vanderwerff reports...

04/15/20:

INITIAL RESPONSE

At approximately 0217 hours, The Milwaukee Area Investigative Team (MAIT) was activated for a critical incident at Pro Health Waukesha Memorial Hospital, located at 725 American Way, Waukesha, WI.

Upon arrival, investigators were debriefed by City of Wauwatosa Police Lt. Michael Schultz. After the debrief, I was assigned to interview Waukesha County Sheriff Deputy Anthony Schutte. Deputy Schutte was standing in a hallway near a set of double doors adjacent to the security office.

STATEMENT OF WAUKESHA COUNTY SHERIFF DEPUTY ANTHONY SCHUTTE

At approximately 0427 hours, I interviewed Deputy Schutte in a secondary consultation room inside the hospital. The following is a synopsis of the incident from the best of his recollection and is not verbatim:

Deputy Schutte graduated with a degree in Criminal Justice at Waukesha County Technical College in 2014. He has prior experience as a non-sworn reserve officer for the Village of Mukwonago Police Department. He has been employed by the Waukesha County Sheriff's Office since September of 2014. He is a member of the Special Weapons and Tactics (SWAT) team and attended basic swat school in 2016.

Deputy Schutte's payroll number is #[redacted] and his patrol district is 9306. During this incident, he was assigned Waukesha County Sheriff marked unit 251. His regular assignment is 3rd shift patrol and his hours are from [redacted] to [redacted]

hours. Deputy Schutte does not take any prescribed medications and had a normal sleep schedule of approximately six (6) total hours the prior day. His last off day was Sunday (April 12th).

I asked Deputy Schutte to tell me about the events that led to this incident. He said he was at the hospital with Waukesha County Sheriff's Deputy Mitchell Rosenfeldt and had a suspect in custody that was receiving medical care for a fatal accident that occurred on I-94. The suspect was receiving medical care at the hospital for injuries suffered in the car crash. A Village of Pewaukee Police Officer (unknown name) had come to the hospital with a portable fingerprint identification unit to confirm the identity of the suspect in custody. Deputy Schutte said that a security guard was in the room with them, which is standard practice at the hospital.

They were waiting for the doctor to come in when the security guard ran out of the room. Approximately 30 seconds later Waukesha County Sheriff dispatch advised that a subject with a gun may be at the hospital. Schutte and the Pewaukee Officer left Rosenfeldt with the prisoner and responded toward the security office. Deputy Schutte approached a set of double doors that led to the interior entrance of the emergency room. He observed a male subject talking to a security guard in the lobby area. Deputy Schutte described the subject as a male white in his 60's.

Deputy Schutte entered the security office and spoke with security. They advised that the subject with the gun was in a white vehicle in the parking lot. Deputy Schutte radioed sheriff dispatch with the vehicle description and location. He described the vehicle as a white sedan. He looked at the camera and did not see any movement at the sedan. He asked security on how to get out to the location. They led him to an exterior exit that was on the west of the security office.

Deputy Schutte exited the building with the Pewaukee Officer. A marked City of Waukesha Police squad arrived from the west side of the parking lot and traveled eastbound in the lot. It parked about 25 yards from the suspect vehicle and was positioned adjacent to the vehicle. The vehicle was facing about a 45 degree angle towards the suspect vehicle. Two police officers were at the vehicle. One was positioned behind the driver's side door and the other was positioned on the passenger side of the vehicle. Deputy Schutte took a position near the driver's side of the squad.

The officers began communicating with a subject in the vestibule of the entrance. Deputy Schutte said that he believed the danger was at the white sedan. A male voice from the area of the vehicle said, "Hurry Up!" in a clear and direct voice. Deputy Schutte observed a male white subject laying on the ground near the passenger side of the vehicle. His feet were facing towards the front passenger tire and his head was positioned towards the rear of the car. He was laying on his back or right shoulder on the ground.

Deputy Schutte disengaged to grab a ballistic police shield. The two officers that were originally positioned by the first responding marked SUV took cover at an unknown location. Deputy Schutte observed a second dark colored unmarked police vehicle parked approximately 40 feet west of the original responding police SUV. Deputy Schutte knew from prior experience that there was a ballistic shield in the vehicle. He observed a City of Waukesha police supervisor (unknown name) grab the shield and Deputy Schutte took a position briefly on the passenger side of the front of the marked SUV. Another City of Waukesha police supervisor joined them and they stacked up behind a pillar at the hospital emergency room vestibule.

The stack consisted of the original supervisor, possibly named Benitez, holding the shield. A second supervisor with an AR platform rifle was behind him and Deputy Schutte was the third man in the stack. The two officers were standing and Deputy Schutte was kneeling on the ground. The supervisor with the rifle was giving commands, as well as officers to the left of them near the original responding marked SUV. The commands were, "Put the gun down!". This order was given to the male subject multiple times.

Deputy Schutte usually wears glasses at night and had left his glasses in his squad, since he was in the hospital and could see fine from closer distances. Deputy Schutte observed what he believed to be a silver colored handgun with the subject. He believed it was a handgun based on the chrome polished color and original call for service. He was not able to see how the subject was holding the gun, but observed that it was moving. Police continued to give commands for him to put the gun down for approximately one minute. The subject finally put the gun down and another officer advised the subject had dropped the gun. Officers began giving commands for the subject to roll away from the firearm and he was not complying with commands. Deputy Schutte believed the subject was instructed to roll away from the firearm approximately five (5) times and was not complying with uniformed officer's instructions.

After approximately thirty (30) seconds to a minute later, an officer advised that the subject had picked the gun back up. Almost simultaneously, Deputy Schutte heard shots fired from the second officer in the stack's rifle. Deputy Schutte was not certain if anyone else shot around him because of the loud noise of the rifle in his group. He was unable to say how many shots he heard, but said there were multiple shots fired. As the shots were fired, Deputy Schutte saw the suspect moving the handgun. He was not able to say which hand the suspect had the firearm in.

Deputy Schutte saw that the gun was on the ground and an unknown officer continued to give commands for the suspect to drop the gun and leave the gun alone. Deputy Schutte communicated with the other officers in the stack about how they were going to proceed and they moved to the back of the black SUV. They maintained a position of cover so they could make a plan to secure the

scene and attend to the subject that was shot.

Officers approached the subject and Deputy Schutte was assigned to secure the subject's hands and to stabilize the subject. They approached the subject and Deputy Schutte advanced with the group with his pistol drawn. Deputy Schutte observed the handgun by the subject's right body. They gave the Pewaukee officer cover so he could retrieve the firearm from the subject so they could take him into custody. The subject took what Deputy Schutte described as an Aganol breath. Deputy Schutte approached the subject and holstered his firearm. He observed the subject was on his back. He grabbed the subject by the left arm and assisted in rolling the subject over onto his stomach. The subject was handcuffed by a City of Waukesha police officer.

The subject was briefly searched and a hospital gurney was immediately brought out. They brought the subject into the hospital and into a trauma room where he was immediately treated by medical staff. The handcuffs were removed at the request of medical personnel. I asked Deputy Schutte where the subject's injuries were. He was not certain, as the subject had clothes on. He observed a lot of blood around the subject and what appeared to be a neck wound.

I asked Deputy Schutte if he recognized the subject. He said he did not know the subject and did not believe he had ever had contact with the subject before. He did hear medical staff make a comment that they had seen him in the hospital approximately one week ago.

Deputy Schutte stayed on scene with the deceased subject until Deputy Matthew McIntyre, District Number 9308, Squad Number 274, responded to the hospital and took over scene custody of the deceased.

I asked Deputy Schutte if he remembered what the subject looked like. He described him as a male white, gray hair, approximately 130 lbs., approx. 6'00" tall, late 50's. The subject was wearing dark sweatpants, outer jacket with shirt underneath and slip on shoes.

EQUIPMENT CHECK

I conducted a round count of Deputy Schutte's ammunition and all rounds were accounted for. He had a total of sixty-one (61) rounds that were accounted for. Deputy Schutte had a black 9mm Heckler and Koch VP9 with Surefire tactical light with one 15 round magazine with one round in chamber. He had three additional magazines with 15 rounds fully loaded on front of duty belt. He was supplied with one can of oleoresin capsicum (O.C.) spray, one Taser CEW, gloves, Narcan, handcuffs, multi-tool and baton.

Deputy Schutte was in full Waukesha County Sheriff issued K9 uniform with WKSO patches identifying him as a law enforcement officer. There was no body camera

footage of this incident, as their department does not issued body cameras. His squad was not involved in this incident and there was no squad camera footage.

I thanked Deputy Schutte for his time and provided him with the relevant case numbers for this incident for his command staff.

The interview was concluded at approximately 0550 hours.

REPORT REVIEW

04/20/20:

At approximately 1530 hours, I met with Deputy Schutte at the Waukesha County Sheriff's Office Law Enforcement Center. He reviewed the report and advised that the events were true and accurate. There were several minor and non-substantive corrections to the report for accuracy and spelling.

End of supplemental report.

West Allis Police Department			Supplemental Report
Incident Report Number: 20-012925	Incident Location: 725 American Ave,CW		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NAMES

Police Officer

Dominguez, Antonio W/M of 515 W Mooreland Road, Waukesha,WI,53188

NARRATIVE

PRELIMINARY INFORMATION

On 04/15/2020, at about 0219 hrs., I responded to the Waukesha Memorial Hospital to assist with the investigation of a City of Waukesha Police officer involved shooting with the Milwaukee Area Investigative Team (MAIT). I arrived on scene and City of Wauwatosa Police LT Michael Schultz conducted a briefing and assigned me to interview a witness officer, Waukesha County Deputy Antonio Dominguez.

STATEMENT DEPUTY DOMINGUEZ

On 04/15/2020, at 0427, I interviewed Deputy Dominguez in the "Quiet Room," adjacent to the Emergency Department lobby.

In response to my questions, Deputy Dominguez stated he has been employed by the Waukesha County Sheriff Department for three years; April 17, 2020, will be his three year anniversary. Prior to his employment with WKSO, Deputy Dominguez was employed as a full time Police Officer with the Town of Brookfield for three years, Washington County Sheriff Department as a full time limited term employee undercover narcotics investigator, and one year as a Police Officer with the City of Watertown Police Department. Deputy Dominguez is currently employed as a part time Police Officer with the Village of Eagle Police Department but has not worked any hours there in approximately the past three years. Deputy Dominguez is a 2012 graduate from the University of Wisconsin - Milwaukee. He graduated from the Waukesha County Technical College Police Academy in 2008.

Deputy Dominguez is assigned to the Village of Sussex substation. He normally works late shift, [redacted] hrs., to [redacted] hrs. Deputy Dominguez works [redacted] days on duty, [redacted] days off duty, [redacted] days on duty, [redacted] days off duty. Tuesday night, [redacted] to Wednesday morning, [redacted], was his last day of a [redacted] day on duty rotation.

Deputy Dominguez stated he worked the night prior to the incident from [redacted]-[redacted]. He went home, ate, showered, and went to sleep at about [redacted]. He work up at about [redacted] hrs., on 04/14/2020. Deputy Dominguez stated he did not consume any intoxicating beverages on 04/14/2020 and did not take any medications on 04/14/2020.

Deputy Dominguez stated he started his shift at [redacted] hrs., on 04/14/2020. He cleaned his squad and was sent to a call of a wrong way driver on I94. The wrong way driver crashed at HWY SS on I94 and Deputy Dominguez assisted at the scene of the crash.

Deputy Dominguez left the crash scene and was assigned to cover the City of Pewaukee for the remainder of the night with another Deputy. Deputy Dominguez was in the area of the Waukesha County Technical College when he heard the call of a man with a gun at Waukesha Memorial Hospital on the City of Waukesha Police radio channel. Deputy Dominguez responded to assist.

Deputy Dominguez stated he heard the safe approach route on the radio, through the police and fire entry to the hospital parking lot, and responded using this route. He turned off his squad's emergency lights and siren as he got closer and parked his squad near the ambulance bay. Deputy Dominguez removed his patrol rifle from the squad, charged it, took off his reflective traffic vest, and approached the scene. Deputy Dominguez stated he did not take his tactical vest with the extra rifle magazines from his squad.

Deputy Dominguez approached a City of Waukesha Police squad parked south and west of a white car in the parking lot north of the emergency department. A male with a handgun was laying on the ground, on his back, outside the passenger door of the parked white car. Deputy Dominguez stated he clearly saw the handgun in the person's right hand as he approached. This person was later identified as Randy S. Ashland. Ashland was holding the gun to his own head while he was on the ground. Ashland's feet were towards the front of the hospital and his head was to the north.

Deputy Dominguez described the firearm Ashland was holding as a, "fairly bigger gun, huge." Deputy Dominguez stated the handgun looked like a large revolver with a chrome barrel and it looked like it had white grips. Deputy Dominguez stated the handgun looked like it might have been, "an old .357 magnum revolver."

Deputy Dominguez took a position next to an officer with a shield, PO Schmidt, behind the engine block of the parked squad south-southwest of Ashland. Deputy Dominguez was to PO Schmidt's left. Deputy Dominguez stated he was shoulder to shoulder with PO Schmidt. Deputy Dominguez estimated he was about 70-100 feet from where Ashland was laying on the ground.

Deputy Dominguez described the lighting as, "decent," as there was lighting from the hospital and he, along with other officers were illuminating Ashland with their gun lights. Deputy Dominguez stated the only police squad in the area was the squad he along with some of the other officers were taking cover behind. This squad did not have it's emergency lights activated. Deputy Dominguez stated if the squad's emergency lights were activated, it would have made it harder for him to see Ashland.

Deputy Dominguez stated he covered Ashland with his rifle while one of the other officers gave Ashland commands. Another officer would occasionally also give commands. Deputy Dominguez stated he had a clear, unobstructed view of Ashland. Deputy Dominguez stated there were other officers, set up in teams, under cover to his left and right, behind squads and concrete pillars of the hospital. The squad he was behind with PO Schmidt, with the shield, was parked at an angle affording him both cover and a clear view of Ashland. There were no officers positioned north of Ashland. All the officers were south and south west of Ashland, near the hospital.

Deputy Dominguez stated one City of Waukesha Police Officers was mainly giving commands to Ashland. Deputy Dominguez stated the officers were yelling the commands and he did not think they were using the PA in the squad. Another officer would occasionally also give commands. They were ordering Ashland to put the gun down. Deputy Dominguez heard Ashland yell, "I don't want to hurt you, I'm not here to hurt you guys." The officers continued their commands and Ashland put the gun down, by his right side, out of sight, by his waist. Deputy Dominguez stated the handgun was out of view but it looked like Ashland was, "tucking it in," on his right side waist band.

Deputy Dominguez stated the officers were continuing to order Ashland to show his hands. Ashland put up one hand and they continued ordering Ashland to put his hands up. Ashland complied and put both hands up, only raising them about six inches. The officers ordered Ashland to raise his hands higher but he refused to comply and kept them raised six inches.

The officers ordered Ashland to roll over onto his side. Ashland complied, rolling on to his right side, where the firearm was located. As he rolled, Ashland initially kept his hands up. When Ashland rolled over, Deputy Dominguez stated he thought Ashland had rolled onto the firearm. Ashland, "grabbed the gun," pulling it out from his right waist band with his left hand. Ashland moved the gun to his chest with it pointed up, across his chest, in his left hand. Deputy Dominguez stated the firearm was "perpendicular to his [Ashland] chest," pointed south-south west, in the direction of a car and a truck parked in the lot, south-south west of Ashland.

Deputy Dominguez stated that after Ashland pulled the firearm out, the officers yelled, "drop the gun," about three times. Ashland was moving the gun across his chest and he paused the movement of the firearm when it was in the

middle of his chest, perpendicular, pointed south-south west, in the general direction officers were positioned. Deputy Dominguez stated Ashland did not point the firearm at Deputy Dominguez, but it was pointed in the general direction of the other officers, to the west of Deputy Dominguez.

Deputy Dominguez stated when Ashland paused the movement of the firearm, Deputy Dominguez heard a rifle shot from his right side; Deputy Dominguez thought it was one of the officers who was probably by a concrete hospital pillar. After the single shot, there was a "quick pause," and "shots from both sides," of Deputy Dominguez, his left and his right.

Deputy Dominguez stated he heard about six to eight more rifle shots after the first gunshot. Deputy Dominguez stated he was not certain how many rifle shots were fired, total, but thought it was about six to eight. Deputy Dominguez stated Ashland, "dropped the gun," onto his chest after the rifle shots and the firearm fell off Ashland onto the ground. Ashland's hands fell to his chest and the gun was on his right side on the pavement.

Deputy Dominguez stated the officers ordered Ashland, "do not touch the gun," and officers approached Ashland on foot, from Deputy Dominguez' left side, with two shields. Deputy Dominguez stated he remained on long cover until the officers moving up to Ashland were close to Ashland and had secured the firearm.

Deputy Dominguez stated officers went inside the hospital's emergency department and got a stretcher. Officers put Ashland on the stretcher and took Ashland into the emergency department. Deputy Dominguez did not see whether anyone handcuffed Ashland.

Deputy Dominguez stated after Ashland was inside the hospital, Deputy Dominguez secured his rifle in his squad, initially making it squad ready. Deputy Dominguez re-loaded his rifle, making it call ready with the same cartridge that had been in the chamber, when he realized that although he did not fire the rifle, it might be needed for the investigation. Deputy Dominguez assisted with the scene, moving his squad to the west and putting up crime scene tape and securing the scene.

Deputy Dominguez went into the emergency department and assisted by locating the witnesses to the incident from the emergency department. Deputy Dominguez stated he spoke to the owner of the white car whom Deputy Dominguez identified, Pastor J[redacted] F[redacted]. Deputy Dominguez asked F[redacted] for a brief summary. F[redacted] told Deputy Dominguez he drove Ashland to the hospital because Ashland wanted help, saw the firearm when they arrived at the hospital, went into the hospital leaving Ashland in the car, and notified hospital security there was an armed person in his, F[redacted]'s, car in the parking lot. The security officer, W[redacted] G[redacted], took F[redacted] to an office

and F[redacted] called 911. F[redacted] was on the phone with 911 when the gunshots went off.

Deputy Dominguez stated G[redacted], saw the incident from inside the emergency department and locked down the hospital. S[redacted] M[redacted], another security officer, went to the emergency department to assist with the lockdown of the hospital but did not see anything related to the incident. L[redacted], another security officer, saw the incident on the video display screens in the security office.

Deputy Dominguez identified the security officers and provided their information and the brief summary of the events they recounted to him to the investigators when we arrived on scene.

Deputy Dominguez stated he did not fire his handgun or rifle during this incident and did not have any physical contact with Ashland.

EQUIPMENT AND PHOTOS

Deputy Dominguez stated he carries a Glock .40 caliber model 23 handgun with a full magazine, 13 cartridges, in the handgun and one cartridge in the chamber and three spare magazines on his duty belt with 13 cartridges in each magazine. His assigned squad has an AR15 rifle with a fully loaded 30 round magazine in the rifle when it is squad ready and two spare fully loaded 30 round magazines in a tactical vest that is kept in the squad. Deputy Dominguez stated that at the start of his shift, he cleaned his squad and verified the rifle magazines were fully loaded by pressingthe top rounds in the magazine and finding no movement verifying the rifle was squad ready; bolt closed on an empty chamber, rifle fire selector switch on "SAFE," full magazine inserted in the magazine well.

After I interviewed Deputy Dominguez we went to his squad and retrieved his rifle with the one magazine he had on scene. Deputy Dominguez removed the cartridge from the chamber and we returned to the quiet room. Deputy Dominguez emptied the magazine, arranging the cartridges on a table in the room. I counted the rounds in his rifle magazine, 29, and one in from the chamber, for a total of 30 rounds.

Deputy Dominguez removed the cartridge from his handgun chamber and unloaded the magazines. Each magazine contained 13 cartridges one cartridge came from the handgun chamber.

Deputy Dominguez stated he carries a Taser CEW and OC spray on his duty belt. He did not deploy either of these tools.

I took the following photos of Deputy Dominguez and his equipment in the room I interviewed him in on my department cell phone:

1. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine.
2. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine.
3. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine, with empty magazine.
4. Colt AR15 rifle, chamber side up, empty.
5. Colt AR15 rifle chamber.
6. Colt AR15 rifle, chamber.
7. Colt AR15 rifle, serial number.
8. Colt AR15 rifle, serial number side up.
9. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
10. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
11. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
12. Glock .40 caliber model 23 handgun, right side.
13. Glock .40 caliber model 23 handgun, serial number on slide.
14. Glock .40 caliber model 23 handgun, left side.
15. Deputy Dominguez, front view.
16. Deputy Dominguez, front view.
17. Deputy Dominguez, right elbow.
18. Deputy Dominguez, left elbow.
19. Deputy Dominguez, top of hands.
20. Deputy Dominguez, bottom of hands.
21. Deputy Dominguez, right knee.
22. Deputy Dominguez, left knee.
23. Deputy Dominguez with rifle.
24. Deputy Dominguez with rifle.

The above photos were downloaded into the WAPD DIMS system.

NARRATIVE

On April 15th, 2020, I (Detective MENDOLA) responded to the WAUKESHA MEMORIAL HOSPITAL (WMH) emergency room to assist in an MILWAUKEE AREA INVESTIGATIVE TEAM (MAIT) investigation. I was assigned to do a witness interview of Waukesha County Deputy Kurt THOMPSON.

THOMPSON advised me he was working on the night of this incident, 12:00 AM to 7:00 AM. He had worked on April 14th doing K9 training. He worked on the 14th from 7:00 AM to 2:00 PM and was able to get to bed at approximately 3:00 PM. He had one beer at about 2:30 PM. THOMPSON does not take any prescription medications, is not on any over-the-counter medications, and does not take any sleeping medication.

Before the call at the Waukesha Memorial Hospital (WMH) came in, he was on patrol, driving on Watertown Road at Pewaukee Road. He heard another K9 handler, Matt MCINTYRE, say over the air that he was heading to WMH. THOMPSON then saw on the computer screen a "be on the lookout" call at WMH. He looked at the notes and observed that it stated that there was an individual with a gun to his head near a white Toyota Corolla in the parking lot. THOMPSON then told his dispatch that he was going to be responding to WMH as well. He went lights and siren to WMH. THOMPSON was not sure the exact time that the call came out or what time he arrived. It should be noted that I obtained the CAD call from the dispatch center delineating all the times that the sheriff's department noted. That CAD call is attached to this report.

THOMPSON was advised that the safe route to enter was through the law enforcement parking lot. He parked his squad to the west of the emergency entrance and could not see the white Corolla from where he parked. He heard over the air that the WAUKESHA POLICE DEPARTMENT had the subject at gunpoint.

THOMPSON took his squad rifle, an M4, and approached from the west. He met up with another WAUKESHA POLICE DEPARTMENT officer, but did not know their name. He observed that there were at least seven officers lined up, blocking the entrance to the emergency room (East to West) , with their guns drawn, facing the subject. THOMPSON observed a male subject lying on his back on the ground, next to the passenger side of the white Corolla. The subject's legs were towards the officers and his head was towards the north. He saw the subject holding a silver revolver, pointing the revolver barrel at his mouth. The subject was using both hands to hold the gun. One hand was holding the barrel and the other was on the grip, with his trigger finger moving on and off the trigger. THOMPSON believed that the subject's right hand was the one holding the grip portion of the gun, however, he was not 100-percent sure.

THOMPSON heard officers giving commands to the subject on the ground, including: "Drop the gun," "We want to end this peacefully," "We don't want to hurt you," "We don't want you to hurt yourself," and "Don't point the guns at us."

THOMPSON advised the commands continued all the way until the shooting. THOMPSON heard the subject was talking and heard the subject state, "I'm not going to point the gun at you. I don't want to hurt you guys." The subject said other things that THOMPSON was unable to hear.

THOMPSON heard MCINTYRE approaching the scene with his K9. THOMPSON left the scene and approached Deputy MCINTYRE and advised him that he should not bring the dog to the scene as it was not an appropriate situation for the K9. The WAUKESHA POLICE DEPARTMENT had requested the sheriff's Bearcat, so THOMPSON told Deputy MCINTYRE to go get the Bearcat from the station. At that time, Deputy MCINTYRE left the scene to retrieve the Bearcat. After MCINTYRE left, THOMPSON went back to his spot where he was previously. THOMPSON was at the westernmost part of the line, blocking the hospital entrance. When THOMPSON arrived back on the line, he observed that the subject was lying on his right side, with his face facing west and his head still towards the north. The gun was not in his hands; it was laying on the ground near his right hand. THOMPSON still heard commands being given to the subject to include: "Put your hands up," and, "Stand up and come towards us." THOMPSON noted that the subject would put his hands up and then put them back down several times. THOMPSON observed the subject grab the gun with his left hand and the barrel was facing west at that time. Officers started yelling at the subject to drop the gun three to four times before THOMPSON heard gunfire. THOMPSON heard gunfire from the east of his position and estimated that six to eight shots were fired. He thought it sounded like two rifles firing. THOMPSON observed rounds strike the subject's chest and stomach area. The subject dropped the gun, rolled onto his back, and the gunfire stopped. The subject then laid on his back and put his hands onto his stomach. Officers gave additional announcements to the subject to move away from the gun, but he did not move away. THOMPSON observed at that time the subject was still breathing because he would still see chest movement.

THOMPSON called to Officer Kristin SMIDT, who was holding a shield to come over by him. A hasty approach was formulated with two shields, along with cover officers. THOMPSON provided cover and was with Kristin SMIDT and Nate SMIDT from the Waukesha Police Department, as well as Antonio DOMINGUEZ from the Waukesha Sheriff's Department. THOMPSON advised that six to eight officers approached the subject, however, he does not know the names of all of them. As they approached the subject, THOMPSON moved off and started to clear the white Corolla as the others were handcuffing the subject. As THOMPSON cleared the Corolla, hospital staff wheeled a stretcher out and loaded the subject onto a stretcher to take him into the hospital. By the time THOMPSON had completed clearing the Corolla, the subject was already inside the ER or on the way to the ER on the stretcher.

I took photographs of THOMPSON from all angles to show what he was wearing at the time of the incident. I also took a photograph of his rifle and did a round count of his magazine. THOMPSON advised that he normally keeps 28 rounds in his rifle magazines. The rifle contained one round in the chamber and 27 rounds in the magazine. The rifle was .223 caliber M4 rifle.

NAMES
Police Officer-1

Dominguez, Antonio U/M of 515 W Moreland Blvd, Waukesha,WI,53187

Police Officer-2
Mcintyre, Matthew U/M of 515 W Moreland Blvd, Waukesha,WI,53188

Police Officer-3
Smidt, Kristin U/F of 1901 Delafield St, Waukesha,WI,53188

Police Officer-4
Smidt, Nate U/M of 1901 Delafield St, Waukesha,WI,53188

Police Officer-5
Thompson, Kurt G W/M-31 of 515 W Moreland Blvd, Waukesha,WI,53188
DOB: 03/08/1988

Business
Waukesha Memorial Hospital of 725 American Ave,Waukesha,WI,53188
Phone 1:(262) 928-1000

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NARRATIVE

On Wednesday, 04/15/2020 at 07:25 hours, I Detective BARTH, responded to Waukesha Police Department, located at 1901 Delafield St, Waukesha, WI for Milwaukee Area Investigative Team (MAIT) call up, in reference to an officer involved shooting. Upon my arrival, I met with Lieutenant Michael SCHULTZ, with Wauwatosa Police Department for a briefing.

This report is in reference to Wauwatosa Police Department's police report number 20-007316. Waukesha Police Departments original police report number in reference this incident is 20-16731. LT Michael SCHULTZ assigned me to interview an Waukesha Police Officer witness to this incident: DANOWSKI/Brandon/D, Badge # 567.

At approximately 09:30 hours, I met with Officer DANOWSKI. Officer DANOWSKI provided the following statement:

Officer DANOWSKI stated that he is a patrol officer and his normal tour of duty is [redacted] hours to [redacted] hours. He stated that because of COVID-19 their shifts have been adjusted and he works 18:00 hours to 06:00a.m. He stated that he works two days on and has four off. Officer DANOWSKI stated that Tuesday, 04/14/20, it was his first night back from his off days. Officer DANOWSKI stated he was on mutual aid at a traffic post assisting Waukesha County Sheriff's Department on a fatal traffic accident on I94/Meadowbrook Road. Officer DANOWSKI stated that he had remained on scene with Wisconsin State Patrol who was conducting an accident reconstruction at the scene. Officer DANOWSKI stated that he had been on scene of the traffic accident for approximately an hour.
Officer DANOWSKI stated as he was walking up to his squad car he saw his computer screen start to flash with red. DANOWSKI explained that when their computers flash red the call is an emergency call. Officer DANOWSKI stated that he then looked at the notes in the call which indicated that there was a man with a gun at Waukesha Memorial Hospital.

Officer DANOWSKI stated that he stopped the camera recording in his squad car. Officer DANOWSKI stated that Waukesha Police Department does not have body cameras. He believes that it was around 01:30 hours when he began responded to Waukesha Memorial Hospital. Officer DANOWSKI stated that he immediately cleared from mutual aid and began to respond lights and sirens to Waukesha Memorial Hospital. Officer DANOWSKI stated that he heard three officers dispatched to this call. He explained when there is a high risk call, most officers will begin to respond to the location of that call. Officer DANOWSKI stated that they were notified that Waukesha Memorial Hospital had been put on lockdown and that there was a man that had a gun pointed to his head.

Officer DANOWSKI stated that as he was in route he heard Officer FINTEL notify dispatch that he had arrived and was in the area. Officer DANOWSKI stated that it

was relayed that the suspect was described as a male Hispanic wearing a white t-shirt. Officer DANOWSKI stated that Officer FINTEL advised dispatch that he had the suspect, who was later identified by law enforcement as: ASHLAND/Randy, at gun point. Officer FINTEL stated that ASHLAND was in the vestibule of the entrance to Waukesha Memorial Hospital.

Officer DANOWSKI stated that as he got near N Washington Ave and Michican Ave, Officer SCHMIDT, requested to hold radio frequency for communication related to the emergent call they were on. Officer DANOWSKI was updated by officers that the ASHLAND was now in the parking lot with a gun and he was lying next to a white vehicle in the parking lot.

Officer DANOWSKI stated that Sergeant DEKARSKE got on the air and requested a secondary team of officers respond to the Law Enforcement Entrance, which was located on the west side of the building. Officer DANOWSKI explained that the vestibule where ASHLAND was first encountered is located on the northwest side of the hospital.

Officer DANOWSKI stated that the ambulance bay entrance is located off the west end of the hospital. Officer DANOWSKI stated that he drove north off of Dopp Street until the road dead ended. Officer DANOWSKI stated that the front of his squad car was facing northbound. Officer DANOWSKI stated he removed his rifle from the front seat of his squad car. Officer DANOWSKI stated his rifle is a Remington 700. He stated that he is not a sniper, however, he trains with the sniper team and carries a Remington 700, bolt action rifle, chambered in 308, in his squad car, which is issued by his department. Officer DANOWSKI stated that he began running straight ahead or northbound to Officer FINTEL'S squad car was parked. Officer DANOWSKI stated that he believed his squad car camera was pointed in the direction of Officer FINTEL'S squad car. Officer DANOWSKI explained that Officer FINTEL'S Squad car was parked in the southwest corner of the parking lot and the front of the vehicle was facing eastbound. Officer DANOWSKI stated that he approached Officer FINTEL'S squad car, where Officer SOLBERG and Officer SCHMIDT were posted near the front of the squad car, on the hood. Officer DANOWSKI stated that he posted in the middle of Officer SOLBERG and Officer SCHMIDT.

Officer DANOWSKI stated that he has a Leopold ten power scope on his rifle. He stated he had the scope on the highest power and the scope was zoomed in all the way on ASHLAND. Officer DANOWSKI stated that he maintained a visual of ASHLAND through his Leopold Scope for the entirety of the incident. Officer DANOWKSI explained that there were only a few occasions in which he glanced away and explained it was when he was trying to relay information to the other officers who were on scene. Officer DANOWSKI believed he was approximately thirty yards away from ASHLAND as he maintained a visual through his Leopold Scope and was able to maintain that visual with such clarity due to the scope. Officer DANOWSKI stated that ASHLAND was lying on the ground on his back and that is head was facing north and is feet were facing south. Officer DANOWSKI stated that ASHLAND'S head was closest to the rear passenger door of the white sedan and his feet were closest to

the officers.

Officer DANOWSKI stated that ASHLAND was wearing a white t-shirt and had glasses on, he believes he may have been wearing jeans and he had a pair of shoes on. He also stated that ASHLAND was an older male in his mid fifties. Officer DANOWSKI stated that ASHLAND had a silver revolver with a black handle that way laying on his chest. Officer DANOWSKI stated that he could observe that this handgun had a large cylinder on it. From his training and experience, he believed this to be a high powered handgun due to the size of the cylinder on the gun. Officer DANOWSKI stated that he was attempting to relay what he observed through his scope to the officers on scene, as well as, over the radio.

Officer DANOWSKI stated that Officer SOLBERG was attempting to communicate with ASHLAND and develop a rapport. Officer DANOWSKI stated that Officer SOLBERG was repeatedly telling ASHLAND to drop the gun. Officer DANOWSKI stated that multiple officers were telling ASHLAND to put the gun down and to drop the gun. Officer DANOWSKI stated that Officer SOLBERG was able to get ASHLAND to tell him his name was Randy. Officer DANOWSKI recalls ASHLAND saying "I am not here to hurt you, or Im not trying to hurt you" to Officer SOLBERG.

Officer DANOWSKI stated that ASHLAND then picked up the gun in his right hand and pointed the end of the barrel toward his right eye. ASHLAND put his thumb on the trigger. Officer DANOWSKI stated that he had taken the safety off of his rifle. Officer DANOWSKI stated that ASHLAND had the gun pointed at his head long enough for Officer DANOWSKI to relay to the other officers on scene, that he was pointing the gun at his head. Officer DANOWSKI stated that he and Officer SOLBERG began autogenic breathing to keep themselves calm and focused. Officer DANOWSKI described ASHLAND'S movements as being slow and lethargic, as if he were intoxicated. Officer DANOWSKI stated that although his body movements appeared as if he were intoxicated, his speech did not seem as if he were.

Officer DANOWSKI stated that ASHLAND then dropped the gun and it landed on his chest, nearest his right armpit. Officer SOLBERG then began yelling to ASHLAND to show him his hands. Officer DANOWSKI stated that ASHLAND then lifted his head and was looking toward the officers. He stated that ASHLAND kept both of his arms tucked near his body and showed both his left and right hands to the officers. Officer DANOWSKI stated that he was looking at the officers, between his left and right feet, which were nearest the officers and slightly apart. Officer DANOWSKI stated that it looked as if ASHLAND was going to comply with officers commands that they were giving to him.

Officer DANOWSKI stated that Officer SCHMIDT asked SGT DEKARSKE if his squad car was open so that he could retrieve the PGL less lethal gun from his squad car. Officer DANOWSKI stated that when he left to retrieve the less lethal gun, Officer Katie SCHMIDT, replaced Officer SCHMIDT's location to the right of him and she had a shield.

Officer DANOWSKI stated that ASHLAND then put his left hand on the cylinder of the gun which was still on his chest. Officer DANOWSKI stated that ASHLAND then extended his left arm out while he had the gun his hand. ASHLAND'S was holding his hand on cylinder of the gun as he extended his left arm and rolled to his right side in the officers direction. Officer DANOWSKI stated that it appeared as ASHLAND rolled to his right to possibly put the gun on the ground. Officer DANOWSKI reiterated to me that he was observing the movements of ASHLAND through his Leopold scope which was magnified by ten and was zoomed in on ASHLAND. He stated that ASHLAND'S left arm was extended outward when he heard a pop. He stated that it didn't sound like it was a shot from a rifle. He stated that he then heard multiple gun shots from officers. He stated that he heard gun shots coming from the south of where he was standing. He stated that he could observe muzzle flash from SGT DEKARSKE'S rifle. Officer DANOWSKI stated that he was approximately twenty yards from SGT DEKARSKI when he saw the muzzle flash from his gun. He stated it sounded as if multiple officer from the secondary team had shot. Officer DANOWSKI stated that the secondary team was under the canopy of the hospital entrance so when they shot, the shots echoed, due to the canopy being above their heads. Officer DANOWSKI stated that he also heard gun shots that sounded as if they were closer to him as well.

Officer DANOWSKI stated that the gun that ASHLAND had in his hand fell to the ground and he rolled onto his back. Officer DANOWSKI stated that he could see that ASHLAND was breathing. Officer DANOWSKI relayed to the other officers that the gun was on the ground to the right of ASHLAND and that he was still breathing. SGT DEKARSKE immediately relayed to their dispatch that shots had been fired. SGT DEKARSKE then coordinated a team to approach ASHLAND in attempt to secure the gun and ASHLAND. Officer DANOWSKI stated that there was a large team of officers that approached ASHLAND. As the officers approached ASHLAND, Officer DANOWSKI, moved south toward a pillar of the canopy where SGT DEKARSKE had been standing.

Officer DANOWSKI stated that ASHLAND had been handcuffed and that hospital personal came out with a cot and placed ASHLAND on the cot, where he was taken into the hospital. Officer DANOWSKI stated that he then began to check on the officers and see if they were okay. He stated that he was then assigned by SGT BENITEZ to be SGT DEKARSKE'S support officer. Officer DANOWSKI stated that he then carried his rifle to his squad car where he ejected the round from the port of his rifle and secured his rifle in the rifle case.

Officer DANOWSKI stated that he placed SGT DEKARSKE'S rifle in his squad car and then drove SGT DEKARSKE back to the Waukesha Police Department. SGT DEKARSKE'S rifle was placed in SGT DEKARSKE'S office. Officer Katie SCHMIDT then took over as support officer for SGT DEKARSKE. It was later determined that Officer SOLBERG had also fired his weapon. Officer DANOWSKI stated that he then took over as support officer for Officer SOLBERG.

I asked Officer DANOWSKI how many times he heard officers tell ASHLAND to put the gun down or drop the gun. He stated that it was repeatedly by multiple officers.

ASHLAND was also told that officers wanted to help him and that they did not want to hurt him. I asked Officer DANOWSKI how far he believed he was from ASHLAND. This did end my interview with Officer DANOWSKI.

Wauwatosa Police Department			Incident Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 4/15/20
New Incident: Assist Other Agency	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

This report was completed by Wauwatosa Police Detective James Donovan as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of Waukesha. This report will be attached to Wauwatosa Police Department incident number #20-7316.

Waukesha police officer Brandon Larsen

Employee number [redacted]

Date of appointment, September 6, 2019

On 04/15/2020 at approximate 8:30am, I met with PO Larsen in a Waukesha police station office. He had previously met with his union representation. PO Larsen was prepared to make a statement.

PO Larsen is currently working 6:00pm to 6:00am due to Covid-19 schedule changes. Last evening (04/14/2020) was his first night on of the workweek. PO Larsen was assigned to squad 112, and was in a marked Waukesha police squad car. He was in full police uniform, but had changed prior to the interview because of a blood exposure.

PO Larsen said the shift was busy with calls for service. PO Larsen had just cleared a traffic assignment, and was in the area of Northview Road and Grandview Blvd when the call at Waukesha Memorial popped up on his squad car computer. The call was dispatched as a man with a gun, and PO Larsen responded emergency lights and siren. As PO Larsen neared the hospital, PO Nate Smidt was in front of him. They entered a lot to the hospital off Dopp Street. PO Larsen believed that PO Fintel was the only other officer on scene when he and PO Smidt arrived. PO Larsen also saw a Waukesha Sheriff squad was on scene.

PO Larsen exited his squad, and went to where PO Fintel was. PO Larsen

described that location as in front of the emergency room doors, facing southeast. They had cover behind a police vehicle. PO Fintel was giving verbal commands to a subject who was in between the glass doors that lead to the ER. While these commands were being given, they heard someone off to their left (N/W) say something. PO Larsen did not know what was said, but it drew their attention. One of the officers asked the police dispatcher for a suspect description. At that point, they realized the person in between the doors was not the suspect, but rather the person off to their left was.

The suspect, Randy Ashland, was lying on the ground, with his feet towards the ER doors. PO Larsen believes Ashland was wearing jeans and a striped shirt. PO's Larsen and Fintel moved to the rear passenger corner of PO Fintel's squad. More officers arrived on scene. PO Solberg gave verbal commands to Ashland. PO Larsen could see a silver revolver in Ashland's hand. Ashland was communicating with officers, but he would not put the gun down. Ashland kept pointing the gun at himself. He would roll from his back to his side. He said, "I don't want to hurt you guys." He also gave his name to officers at one point. PO Larsen did not know how long the dialogue lasted.

PO Solberg was giving repeated commands for Ashland to put the gun down. Ashland, who was partially on his right side and partially on his back, set the gun on his own body, near his armpit. PO Solberg told him to put the gun on the ground and roll away from it. Ashland instead picked the gun up, and pointed it in the direction of officers. PO Larsen did not know which hand Ashland had the gun in. Ashland then pointed the gun at officers who were in the front of PO Fintel's squad car. At that point, one or more officers discharged their weapons.

After the shots were fired, one officer on scene took control of the radio. A shield team was assembled, and they began to approach Ashland. A Pewaukee police officer said he would secure Ashland's weapon, and PO Larsen put on a pair of latex gloves so he could handcuff and search Ashland. Ashland was still breathing at this point. Once he was handcuffed, hospital staff immediately came out with a gurney. PO Larsen assisted in lifting Ashland up, and with pushing the gurney into ER room #1.

PO Larsen stayed at the doorway of the ER room until Ashland was pronounced deceased. PO Larsen stayed with the body until he was relieved.

PO Larsen’s statement was completed at that point.

NARRATIVE

20-7316 Wednesday, April 15, 2020

Waukesha Memorial Hospital

725 American Way

Waukesha, WI 53189

Homicide-Milwaukee Area Investigative Team Report

This report is completed by Detective Paula Roberson of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the Officer Involved Shooting of Randy Steven Ashland (M/W [redacted]-[redacted]-1961). This incident occurred 725 American Way, the emergency room parking lot of Waukesha Memorial Hospital. This investigation is related to Waukesha Police Department report #20-16731. The Wauwatosa Police Department is the lead investigative agency for the incident.

Witness Officer Interview: Officer Jarrett A. Fintel, Waukesha Police Department

On Friday, April 17, 2020, at 11:00 AM, I met with Waukesha Police Department Officer Jarrett Fintel at the Waukesha Police Department, 1901 Delafield Street, Waukesha, Wisconsin. The purpose of this meeting was to provide Officer Fintel with an opportunity to provide a voluntary statement regarding his role in the officer involved shooting of Randy S. Ashland m/w 12-11-1961. Waukesha Police Department Specialist Jason Trimborn was present as a support person as well as a representative of the union. The interview was conducted in the Sensitivity Room of the police department. The interview was not recorded. The following information comes from this interview and is a

summary, not a transcript.

Officer Fintel's Background

Officer Fintel joined the Waukesha Police Department as a Police Officer on January 14, 2019 and attended the Waukesha County Technical College Police Academy. After successfully completing the academy in May 2019, Officer Fintel proceeded through the field-training program and was assigned to the early shift. Officer Fintel normally works during the hours of [redacted] and works a rotating schedule of [redacted] days on followed by [redacted] days off, then five days on followed by [redacted] days off. However, on March 26, 2020, Officer Fintel began working a temporary schedule due to the Coronavirus pandemic. His temporary schedule consists of two days on followed by four days off. He works during the hours of 6:00 PM-6:00 AM.

Officer Fintel did not work in law enforcement prior to being hired by Waukesha Police Department. He stated he completed an Internship with Waukesha Police Department, during the spring 2018 semester, while attending Carroll University. Officer Fintel graduated from Carroll University in May 2018 with a degree in Criminal Justice.

Activities Prior to Incident

Officer Fintel explained that Tuesday, April 15, 2020 was the first day of his work rotation. He stated he went to bed between 5:00 AM and 6:00 AM on Tuesday morning. He woke up between 2:00 PM and 4:00 PM. He stated that he had no emotional, physical or other concerns as he headed to work about 5:15 PM.

On Tuesday, April 15, 2020, Officer Fintel was assigned to Squad Area 102 as a single person squad. Officer Fintel drove Fleet 38, a fully marked Ford Explorer with red and blue emergency lights. The vehicle was equipped with a camera and microphone. Waukesha Police Department does not use body cameras. Officer Fintel was wearing his standard department uniform.

Officer Fintel recalled that the shift was unusually busy that evening. Shortly after starting his patrol duties, Officer Fintel assisted another officer with a domestic violence investigation. He then backed up another officer in the downtown area. Officer Fintel also assisted on a criminal damage to property investigation and later transported the defendant (unrelated to the critical incident) to Waukesha Memorial Hospital for a voluntary mental health evaluation. After leaving the hospital, Officer Fintel responded to a landlord/tenant dispute near Madison Street at LaSalle Street.

Officer Fintel may have responded or conducted other activities prior to the critical incident. He stated that the incidents mentioned above are the ones he vividly recalls. Officer Fintel stated although the shift was busy, there was nothing eventful or unusual about any of the calls.

Responding to the Man with a Gun call

Officer Fintel explained that the landlord/tenant dispute was only a few blocks away from the hospital. A short time after he finished the landlord/tenant dispute, his computer screen began flashing red. Officer Fintel stated the red flashing indicates an emergency call. Officer Fintel stated prior to the dispatcher broadcasting the information via the radio, he observed "man with gun 725 American Avenue." Officer Fintel stated he immediately recognized the address as that of Waukesha Memorial Hospital. Officer Fintel stated he checked the Global Positioning System (GPS) and realized he was the only squad in the immediate area. As he headed to the hospital, the dispatcher began broadcasting the call. Once the broadcast was complete, Officer Fintel activated his emergency lights. He stated he did not use the siren because he was already in the area.

Officer Fintel recalled the dispatcher saying there was a man with a gun near the hospital entrance. He does not recall hearing a description of the suspect. Officer Fintel believes he arrived to the hospital within 40 seconds. He described taking Lawndale Avenue to Greenwood Avenue and then Greenwood Avenue to American Avenue. As he reached the curve on American Avenue, he stopped his squad and scanned the area. He did not see anyone in the parking lot or in the cars parked near the entrance. The dispatcher transmitted additional information and Officer Fintel thought the transmission stated that the caller was in a vehicle in the parking lot.

Officer Fintel sees the potential suspect

Immediately after the update from dispatch, Officer Fintel observed a black male standing in the hospital vestibule with his hands in his pockets. Officer Fintel thought the person in the vestibule was the suspect. Officer Fintel canted his car so that his camera focused on the person in the vestibule.

Officer Fintel used his radio to broadcast an update to responding squads. He then exited his squad, removed his handgun from his holster and began shouting commands to the person in the vestibule. The person in the vestibule did not do as commanded. While Officer Fintel was focused on the person in the vestibule, he heard someone to the left of him yelling at him. Officer Fintel believed the person yelling was the caller and told him to wait for another officer to arrive.

Officer Fintel heard someone announce “coming into the ambulance bay” and then saw some officers running toward him. Officer Fintel did not recognize any of the officers but later learned they were from New Berlin Police Department. One of the officers opened the passenger door of Officer Fintel’s squad and yelled commands to the person in the vestibule.

Suspect located

Waukesha Police Department Officer Nate Smidt arrived on scene and said “Hey, who’s this guy?” He then yelled, “No that’s the guy over there!” and pointed toward the parking lot. At that time, Officer Fintel saw the suspect on the ground in the parking lot near a white car. Officer Fintel described the suspect as a white male, 50-55 years of age, with white/gray hair. The suspect was laying on his side with his head pointed toward the rear of the car and his feet pointed toward the front of the car. The suspect had a silver revolver pointed at his head and seemed disoriented. Officer Fintel heard the suspect scream “Just shoot me” several times.

Officer Fintel moved to the rear of his squad and the New Berlin officers moved to an area near the front of the squad. Waukesha Police Department Officer Brandon Larson was standing near the trunk. Officer Fintel stated he felt "open and exposed" in his current position and decided to retrieve a ballistic shield. He explained that he could not stand behind Officer Larson because that would put Officer Larson in Officer Fintel's line of fire. Officer Fintel checked the trunk of his squad for his shield and discovered the shield was stored directly behind the driver's seat. Officer Fintel stated he was not able to retrieve his shield without putting himself in a more vulnerable position. He observed several squads parked near the ambulance bay and decided to check them for a shield. He stated he holstered his weapon and then ran to the parked squads. After locating a shield, he ran back to the trunk area next to Officer Larson.

Officer Fintel defined "open and exposed" as unprotected. He explained that he did not have any cover or concealment where he was standing. Officer Fintel stated cover and concealment were important to him at this moment because the suspect had a gun and could quickly turn the gun towards Officer Fintel and kill him.

As he arrived back at his squad, Officer Fintel observed Waukesha County Sheriff's Deputies on scene as well as a K-9 officer. The majority of the officers had their rifles out. Officer Fintel kept his weapon in his holster and used the shield as protection. He stated he viewed the remainder of the incident through the scratched window of the shield.

Officer Fintel heard Waukesha Police Department Officer Ryan Solberg pleading for the suspect to put his gun down. Eventually the suspect complied. Although the gun was on the ground, it was still within the suspect's reach. Officer Solberg instructed the suspect to roll away from the gun. The suspect did not comply and instead retrieved the gun. Officer Fintel saw the suspect raising the gun and then heard seven (7) to ten (10) gunshots. The suspect dropped the gun and fell on his back with both hands on his chest. Officer Fintel observed that the suspect was bleeding but still breathing and the gun was still within the suspect's reach.

The officer formed an arrest team and slowly looped around so they could approach the suspect from the back of the vehicle. Once they were in their desired spot, they stopped to make sure the suspect had not retrieved the gun. Once they saw the gun was still on the ground, they approached the suspect. A New Berlin officer grabbed the revolver. Officer Larson and a deputy handcuffed the suspect. Someone pushed a gurney over to them and Officer Fintel assisted with lifting the suspect onto the gurney. Officer Fintel believed the suspect was unconscious at this time because “his limbs were loose and his eyes were rolled back”. The suspect was pushed into the emergency room.

Scene stabilization and security

Officer Fintel stated that Waukesha Police Department Sergeant Ian DeKarske and Sergeant Servando Benitez stabilized the scene. Officer Fintel and an unknown deputy taped off the parking lot with police tape. Once the lot was taped off, Officer Fintel saw that cones were placed near some of the casings. He observed additional casings that did not have cones near them and went to retrieve cones from the other squads. After marking the additional casings, Officer Fintel stood near the hospital entrance awaiting further instruction.

Officer Fintel was approached by Sgt. Benitez and asked if he had discharged his weapon. Officer Fintel stated that he had not discharged his weapon. Sgt. Benitez counted Officer Fintel’s rounds and inspected his firearm. Officer Fintel remained at the entrance for sixty (60) to ninety (90) minutes before being transported to Waukesha Police Department by a New Berlin Police Department sergeant. Officer Fintel stated he was not injured during this incident.

Conclusion and Validity

At the conclusion of the interview, Officer Fintel stated he felt all relevant information was covered and discussed.

NARRATIVE

West Milwaukee Police Department Detective Brian Chic reporting...

On Wednesday, April 15th, 2020, at approximately 7:34 a.m., at the Waukesha Police Department, located 1901 Delafield Street, in Interim Chief Wagner's Office, I spoke with Waukesha Police Department Officer Katrina R. Smidt, Badge #475, (who will be referred to as Officer K. Smidt for the remainder of this report).

Officer K. Smidt stated she has been employed as a full time officer for the city of Waukesha Police Department for approximately ten years, with a current rank of patrol officer. Officer K. Smidt stated prior to working at the Waukesha Police Department she worked as a part-time officer for the University of Milwaukee Police Department for approximately 1.5 / 2 years and for the parts of two summers for the State Fair Police Department, which is where she obtained her law enforcement certification. Officer K. Smidt stated with the Waukesha Police Department she is assigned to third shift, but due to the health emergency their agency switched to twelve hours shifts, this occurred approximately two to three weeks ago. Officer K. Smidt stated she now works 6:00 p.m. - 6:00 a.m., on a scheduled rotation of two days on and four days off. Officer K. Smidt stated today's shift was her first day on, after having five days off. Officer K. Smidt stated from the night of Monday, April 13th, 2020, to the morning of Tuesday, April 14th, 2020, she slept for six to seven hours and then took a three to four nap on Tuesday, April 14th, 2020, at approximately 11:00 a.m. Officer K. Smidt stated this was all a normal amount of sleep and a normal sleeping pattern for her.

Officer K. Smidt stated for her shift starting on Tuesday, April 14th, 2020, at 6:00 p.m., she was radio #104, and was on patrol duty by herself driving a fully marked Ford SUV squad, fleet #2. Officer K. Smidt stated she was in full department issued uniform, she was carrying her duty weapon, which is a 40 caliber Glock, and informed me that she does not carry a back up firearm. Officer K. Smidt stated officers, including herself, do not wear body cameras, but her squad was equipped with a squad camera, which faces forward. Officer K. Smidt stated prior to this incident she was busy with standard calls, but nothing she considered high stress.

Officer K. Smidt stated while parked at the Waukesha Fire Department station #2 to type police reports in her squad, she heard on the police radio emergency tones, which alerts officers for an emergency call, which includes, but is not limited to: an active fight, a weapons call, or a domestic dispute. Officer K. Smidt stated after the emergency tone two other officers and herself were dispatched to Waukesha Memorial Hospital for the report of a man with a gun to his head (officers were dispatched on Wednesday, April 15th, 2020, at approximately

1:31 a.m.). Officer K. Smidt stated while en-route an officer radioed that he had the subject at gunpoint. Officer K. Smidt stated she responded from the fire department with emergency lights and siren activated and arrived in approximately 2.5 minutes. Officer K. Smidt stated while en-route an officer radioed that the safe approach was through the emergency room entrance from the south, which is the route she took. Officer K. Smidt stated she parked her squad up as close as she could to other squads. Officer K. Smidt stated she grabbed the rifle shield from her squad, and walked northeast up to a squad that officers were using as cover and that was canted facing southeast and was to the southwest of the subject with a gun. Officer K. Smidt stated this area was on the road located to the north of the emergency room and to the south of the parking lot where the subject was. Officer K. Smidt stated on the south side of the aforementioned squad were Officer Ryan Solberg and Brandon Danowski, who both had rifles over the engine block of the squad they were behind. Officer K. Smidt stated she approached with the shield and was shoulder to shoulder with Officer Danowski, who was to her left, and to the left of Officer Danowski was Officer Solberg. Officer K. Smidt stated approximately a minute or two later Waukesha County Sheriff's Office Deputy Dominguez and Deputy Thompson arrived. Officer K. Smidt stated Deputy Dominguez was positioned to her right, and Deputy Thompson was positioned to the rear of the squad.

Officer K. Smidt stated she observed the subject, later identified as Randy S. Ashland, in the hospital parking lot to the northeast of their location, to be an older white male, approximately 50 - 60 years of age, wearing glasses and light colored jeans. Officer K. Smidt, stated the subject was lying on his back on the ground next to the middle of the passenger side of a white car. Officer K. Smidt stated the white car appeared to be unoccupied and had it's doors closed. Officer K. Smidt stated the subject's feet were facing south and his head was facing north. Officer K. Smidt stated she did not observe any other citizens in the area around or behind the subject on the ground. Officer K. Smidt stated she did remember observing a citizen, described as a black male, wearing a dark color puffy jacket in the lobby of the emergency room, possibly looking out the window. Officer K. Smidt stated she observed the subject in the parking lot to have what appeared to be a "big" silver gun in his hand, unknown which one. Officer K. Smidt stated she based this on observing what appeared to be a silver barrel, the information provided over police radio, and what other officers were saying while she was on scene. Officer K. Smidt stated the shield she was holding and looking through has a plexiglass window in it that distorts viewing, but she peeked around it and that is when she observed the gun. Officer K. Smidt stated they were approximately four to five car lengths away from the subject. Officer K. Smidt stated while it was dark outside there was ambient lighting in the area, and that she could see well enough to observe the subject was wearing glasses. Officer K. Smidt stated she did not observe a squad spotlight shining on the subject. Officer K. Smidt stated she does wear glasses and was wearing them at the time.

Officer K. Smidt stated Officer Danowski was saying out loud for officers to hear something to the effect of: he could "See a gun", the subject was "Holding a

gun by the butt", and then that the subject was "Holding the gun to his eye". Officer K. Smidt stated Officer Danowski did flash his flashlight on the subject.

Officer K. Smidt stated Officer Solberg was giving loud, clear and concise commands to the subject to the effect of, "Drop the gun", "Roll away from the gun", "We want to help you", "Show me your hands". Officer K. Smidt stated Officer Solberg was giving commands consistently for approximately four to five minutes. Officer K. Smidt stated during this time she observed the subject wave with one open hand. Officer K. Smidt stated she asked Officer Solberg if the subject was saying anything, to which he said he could hear the subject talking, but couldn't hear what he was saying. Officer K. Smidt stated Officer Solberg asked the subject for his name and then called him, "Randy". Officer K. Smidt stated she could not hear anything the subject was saying.

Officer K. Smidt stated she peeked out from behind the shield when she heard Officer Danowski state, "he put the gun down" at which time she observed the gun lying on the ground next to the subject's chest area, she could observe that the subject was not touching the gun, but she did not see where his hands were. Officer K. Smidt stated Officer Danowski then stated something to the effect of, "he picked it back up", and then approximately six to eight seconds later she heard shots fired, and believed Officer Solberg, Officer Danowski and Officer Dominguez fired. Officer K. Smidt stated the sound of the gunshots were loud and she believed there was a lot, but she also realized they were echoing due to their location. Officer K. Smidt stated at no point did she have her service weapon drawn or fire it, nor was she carrying any other firearm. Officer K. Smidt stated she did not observe the subject pick up the gun as she was looking at officers to her right, which was Sergeant Dakarske and an unknown officer, who were near a concrete pillar.

Officer K. Smidt stated Sergeant Dakarske radioed to dispatch, "Shot's fired". Officer K. Smidt stated she heard Officer Danowski say the subject is still breathing. Officer K. Smidt stated officers coordinated an approach to move up to the subject. Officer K. Smidt stated to the west of where the subject was lying next to the white car, were one or two open parking spots, then a black sedan which was next to a black pick-up truck. Officer K. Smidt stated she with the shield and four or five officers walked north from there location along the west side of the aforementioned pick-up truck and to the rear of it. Officer K. Smidt stated at the rear of the truck officers communicated and organized which officer would secure the gun, and which officers would secure the subject. Officer K. Smidt stated they then walked east towards the subject, during which she did not remember if commands were given while they approached. Officer K. Smidt stated she was looking through the port or at her feet as they approached and she did not observe where the gun was, or observe if the subject was still breathing. Officer K. Smidt stated upon arrival to the subject someone placed him in handcuffs, as Deputy Thompson and herself cleared the vehicle and did not locate any subjects inside. Officer K. Smidt stated officers placed the subject onto a cot and

immediately wheeled him into the hospital. Officer K. Smidt stated she did observe the subjects glasses on the ground.

Officer K. Smidt stated Officer Solberg asked who shot so they could get off scene; she was aware of Sergeant Dakarske and Officer Solberg saying they fired and Officer Nate Smidt stated he fired less lethal. Officer K. Smidt stated Sergeant Benitez put Officer Nate Smidt in charge of the scene, at which time she advised Sergeant Benitez that he had been involved in the incident.

Officer K. Smidt stated she put the shield in her squad and turned off the squad cameras. Officer K. Smidt stated she was told by Officer Solberg to turn off the squad cameras from recording, which she figured was from a Sergeant. Officer K. Smidt stated she knew there was no reason to have the squad cameras continue to record. Officer K. Smidt stated she went into two other squads and turned off the squad cameras. Officer K. Smidt stated the one squad was further south of her squad and one was parked by the garage door ambulance entrance, which she also moved so ambulances could get into the hospital.

Officer K. Smidt stated she was ordered by Sergeant Benitez to convey Officer Solberg back to the Waukesha Police Department, which she did. Officer K. Smidt stated she checked with Officer Solberg to make sure he was okay, but they did not discuss the incident. Officer K. Smidt stated at the Waukesha Police Department she stayed with Officer Solberg until she was relieved by Officer Danowski. Officer K. Smidt stated she then stayed with Sergeant Dakarske until she was relieved, during which time she did not discuss this incident with him.

Officer K. Smidt stated at one point during the incident she remembers observing New Berlin Police Department Officer J.J. Ament exiting the hospital, but she does not know where he was before or after the shots were fired.

Officer K. Smidt stated she did not manipulate anything or touch anything in the area where the subject was taken into custody.

The interview ended at approximately 8:39 a.m.

NAMES

Deceased

Ashland, Randy S W/M-58 of 19[redacted] Miller Park Way, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Police Officer

Smidt, Katrina R U/F of 1901 Delafield St, Waukesha,WI,53188

Phone 1:(262) 524-3831

Hospital

Waukesha Memorial Hospital of 725 American Avenue,Waukesha,WI,53188
Phone 1:(262) 928-1000

Police Department-1

Waukesha Police Department of 1901 Delafield Street,Waukesha,WI,53188
Phone 1:(262) 524-3831 Phone 2:(262) 524-3820

Police Department-2

Wauwatosa Police Department of 1700 N 116 St,Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8444

NARRATIVE

This report is written by Detective Kelly Zielinski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting death of Randy S. Ashland (M/W [redacted]/[redacted]/1961) at the Waukesha Memorial Hospital, 725 American Ave. Waukesha, WI. This investigation is related to Waukesha Police Department incident 20-16731. The Wauwatosa Police Department is the lead agency for this investigation and is documented under Wauwatosa Police Department incident number 20-7316.

Assignment

On Friday, April 17th, 2020, Detective James Short and I were assigned to interview involved Officer Nathan P Smidt (M/W [redacted]/[redacted]/[redacted]) at the Waukesha Police Department. The interview took place in the Chief's Conference Room and was attended by Wisconsin Professional Police Association (WPPA) Attorney Andrew D. Schauer, WPPA Director James Palmer and WPPA Business Agent Jim Schumitsch.

Training/Education

Officer Smidt (Employee Badge #474) started as a City of Waukesha Police Officer on November 10th, 2010. Officer Smidt attended the Waukesha Area Tech College Academy and graduated in 09/2010. Prior to the academy, Officer Smidt attended the University of Wisconsin-Milwaukee graduating with a degree in Criminal Justice in 2010. As a City of Waukesha Police Officer Smidt was assigned to Narcotics and Vice Unit from 2017-2018. Officer Smidt received additional departmental training in Less Lethal munitions in 2013 and continues to receive annual departmental training in that discipline.

Current Assignment

Prior to the COVID 19 pandemic Officer Smidt was assigned to the late shift, [redacted] to [redacted] working a [redacted] days on, [redacted] days off, [redacted] days on and [redacted] days off schedule. Officer Smidt is currently assigned to work 6:00 p.m. to 6:00 a.m. two days on and four days off schedule. The revised schedule, due to the COVID 19, started on 03/26/2020.

Day Prior to Involved Incident

Officer Smidt stated that on Monday, 04/13/2020, he awoke at approximately 5:00 a.m. and stayed at his residence the duration of the day. Officer Smidt stated he worked out at home, had lunch and spent a relatively normal night at home watching TV. Officer Smidt stayed up Monday evening as he usually does on his first night back to work. He went to bed around 5:00am on Tuesday morning (04/14/2020) and woke up around 1:00pm. Officer Smidt spent the day working out and watching TV. He showered and left for work around 5:00pm. Nothing unusual or of any consequence occurred during the day. Officer Smidt stated he does not drink alcohol, does not take any prescribed medications, and does not have any significant injuries that would affect his work performance.

Start of Shift

Officer Smidt started his shift at 6:00 p.m. and was assigned to solo patrol and Squad area #114, which is a roving squad that includes the south side of the City of Waukesha. Officer Filter was in full police uniform and was assigned Fleet #22 which is an unmarked police Ford Explorer SUV with 360 degree interior emergency lighting and siren. The squad's assigned equipment includes an M4 rifle marked "FL 22". Officer Smidt said that all the squads equipment was accounted for and in working order. Officer Smidt was also equipped with a audio recording device which can be self activated or also activated when the squads emergency lights are turned on.

Activity Prior to Involved Incident

Officer Smidt assisted in several calls in the first portion of the shift prior to the incident at the hospital. Officer Smidt assisted with a report of a

drive by shooting that was later downgraded to be a disturbance call. The investigation showed the “shooting” was a rock thrown through a window of a residence and several subjects were later taken into custody. Officer Smidt transported one of the arrested subjects to the Waukesha County Jail.

After leaving the Jail, Officer Smidt decided to respond to the Police Department to inventory a knife recovered from the earlier disturbance call/arrest. After inventorying the knife, Officer Smidt assisted Officer Fintel with a Landlord/Tennant trouble at 8[redacted] Madison St. Officer Smidt advised he was not needed at the scene and started to head to the sub-station located 2440 Les Paul Parkway.

Involved Incident Response

At approximately 1:30am, Officer Smidt saw dispatch notes on his in squad computer of a call at Waukesha Memorial Hospital of “a man with a gun to his head." Officer Smidt said that he recalls dispatch advising over the radio there was a male subject armed with a gun outside the ER entrance at Waukesha Memorial Hospital. Officer Smidt doesn't recall if a specific description of the subject was given.

Officer Smidt proceeded to Waukesha Memorial Hospital in emergency mode with the squad's emergency lights and siren activated. Officer Smidt said that he made his way to the hospital west on HWY 59, then north on St. Paul Ave, north on Moreland, east on Dopp St., then north on Washington St.

While responding, Officer Smidt remembered hearing Officer Fintel call out on the radio that he (Fintel) was on scene. Officer Smidt knew that Officer Fintel was very close to Waukesha Memorial because the landlord/tenant trouble he was with Fintel earlier was across the street from the hospital. For officer safety concerns, Officer Smidt called out on the radio for Officer Fintel to stand by in the parking lot to allow more officers to arrive on scene before approaching. However, Smidt was not sure his broadcast went over the air or was heard by Officer Fintel. Soon after, Officer Smidt heard Officer Fintel over the radio call out, “man at gunpoint”. After arriving on scene, Officer Smidt parked his vehicle along the Police/Ambulance bay entrance, located on the northwest corner of the hospital.

Suspect Identification

Officer Smidt called out on scene and exited his squad. Officer Smidt could see where Officer Fintel had parked his squad, which was facing east and canted slightly towards the ER doors. Officer Smidt quickly made his way on foot to the back of Officer Fintel's squad and could now see Officer Fintel standing on the driver side of the squad with his weapon drawn and pointing in the direction of the ER doors. Officer Smidt approached Officer Fintel and took a position behind Officer Fintel. Officer Smidt could see a subject standing between the vestibule doors that Officer Fintel had been addressing. Officer Smidt described the subject as an older M/B wearing a black coat with the hood up.

Officer Smidt advised something did not "seem right about the situation" and recalled information provided by dispatchers about a white Nissan parked in front of the ER doors. Officer Smidt looked to his left and illuminated the area to his east and north with his flash light. Officer Smidt immediately observed a man lying on the ground along the passenger side of a white four door auto, with his feet closest to the ER doors. Officer Smidt described the suspect as an older, M/W, wearing a long sleeve button up flannel shirt. The M/W subject Officer Smidt observed was later identified as the suspect, Randy S Ashland (M/W [redacted]/61). Officer Smidt stated he saw a large silver revolver in Ashland's right hand and he was waiving the gun around in the air. Ashland at one point pointed the gun towards his own head, and was "moaning" loudly to himself. Officer Smidt immediately grabbed Officer Fintel and they repositioned to the rear passenger side of Officer Fintel's squad. Officer Smidt then advised over the radio that the suspect was located in the parking lot of the ER next to a white sedan.

Suspect Negotiations

Officer Smidt moved up to the passenger side front door of Officer Fintel's squad to get a better view of Ashland. Officers on scene began to give verbal commands to Ashland to "drop the gun and show me your hands" several times, but Ashland continued to wave the gun in the air. Officer Smidt stated that due to Ashland's unusual behavior, his training and experience led him to believe

that Ashland was intoxicated or under the influence of drugs. Officer Smidt stated Ashland continued to move the handgun in an erratic manner and at one point, used his left hand to hold up his right arm. Ashland's speech was very slow and slurred, almost becoming a continuous moaning sound and was not articulable. Ashland continued to ignore Police commands or even acknowledge their presence.

Officer Smidt advised that the ER parking lot was dimly lit and where Ashland was laying was almost completely dark due to the white car casting a shadow on him. From his vantage point, there was a light pole partially blocking his view of Ashland and he (Smidt) had to come out from behind cover (Fintel's squad car) to get a clear, unobstructed view of Ashland. Officer Smidt estimated the distance from him to Ashland was about 25 yards.

Officer Smidt stated Waukesha Police Officer Ryan Solberg arrived on scene and took a position by the hood of Officer Fintel's squad with a long rifle. Officer Smidt stated a Village of Pewaukee Police Officer also responded and was standing with him behind Officer Fintel's squad. Officer Smidt stated after approximately 30 seconds of giving commands to Ashland, he noticed that Waukesha Police Officer Danowski was standing by Officer Fintel's squad and had his sniper rifle with him. Officer Danowski set up on the hood of Officer Fintel's squad next to Officer Solberg and advised he (Danowski) had visual of the suspect through the rifle scope. Danowski then began to verbalize to Officer Solberg every movement/action that Ashland was doing.

Officer Smidt stated that Officer Solberg continued to try to establish some sort of dialog with Ashland, and remembered Officer Solberg yelling to Ashland, "I just need you to put the gun down" and "we want to help you, but you need to put the gun down." However, Ashland continued to ignore Police commands. Ashland remained "moaning" loudly but never made an articulable response to any of the verbal Police commands.

Officer Smidt advised he recalled Officer Katrina Smidt bringing up a shield and putting the shield on the hood of Officer Fintel's squad to provide extra cover for the officers that were behind the squad.

Officer Smidt recalled hearing Officer Danowski say Ashland was laying on his back with the gun in his right hand pointed at his eye, with his left thumb on

the trigger of the gun. Officer Smidt stated he then heard Officer Solberg order Ashland to "roll away from the gun."

Officer Smidt advised at that point he decided to get a less lethal gun as a possible intervention option. Officer Smidt stated that Fleet #28 was the nearest squad and recovered the PGL65 40mm less lethal from the trunk of that car and returned to Officer Fintel's squad. Officer Smidt described the 40mm gun as having six (6) rounds in the cylinder. Officer Smidt then took a position near the front of Officer Fintel's squad behind Officer Solberg.

Officer Smidt stated he had previously fired the PGL65 40mm gun in training and was familiar with it. Officer Smidt stated that this particular PGL65 had a sight system he was not familiar with and had trouble initially removing the lens caps from the "EO Tech" sighting system. After a brief reassessment check of the less lethal weapon from behind cover, Officer Smidt reengaged at the front of Fintel's squad with Officer Solberg.

Officer Engagement

Officer Smidt told me that according to his training, the designated impact area for engaging a subject with the less lethal gun would be from the subject's belly button and below, excluding the groin. A secondary impact area would be the arms. Officer Smidt advised his intent with the less lethal gun was to temporarily separate Ashland from the gun if the opportunity arose.

Officer Smidt took a kneeling position at the front passenger side bumper of Officer Fintel's squad. Officer Smidt stated because Ashland was still lying on the ground, he wanted to get in a kneeling position to decrease his angle and avoid any potential ricochets to unintended areas. From this vantage point, Officer Smidt had a clear unobstructed view of Ashland.

Officer Smidt stated he heard Officer Danowski say that Ashland put the gun on the ground, and Officer Smidt saw an opportunity to separate Ashland from the gun by delivering a less lethal round. Officer Smidt stated he came up on target (Ashland) and was about to verbalize to other officers on scene, "less lethal." At that moment, Officer Smidt heard a single gunshot coming from the

direction of Ashland, and thinking that Ashland fired a round, fired a less lethal round in the direction of Ashland.

Officer Smidt stated his initial target/impact area was the legs, but the gunshot just prior to him firing caused him to come slightly off target. Officer Smidt was not sure if less lethal round he fired hit his intended target area. After firing his less lethal round, Officer Smidt heard additional gunfire from several different directions. Officer Smidt then moved back behind cover and heard Sgt. Ian Dekarske over the radio say, "shots fired, Officers OK."

Approach to Ashland

Officer Smidt says a plan was developed to make an approach towards Ashland and secure the scene. Officer Smidt stated he was the last person in the stack of Officers that approached Ashland. As they made the approach, Officer Smidt recalled Ashland's arms were pulled in towards his chest and he was laying on his side. Officer Smidt recalled someone saying, "he's not breathing anymore" and he observed Officers roll Ashland over to his stomach and handcuff Ashland.

Officer Smidt recalled the gun that Ashland had was laying on the ground within two feet of Ashland's body. A gurney was rolled out from the ER and several officers picked Ashland up, put him on the gurney and quickly conveyed Ashland into the ER.

Scene Security

Officer Smidt stated Waukesha Police Sgt. Benitez tasked him with scene security. Officer Smidt recalled Officers putting Police tape up around the scene and he secured the 40mm less lethal gun back in the rear of Fleet #28. Officer Smidt asked a Village of Pewaukee Police Officer to stand by as scene security until he returned. Officer Smidt recalled placing the less lethal gun

back in Fleet #28.

Officer Smidt returned to the scene and debated leaving the revolver on the ground or just leaving it for investigators. Officer Smidt decided since the scene was still active, he would secure the weapon. Not having any gloves to use, Officer Smidt asked the Village of Pewaukee Officer to secure the weapon for him. The Officer secured Ashland's weapon and noticed that the hammer on the revolver was cocked back. They removed the 6 rounds from the revolver's cylinder, then laid the revolver and the rounds on the ground where it was originally located.

Leaving the Scene

Officer Smidt conveyed himself and Officer Timothy Filter back to the Waukesha Police Department to meet with their union officials. At the Police Department, Lt. Joseph Hendricks took a brief public safety statement from him and was later photographed by investigators.

Officer Smidt said that the information he provided was accurate to the best of his recollection at that time and he did not have anything to add. The interview was concluded.

Detective Kelly Zielinski

NAMES

Police

Zielinski, Det Kelly M W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

Wauwatosa Police Department			Incident Report
Incident Report Number: 20-007316	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226		Incident Date: 4/15/20
New Incident: Assist Other Agency	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

20-7316 Milwaukee Area Investigative Team

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 20-16731). The City of Wauwatosa Police Department is the lead agency using the incident number 20-4922. I, Detective Stephen F. Kirby, responded to Waukesha Memorial Hospital to assist the scene investigation. Wisconsin State Crime Lab (WSCL) response team, Waukesha Police Specialist Andy Schmidt, New Berlin Officer James Ament and his K9 partner all provided some scene processing, investigation or documentation as well. See their individual reports for details.

Incident Overview

Upon arrival I found the scene to be secured by officers from several agencies, some of who were witness officers. The scene was also well secured by evidence tape. The event occurred at Waukesha Memorial Hospital, in the parking lot just outside the emergency entrance on the north side of the building. The entire north parking lot was secured.

The deceased suspect was inside the hospital in a trauma room. Detective Tom Casey of the Waukesha Police Department with a Waukesha Sheriff’s deputy maintained security on the deceased. See his report for details.

During the incident the deceased was next to a white Toyota Corolla in the first row of parking closest to the emergency room entrance. The officers took positions in front of the emergency entrance facing out. Fired cartridge casings were already marked with evidence cones in the area of the emergency drive and items of evidence were located nearby and in several areas of the parking lot.

Waukesha Medical Examiner’s Officer Response

Deputy Medical Examiner Allison Wiess responded to the hospital trauma room 1 to conduct the medico-legal portion of the investigation. The deceased was identified by fingerprint (FASTID by Officer Andy Schmidt) as Randy S. Ashland (M/W [redacted]-1961). Dr. Andrew Szymanski declared time of death previously at 2:10AM.

During the inspection and documentation of the body a small metal fragment, consistent with a fired bullet fragment, was recovered from the medical gurney sheet. The item apparently fell from either the body or the clothing of the deceased. I recovered the fragment and later entered it into Wauwatosa Police evidence as item 20-1303-1.

Deputy Medical Examiner Allison Wiess recovered the body of the deceased and deceased's clothes for her investigation. I recovered and maintained the deceased's cell phone, an iPhone with a black rubber case, and later entered it into Wauwatosa Police evidence as item 20-1304-1. The autopsy was scheduled later that day. See Detective Lewandowski's reports as well as the Waukesha County Medical Examiner's reports for details.

Officer Involved Rifles Entered

The rifles used by the involved officers were recovered by Det. Short during the investigation at the Waukesha Police Department. See his reports for details. He later secured the weapons in an evidence locker along with the associated magazines and unfired cartridges. All item were properly labeled. I later entered the items into Wauwatosa Police evidence.

Sgt. Ian DeKarske's rifle was a LWRC International, model M6 with serial number [redacted], chambered in 5.56mm NATO, with a laser engraved Waukesha Police Tactical Unit logo. Also secured with the rifle was a rifle magazine labeled "DEKARSKE" and a bag containing 23 unfired cartridges of identical .233 caliber ammunition. The rifle and magazine were entered as item 20-1311-1 and the ammunition as item 20-1311-2.

Officer Ryan Solberg's rifle was a Sig Sauer brand lower receiver with serial number [redacted] and Sig Sauer SIGM400 upper. Also secured with the rifle was one unlabeled magazine with 26 unfired cartridges of identical .233 caliber

ammunition. The rifle and magazine were entered as item 20-1311-3 and the ammunition as item 20-1311-4.

Other Law Enforcement Weapons Recovered

During the scene processing additional law enforcement weapons were inspected and two were recovered by me.

Officer Filter's Rifle

Eventually, through interview and investigation, it was determined Officer Tim Filter was in possession of Waukesha Police fleet rifle 18 during the incident. I located the rifle on scene in squad 28, an unmarked black SUV. Fleet squad 28 with Wisconsin municipal registration *653 (VIN [redacted]) was assigned to Sgt. DeKarske the night of the incident. Later interviews indicated rifle 18 was secured in the squad by Sgt. Benitez immediately after the incident. From the back seat floor board I recovered fleet rifle 18, a BCM brand BCM4 with serial number [redacted]. From the front passenger seat of the squad I recovered one magazine labeled "FLT 18" with 27 cartridges of identical .233 ammunition and one loose identical cartridge laying next to it. Together that indicates a full load for Waukesha Police rifles of 28 rounds. This indicates Officer Filter did not fire during the incident.

I later took a series of digital photos of the rifle, magazine and the ammunition. Those photos were uploaded to the secure MAIT server and the Secure Detective Bureau server under this case number.

The rifle and magazine was entered as item 20-1312-1 and the ammunition as item 20-1312-2.

Due to conflicting preliminary information, other rifles were documented and round counted under the impression they may have been used by Officer Filter or other officers on scene.

Fleet rifle 44, a BCM brand BCM4 with serial number [redacted] with the magazine

"FLT 44", was recovered from fleet squad 44 (Wisconsin registration *2301\VIN [redacted]). Officer Solberg was assigned this squad and the rifle was believed to have been involved before information was developed that he used his own rifle. Rifle 44 was recovered by me still secured in squad fleet 44 and the rounds counted. There were 28 unfired cartridges in the magazine indicating it was not fired during the incident. I returned the weapon to Lt. Habanek as uninvolved.

Fleet rifle 38, a BCM brand BCM4 with serial number [redacted] with the magazine "FLT 38", was recovered from fleet squad 38 (Wisconsin registration *E688\VIN [redacted]). Preliminary information was Officer Filter secured his rifle into that squad but that was later determined to be inaccurate. The rifle was recovered by me secured in the squad and the rounds counted. I verified there were 28 unfired cartridges in the magazine indicating it was not fired during the incident. I returned the rifle to Lt. Habanek as uninvolved.

Less Lethal Launcher Recovered

A less lethal weapon was used during the incident by Officer Nate Smidt according to preliminary information. The launcher was recovered by me from squad fleet 28 (Wisconsin registration *653/VIN [redacted]) assigned to DeKarske. The launcher is a break action single shot 40mm caliber, Penn Arms brand Model GL1-40-C with serial number [redacted]. The launcher was labeled with the name "DeKarske" on the stock. Information from later interviews indicated Officer Smidt retrieved the launcher from Sgt. Dekarske's squad and returned it to the same location after use in the incident.

I recovered the Penn Arms launcher, unloaded and inside a carry bag, in squad 28. The spent 40mm ammunition casing was not present and is currently unaccounted for. The spent projectile was found as WSCL scene item 13 (Wauwatosa police inventory item 20-1308-14).

I later took a series of digital photos of the launcher. Those photos were uploaded to the secure MAIT server and the Secure Detective Bureau server under this case number.

Search of White Toyota

Detective Donovan reported to command that the owner of the vehicle the deceased arrived in, signed a consent form to search his auto for evidence related to the shooting. The vehicle, a white 2016 Toyota Corolla with Wisconsin registration [redacted] (VIN: [redacted]) is registered to J[redacted]. F[redacted]. The doors were unlocked. I searched the vehicle which was very clean and uncluttered and found nothing of evidentiary value.

The auto was locked and left secured at the scene. The keys were delivered to Lt. Habanek for later release to the owner by Waukesha Police.

Vehicle Owner Interview: Black Ford F-150 Struck by Bullet

A black 2007 Ford F-150 with Wisconsin Registration [redacted] (VIN: [redacted]) listing to A[redacted]. A[redacted] (M/B [redacted]-[redacted]-1987) was struck by a fired bullet. Mr. A[redacted] inspected his truck and confirmed only minor damage to the front passenger door was caused. Essentially a small paint chip was caused in the center of the door. The fired bullet was recovered as WSCL scene item 16 (Wauwatosa item 20-1308-16). Mr. A[redacted] removed his truck from scene on his own.

Wisconsin State Crime Lab Scene Evidence Recovery

After scene processing, WSCL response team leader Julieanne Avila turned over to me sixteen collected items of scene evidence. I accepted the items which were all securely packaged. I later entered the items as Wauwatosa Police evidence items 20-1308-1 to 16. Note, the item number (last character) corresponds to the scene numbering system.

The items turned over were:

Scene item 1: Fired .223. cartridge case entered as item 20-1308-1

Scene item 2: Fired .223. cartridge case entered as item 20-1308-2

Scene item 3: Fired .223. cartridge case entered as item 20-1308-3

Scene item 4: Fired .223. cartridge case entered as item 20-1308-4

Scene item 5: Fired .223. cartridge case entered as item 20-1308-5

Scene item 6: Fired .223. cartridge case entered as item 20-1308-6

Scene item 7: Fired .223. cartridge case entered as item 20-1308-7

Scene item 8: Expended bullet from parking lot west of Toyota entered as item 20-1308-8

Scene item 9: Expended bullet from parking lot west of Toyota entered as item 20-1308-9

Scene item 10: One pair of eyeglasses from next to the Toyota entered as item 20-1308-10

Scene item 11: Swabs of blood from parking lot next to Toyota entered as item 20-1308-11

Scene item 12: Taurus brand, “The Judge” model 5 shot revolver chambered in 45 Colt or .410 gauge with 5 unspent .410 gauge shotgun shells entered as item 20-1308-12

Scene item 13: Suspected human tissue from parking lot entered as item 20-1308-13

Scene item 14: 40mm less lethal impact round from parking lot entered as item 20-1308-14

Scene item 15: Spent bullet from under Dodge Caravan entered as item 20-1308-15

Scene item 16: Spent bullet from next to black pickup truck in parking lot entered as item 20-1308-16

The items were all secured in Wauwatosa Police evidence vaults.

Brown Deer Evidence Turned Over

Seven items of evidence from Brown Deer Investigators who searched the deceased’s living space were turned over to me by Detective Brian Guenette. See his report for details regarding the recovery of the items.

Items entered into Wauwatosa Property were

Wauwatosa item 20-1305-1: CD of images

Wauwatosa item 20-1306-1: Plastic Plano brand ammo box containing various cartridges (BDPD 20-0348-1)

Wauwatosa item 20-1306-2: Box of Barnes brand 45 Colt cartridges (BDPD 20-0348-2)

Wauwatosa item 20-1306-3: Box of Hornady “Critical Defense” 45 Colt cartridges (BDPD 20-0348-3)

Wauwatosa item 20-1306-4: Box of Winchester Defender .410 gauge shot gun shells (BDPD 20-0348-4)

Wauwatosa item 20-1306-5: Box of Barnes brand 45 Colt cartridges (BDPD 20-0348-5)

Wauwatosa item 20-1307-1: black leather bound journal type note book from deceased’s bed (BDPD 20-0348-6)

WSCL Photos Digitally Shared

During the processing of the scene, WSCL investigators took a series of digital scene photos and videos. Those photos were digitally shared and downloaded by me. I later uploaded all the shared photos to the secure MAIT server and the Secure Detective Bureau server under this case number.

WSCL Documents Scanned and Attached

Documents provided by WSCL during the investigation, to include the Crime Scene Response letter of Introduction and the Receipt of Physical Evidence, were scanned and attached to the case.

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226

Phone 1:(414) 471-8430

OTHER NAMES

Ashland, Randy S M-58 of 19[redacted] Milky Way, Waukesha,WI,53187
DOB: [redacted]/[redacted]/1961
Phone 1:([redacted]) [redacted]-[redacted]

Wauwatosa Police Department of 1700 N 116 St, Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8447

Waukesha Police Department of 1901 Delafield St, Waukesha,WI,53188
Phone 1:(262) 524-3820

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001303				
1	EVI		Bullet jacket fragment from hospital sheets of deceased	1.000 $0.00 [Recovered]
20-001304				
1	EVI		Cell phone (iPhone in black rubber case) from the body of Randy Ashland Recovered from hospital room	1.000 $0.00 [Recovered]
20-001305				
1	EVI		CD of images from Brown Deer Police search of Randy Ashland's room (no BDPD item #)	1.000 $0.00 [Recovered]
20-001306				
1	EVI		Plastic Plano brand ammo box of various cartridges recovered by Brown Deer Police (BDPD item 20-0348-	1.000 $1.00 [Recovered]
		Various		
2	EVI		Box of Barnes brand 45 Colt cartridges from Dresser drawer recovered by Brown Deer Police (BDPD item 20-0348-2)	1.000 $10.00 [Recovered]
		45 Colt		
3	EVI		Box of Hornady "critical defense" 45 Colt cartridges recovered by Brown Deer Police (BDPD item 20-0348-3)	1.000 $10.00 [Recovered]
4	EVI		Box of Winchester PDX-1 Defender .410 gauge shotgun shells recovered by Brown Deer Police (BDPD item 20-0348-4)	1.000 $5.00 [Recovered]
		.410 gauge		
5	EVI		Box of Barnes brand 45 colt	1.000

			cartridges from shelf recovered by Brown Deer Police (BDPD item 20-0348-5)	$0.00 [Recovered]
20-001307				
1	EVI		Black leatherbound journal type note book from bed of Randy Ashland recovered by Brown Deer Police (BDPD item 20-0348-6)	1.000 $0.00 [Recovered]
20-001308				
1	EVI		WSCL scene item 1: Fired .233 cartridge case	1.000 $0.00 [Recovered]
2	EVI		WSCL scene item 2: Fired .233 cartridge case	1.000 $0.00 [Recovered]
3	EVI		WSCL scene item 3: Fired .233 cartridge case	1.000 $0.00 [Recovered]
4	EVI		WSCL scene item 4: Fired .233 cartridge case	1.000 $0.00 [Recovered]
5	EVI		WSCL scene item 5: Fired .233 cartridge case	1.000 $0.00 [Recovered]
6	EVI		WSCL scene item 6: Fired .233 cartridge case	1.000 $0.00 [Recovered]
7	EVI		WSCL scene item 7: Fired .233 cartridge case	1.000 $0.00 [Recovered]
8	EVI		WSCL scene item 8: expended bullet from parking lot west of Toyota	1.000 $0.00 [Recovered]
9	EVI		WSCL scene item 9: one fired bullet from west of Toyota	1.000 $0.00 [Recovered]
10	EVI		WSCL scene item 10: one pair	1.000

			of eyeglasses from next to Toyota		$0.00 [Recovered]
11	EVI		WSCL scene item 11: swabs of apparent blood from parking lot next to Toyota	1.000	$0.00 [Recovered]
12	EVI	Taurus	WSCL scene item 12: Taurus brand "The Judge" model 5 shot revolver chambered in 45 colt/410 gauge	1.000	$0.00 [Recovered]
		410 gauge	[redacted]		
13	EVI		WSCL scene item 13: suspected human tissue from parking lot curb	1.000	$0.00 [Recovered]
14	EVI		WSCL scene item 14: 40mm less lethal impact round	1.000	$0.00 [Recovered]
15	EVI		WSCL scene item 15: spent bullet recovered from under a dodge caravan in parking lot.	1.000	$0.00 [Recovered]
16	EVI		WSCL scene item 16: spent bullet from parking lot next to black pickup truck	1.000	$0.00 [Recovered]
20-001311					
1	EVI		DeKarske's rifle: LWRC Inc. brand M6 model AR style rifle, S/N [redacted], chambered in 5.56 NATO with City of Waukesha Tactical Unit laser engraved on lower receiver. One magazine labeled "DEKARSKE"	1.000	$1000.00 [Recovered]
		5.56 NATO	[redacted]		
2	EVI		DeKarske's Ammunition: 23 Cartridges of .223 ammunition	23.000	$0.00 [Recovered]
		.223			[Recovered]
3	EVI	Swiss Indus. Gese.	Solberg's Rifle: Sig Sauer (no model lower/SIGM400 upper) S/N [redacted] with one unlabeled magazine	1.000	$1000.00 [Recovered]
		.223	[redacted]		

4	EVI		Solberg's Ammunition: 26 rounds of .223 rifle cartridges	1.000 $0.00 [Recovered]
		.223		[Recovered]

20-001312

1	EVI		Filter's Rifle: BCM brand BCM4 model AR style rifle S/N [redacted] labeled Fleet 18 with magazine labeled Fleet 18	1.000 $0.00 [Recovered]
		.223	[redacted]	
2	EVI		Filter's Ammunition: 28 cartridges of .223 rifle ammunition from magazine labeled Fleet 18	1.000 $0.00 [Recovered]
		.223		
3	EVI		40mm Less Lethal munitions/impact launcher: Penn Arms brand GL1-40-C single shot launcher S/N [redacted] with label of "DeKarske"	1.000 $500.00 [Recovered]
		40mm	[redacted]	

Waukesha Police Department — Incident Report

Incident: Weapons - Use Of A Firearm

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-016731			4/15/20	01:30

Incident Location: 725 American Ave, Waukesha, WI, 53188

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
1511			
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

On Wednesday, April 15, 2020, at approximately 0131 hours, I, Sergeant Benitez, responded to Waukesha Memorial Hospital (725 American Ave.) in the City of Waukesha for a man with a gun call. Initial information provided was that a male subject was in the parking lot of the ER entrance with a gun to his head. The male subject was identified as Randy Ashland. Officers gave numerous commands to Ashland to drop the firearm on numerous occasions and due to his actions Sergeant DeKarske and Officer Solberg were forced to use deadly force to stop the threat. I assisted in the initial response and stabilized the scene.

	Vehicle Information: (Year, Make, Model, Style, Color)			
Plate Check	2016, Toyota, Corolla, Sedan, White			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
[redacted]	WI	2020	[redacted]	

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Benitez, Servando M.	P436	04/22/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
01:30:29	12:55:01	102, 104, 106, 108, 110, 112, 1	1 Of 5

Reviewed by:	Payroll Number :	Copy To
Daily, David M.	P431	

Date: 04/22/2020

CFS Code-1: 1511

Incident Report Number: 20-016731

NARRATIVE

On Wednesday, April 15, 2020, at approximately 0131 hours, I, Sergeant Benitez, while inside the Police Station, overheard squads being dispatched to Waukesha Memorial Hospital (725 American Ave.) for a man with a gun call. Dispatch advised officers that there was a man with a gun to his head in the parking lot next to a white Toyota Corolla. I immediately met with Sergeant DeKarske, who was also inside the Police Department and we proceeded to our fleet and responded to the hospital. While en route to the hospital, I heard over the police radio that the male subject was right outside the main door to the emergency department, and I heard Officer Fintel state that he had the subject at gunpoint. The male was described as a male with a white t-shirt and blue jeans, who was later identified to be Randy Ashland.

As myself and Sergeant DeKarske arrived on scene, Sergeant DeKarske proceeded to park our fleet in front of the ER entrance, where Officer Fintel's fleet was also parked. As we pulled up to Officer Fintel's location, I observed the white Toyota Corolla parked in the parking lot and the male subject in question, Ashland, laying on the ground next to the passenger side of the white Toyota Corolla with a gun to his head.

At this time, myself and Sergeant DeKarske exited our fleet and Sergeant DeKarske advised me that he was grabbing his rifle, at which point, I grabbed the ballistic shield that was in Fleet 28. Sergeant DeKarske advised me to escort him to one of the pillars that is in front of the hospital entrance, and I proceeded to walk with Sergeant DeKarske using the shield as cover for myself and him, and positioned ourselves right across from the white Toyota Corolla by the entrance of the Emergency Room. Upon doing this, I observed the male subject, Ashland, holding a silver color revolver to his head. I could hear both Officer Solberg and Sergeant DeKarske on numerous occasions give Ashland commands to drop the firearm and place it on the ground. Officer Solberg continued to conduct dialog with Ashland in an attempt to diffuse the situation and have him put the gun down and roll away from the firearm so that we could help him.

While officers continued to give commands to Ashland, Sergeant DeKarske advised me as we were walking up to the pillar of the ER entrance that he had a magnifier on his assigned riffle, and while officers were giving commands to Ashland, Sergeant DeKarske advised me that Ashland did have his finger in the trigger, at one point, in the firearm.

I continued observing Ashland through the viewport in my shield and I continued to see him manipulate the firearm on different occasions as officers would give him commands to drop the firearm, and at one point advising him not to point the firearm at us. A containment area was set up in order to prevent Ashland from going mobile and creating crossfire issues along with putting other civilians or

individuals inside the hospital in danger. Due to the proximity to the hospital, I advised officers that if Ashland was to stand up with the firearm, he would be breaking containment due to the fact that if he discharged a round in our direction it was also going to go towards the hospital, which has many windows and could easily strike an innocent person.

As Officer Solberg continued to plea with Ashland to drop the firearm, as we wanted to help him, at one point Ashland did put the firearm down and he was told to roll away from the firearm but failed to do so. Ashland then proceeded to grab the firearm once again and moments later Sergeant DeKarske fired numerous shots at Ashland to stop the threat. When the rounds were fired at Ashland to stop the threat, I observed through the shield viewport Ashland laying the gun on the ground and putting his hands on his chest.

At this time, myself and Sergeant DeKarske proceeded to Officer Solberg's location, where Officer Solberg was with other officers and had a shield team set up so that we could move together closer to Ashland and assess him. To the right of myself and Sergeant DeKarske was Officer Filter with a separate shield team who also had eyes on Ashland, and they held Ashland at gunpoint while the other two shield teams moved up closer and assessed the situation. As myself and Sergeant DeKarske met with Officer Solberg's team, we proceeded to walk towards Ashland using a wide angle and stopped by a truck that was several feet away from the Toyota Corolla where Ashland was laying next to and we were able to get a better look at him and assess the situation. At this time, I did observe Ashland did not appear to be breathing and did have multiple gunshot wounds to the upper chest area. I also observed the revolver laying to the right of Ashland's body with Ashland's hands in his chest area. In order to further assess the situation and get Ashland medical attention, the shield team was going to move closer with one individual from the shield team moving the firearm away from Ashland and securing it. At this time, the shield team moved up, and as we got closer to the body, the firearm was moved away by one of the officers within the shield team and Ashland was handcuffed by officers and taken into custody. A gurney was brought out from the hospital in which Ashland was placed on and was escorted into the ER entrance to receive medical attention. The vehicle that Ashland was laying next to was visually clear and nobody else was observed inside.

Sergeant DeKarske advised me that Officer Solberg had also fired his rifle at Ashland. At this time, I removed the involved officers who had used deadly force from the scene, and they were brought back to the Police Department. I then worked with the remaining officers that were on scene to secure the area by having the area taped off to the public and police cones were placed where shell casings were located in the parking lot by the ER entrance. I did notify Lieutenant Hendricks about the incident and once the scene was secure, Lieutenant Habanek did arrive on scene. At this time, I turned over the scene to him so that it could be processed.

The incident was captured in Fleet 28's MAVRS (Mobile Audio Visual Recording System). This will conclude the end of my supplemental report. Please refer to the

other supplemental reports for further details of the incident.

kif/REFER: IR20-16731

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Waukesha Police Department — Supplemental Report

Incident Report Number:	Incident Location:			Incident Date:
20-016731	725 American Ave, Waukesha, WI, 53188			04/15/2020
New Incident:		Original CFS Code - 1: 1511	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #2

On 04/15/2020, I, Detective Serrano, was assigned to assist with the officer-involved shooting that occurred at Waukesha Memorial Hospital, located at 725 American Avenue in the City of Waukesha.

Upon arrival, I met with Lieutenant Habanek, who requested that I relieve City of New Berlin officers who were serving as scene security in the parking lot. I responded to the parking lot just outside the emergency room and relieved a New Berlin police officer who had been maintaining vigilance of the decedent's vehicle, a white Toyota Corolla. There were other things on the ground outside the vehicle, including a firearm which New Berlin Police Department had pointed out. I remained at that location monitoring the vehicle and firearm until Wisconsin State Crime Lab, together with City of Waukesha evidence specialists, proceeded to process the scene and collect all evidence. Once they started processing the scene, I moved to an outer security perimeter.

No narrative to follow. This was end of my involvement with this case.

jeb/REFER: IR20-16731, Supplements.

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Reporting Officer(s):		Payroll Number:	Report Date:
Serrano, Aurelio		P382	04/15/2020
Reviewed by:	Payroll Number:	Copy To:	Page:
Daily, David M.	P431		1 Of 1

Waukesha Police Department			Supplemental Report
Incident Report Number: 20-016731	Incident Location: 725 American Ave, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #3

On Wednesday, April 15, 2020, at 2:02am, I (Detective Casey #355) was contacted by Captain Baumann and requested to report for duty to assist with an Officer-Involved Shooting that occurred at Waukesha Memorial Hospital. This shooting involved multiple City of Waukesha Police Officers, and the Milwaukee Area Investigative Team (M.A.I.T.)was requested to investigate the shooting. The Wauwatosa Police Department is the Lead Agency.

I responded to the hospital and was assigned to relieve Waukesha Police Department Officer Larsen who was in Trauma Room #1 guarding the deceased. I arrived at 3:15am. Also present was Waukesha County Deputy M. McIntyre. I was present in the room until the Medical Examiner's Office took custody of the deceased.

I was informed by hospital staff that the deceased had been identified to them by a pastor that brought the now deceased person to the hospital as Randy S. Ashland, DOB [redacted]/[redacted]/1961. Specialist Schmidt used the Fast ID on the deceased and positively identified him as Randy Ashland with a Wisconsin State CIBR #WI201827.

While guarding the deceased, Wauwatosa Detective Steven Kirby, State Crime Lab Employees Chris Johnson, Julie Avila, Lisa Treffinger and one other Crime Lab employee processed Ashland.

I observed multiple gunshot wounds to Ashland which include, but not limited to, the right side of his neck, left abdomen, left rear shoulder area, and multiple to his left lower leg.

Deputy Medical Examiner Allison Wiess arrived and did her on-scene investigation. She took custody of Ashland and paper bags which contained his clothes. She left the hospital with Ashland at 6:20am.

Detective Kirby took custody of Ashland's cell phone.

This completes the initial investigation. Refer this report to M.A.I.T. and the Wauwatosa Police Department.

No narrative to follow.

TC/jeb/REFER: IR20-16731, Supplements.

Reporting Officer(s): Casey, Thomas P.		Payroll Number: P355	Report Date: 04/15/2020
Reviewed by: Daily, David M.	Payroll Number: P431	Copy To:	Page: 1 Of 2

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Waukesha Police Department — Incident Report

Incident: Weapons - Use Of A Firearm

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-016731			4/15/20	01:30

Incident Location: 725 American Ave, Waukesha, WI, 53188

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
1511			
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

On Wednesday, April 15, 2020, at approximately 0131 hours, I, Sergeant Benitez, responded to Waukesha Memorial Hospital (725 American Ave.) in the City of Waukesha for a man with a gun call. Initial information provided was that a male subject was in the parking lot of the ER entrance with a gun to his head. The male subject was identified as Randy Ashland. Officers gave numerous commands to Ashland to drop the firearm on numerous occasions and due to his actions Sergeant DeKarske and Officer Solberg were forced to use deadly force to stop the threat. I assisted in the initial response and stabilized the scene.

	Vehicle Information: (Year, Make, Model, Style, Color)			
Plate Check	2016, Toyota, Corolla, Sedan, White			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
[redacted]	WI	2020	[redacted]	

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Benitez, Servando M.	P436	04/22/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
01:30:29	12:55:01	102, 104, 106, 108, 110, 112, 1	1 Of 5

Reviewed by:	Payroll Number :	Copy To
Daily, David M.	P431	

Date: 04/22/2020

CFS Code-1: 1511

Incident Report Number: 20-016731

NARRATIVE

On Wednesday, April 15, 2020, at approximately 0131 hours, I, Sergeant Benitez, while inside the Police Station, overheard squads being dispatched to Waukesha Memorial Hospital (725 American Ave.) for a man with a gun call. Dispatch advised officers that there was a man with a gun to his head in the parking lot next to a white Toyota Corolla. I immediately met with Sergeant DeKarske, who was also inside the Police Department and we proceeded to our fleet and responded to the hospital. While en route to the hospital, I heard over the police radio that the male subject was right outside the main door to the emergency department, and I heard Officer Fintel state that he had the subject at gunpoint. The male was described as a male with a white t-shirt and blue jeans, who was later identified to be Randy Ashland.

As myself and Sergeant DeKarske arrived on scene, Sergeant DeKarske proceeded to park our fleet in front of the ER entrance, where Officer Fintel's fleet was also parked. As we pulled up to Officer Fintel's location, I observed the white Toyota Corolla parked in the parking lot and the male subject in question, Ashland, laying on the ground next to the passenger side of the white Toyota Corolla with a gun to his head.

At this time, myself and Sergeant DeKarske exited our fleet and Sergeant DeKarske advised me that he was grabbing his rifle, at which point, I grabbed the ballistic shield that was in Fleet 28. Sergeant DeKarske advised me to escort him to one of the pillars that is in front of the hospital entrance, and I proceeded to walk with Sergeant DeKarske using the shield as cover for myself and him, and positioned ourselves right across from the white Toyota Corolla by the entrance of the Emergency Room. Upon doing this, I observed the male subject, Ashland, holding a silver color revolver to his head. I could hear both Officer Solberg and Sergeant DeKarske on numerous occasions give Ashland commands to drop the firearm and place it on the ground. Officer Solberg continued to conduct dialog with Ashland in an attempt to diffuse the situation and have him put the gun down and roll away from the firearm so that we could help him.

While officers continued to give commands to Ashland, Sergeant DeKarske advised me as we were walking up to the pillar of the ER entrance that he had a magnifier on his assigned riffle, and while officers were giving commands to Ashland, Sergeant DeKarske advised me that Ashland did have his finger in the trigger, at one point, in the firearm.

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individuals inside the hospital in danger. Due to the proximity to the hospital, I advised officers that if Ashland was to stand up with the firearm, he would be breaking containment due to the fact that if he discharged a round in our direction it was also going to go towards the hospital, which has many windows and could easily strike an innocent person.

As Officer Solberg continued to plea with Ashland to drop the firearm, as we wanted to help him, at one point Ashland did put the firearm down and he was told to roll away from the firearm but failed to do so. Ashland then proceeded to grab the firearm once again and moments later Sergeant DeKarske fired numerous shots at Ashland to stop the threat. When the rounds were fired at Ashland to stop the threat, I observed through the shield viewport Ashland laying the gun on the ground and putting his hands on his chest.

At this time, myself and Sergeant DeKarske proceeded to Officer Solberg's location, where Officer Solberg was with other officers and had a shield team set up so that we could move together closer to Ashland and assess him. To the right of myself and Sergeant DeKarske was Officer Filter with a separate shield team who also had eyes on Ashland, and they held Ashland at gunpoint while the other two shield teams moved up closer and assessed the situation. As myself and Sergeant DeKarske met with Officer Solberg's team, we proceeded to walk towards Ashland using a wide angle and stopped by a truck that was several feet away from the Toyota Corolla where Ashland was laying next to and we were able to get a better look at him and assess the situation. At this time, I did observe Ashland did not appear to be breathing and did have multiple gunshot wounds to the upper chest area. I also observed the revolver laying to the right of Ashland's body with Ashland's hands in his chest area. In order to further assess the situation and get Ashland medical attention, the shield team was going to move closer with one individual from the shield team moving the firearm away from Ashland and securing it. At this time, the shield team moved up, and as we got closer to the body, the firearm was moved away by one of the officers within the shield team and Ashland was handcuffed by officers and taken into custody. A gurney was brought out from the hospital in which Ashland was placed on and was escorted into the ER entrance to receive medical attention. The vehicle that Ashland was laying next to was visually clear and nobody else was observed inside.

Sergeant DeKarske advised me that Officer Solberg had also fired his rifle at Ashland. At this time, I removed the involved officers who had used deadly force from the scene, and they were brought back to the Police Department. I then worked with the remaining officers that were on scene to secure the area by having the area taped off to the public and police cones were placed where shell casings were located in the parking lot by the ER entrance. I did notify Lieutenant Hendricks about the incident and once the scene was secure, Lieutenant Habanek did arrive on scene. At this time, I turned over the scene to him so that it could be processed.

The incident was captured in Fleet 28's MAVRS (Mobile Audio Visual Recording System). This will conclude the end of my supplemental report. Please refer to the

other supplemental reports for further details of the incident.

kif/REFER: IR20-16731

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Waukesha Police Department — Supplemental Report

Incident Report Number:	Incident Location:			Incident Date:
20-016731	725 American Ave, Waukesha, WI, 53188			04/15/2020
New Incident:		Original CFS Code - 1: 1511	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #2

On 04/15/2020, I, Detective Serrano, was assigned to assist with the officer-involved shooting that occurred at Waukesha Memorial Hospital, located at 725 American Avenue in the City of Waukesha.

Upon arrival, I met with Lieutenant Habanek, who requested that I relieve City of New Berlin officers who were serving as scene security in the parking lot. I responded to the parking lot just outside the emergency room and relieved a New Berlin police officer who had been maintaining vigilance of the decedent's vehicle, a white Toyota Corolla. There were other things on the ground outside the vehicle, including a firearm which New Berlin Police Department had pointed out. I remained at that location monitoring the vehicle and firearm until Wisconsin State Crime Lab, together with City of Waukesha evidence specialists, proceeded to process the scene and collect all evidence. Once they started processing the scene, I moved to an outer security perimeter.

No narrative to follow. This was end of my involvement with this case.

jeb/REFER: IR20-16731, Supplements.

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Reporting Officer(s):		Payroll Number:	Report Date:
Serrano, Aurelio		P382	04/15/2020
Reviewed by:	Payroll Number:	Copy To:	Page:
Daily, David M.	P431		1 Of 1

Waukesha Police Department			Supplemental Report
Incident Report Number: 20-016731	Incident Location: 725 American Ave, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #3

On Wednesday, April 15, 2020, at 2:02am, I (Detective Casey #355) was contacted by Captain Baumann and requested to report for duty to assist with an Officer-Involved Shooting that occurred at Waukesha Memorial Hospital. This shooting involved multiple City of Waukesha Police Officers, and the Milwaukee Area Investigative Team (M.A.I.T.)was requested to investigate the shooting. The Wauwatosa Police Department is the Lead Agency.

I responded to the hospital and was assigned to relieve Waukesha Police Department Officer Larsen who was in Trauma Room #1 guarding the deceased. I arrived at 3:15am. Also present was Waukesha County Deputy M. McIntyre. I was present in the room until the Medical Examiner's Office took custody of the deceased.

I was informed by hospital staff that the deceased had been identified to them by a pastor that brought the now deceased person to the hospital as Randy S. Ashland, DOB [redacted]/[redacted]/1961. Specialist Schmidt used the Fast ID on the deceased and positively identified him as Randy Ashland with a Wisconsin State CIBR #WI[redacted].

While guarding the deceased, Wauwatosa Detective Steven Kirby, State Crime Lab Employees Chris Johnson, Julie Avila, Lisa Treffinger and one other Crime Lab employee processed Ashland.

I observed multiple gunshot wounds to Ashland which include, but not limited to, the right side of his neck, left abdomen, left rear shoulder area, and multiple to his left lower leg.

Deputy Medical Examiner Allison Wiess arrived and did her on-scene investigation. She took custody of Ashland and paper bags which contained his clothes. She left the hospital with Ashland at 6:20am.

Detective Kirby took custody of Ashland's cell phone.

This completes the initial investigation. Refer this report to M.A.I.T. and the Wauwatosa Police Department.

No narrative to follow.

TC/jeb/REFER: IR20-16731, Supplements.

Reporting Officer(s): Casey, Thomas P.		Payroll Number: P355	Report Date: 04/15/2020
Reviewed by: Daily, David M.	Payroll Number: P431	Copy To:	Page: 1 Of 2

NAMES

Deceased

Ashland, Randy Steven W/M-58 of 19[redacted] Milky Way Rd, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Waukesha Police Department			Supplemental Report
Incident Report Number: 20-016731	Incident Location: 725 American Ave, Waukesha, WI, 53188		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1: 1511	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #4

On Wednesday, April 15, 2020, I, Specialist Schmidt, assisted with an Officer Involved Shooting investigation at Waukesha Memorial Hospital, 725 American Ave. During my time on scene, I worked with Wisconsin Crime Lab, Crime Scene Response members, and Detective Kirby from the Wauwatosa Police Department. Later, I utilized a Waukesha Police UAS to capture images and the Faro scanner to capture scan data. The data that I collected was later processed and placed on Property Report.

NARRATIVE

On Wednesday, April 15, 2020, at approximately 0200 hours, I was notified that there had been an Officer Involved Shooting at Waukesha Memorial Hospital, 725 American Avenue, and members of the Waukesha Police Department had been involved. I responded from home and arrived on scene at approximately 0302. The original time of call was 0130. This investigation was going to be led by Wauwatosa Police Department assisted by other MAIT (Milwaukee Area Investigative Team) agencies.

Upon arriving, I noted that the weather conditions were as follows. The temperature was approximately 26 degrees, winds were very light out of the northwest. The sky was clear to partly cloudy. The lighting conditions were rather dark. It was well lit by the Emergency Room entrance, then further into the north parking lot, away from the building, it was substantially darker. The parking lot was lit by overhead lights on poles that were spaced out in the parking lot.

The north entrance for the Emergency Room has a drive-up area which is covered by a steel, glass, and concrete structure for vehicles to allow patients to exit and remain somewhat protected from weather. The north entrance for the Emergency Room has a large glass sliding door as well as very large commercial glass windows that allow viewing into the emergency room lobby. There are smaller windows for what i believed to be patient rooms along the whole north side of the hospital.

By the time I had arrived on scene, the drive up for the north entrance for the Emergency Room was taped off with crime scene tape, which created a perimeter well into the north parking lot. There were two Waukesha Police vehicles in the drive-up area, just to the west of the covered area. These were Fleets 28 and 38. Orange traffic cones defined areas within the tape of possible evidentiary value. Directly to the north, in first row of parking stalls in the

parking lot, was a white Toyota vehicle facing south, the vehicle had pulled in. This vehicle was also within the tape perimeter.

I met with Sgt. Benitez who was standing outside the sliding glass door entrance of the Emergency Room, outside of the perimeter tape, with a Waukesha County Sheriff's Deputy. He provided me with a brief explanation of what had occurred and confirmed that the white Toyota with Wisconsin registration [redacted] was involved in this incident. The Emergency Room lobby was closed due to this incident. There was a small but growing contingent of Detectives from other agencies that were in the Emergency Room lobby. I saw Detective Casey from Waukesha Police a short time later and he informed me the deceased suspect was in Emergency Room #1. Because this investigation was being led by Wauwatosa Police Department, the Crime Scene Response Unit from the Milwaukee Crime Lab was en-route, I did not pass the perimeter tape and did not enter the scene itself at this time. Lt. Habanek arrived and I was tasked with starting an initial Crime Scene Log and proceeded to gather the information of on scene personnel from Agencies that had gathered in the lobby of the Emergency Room. Initially there had been an uninvolved marked squad car in the north parking lot watching the area around the white Toyota. That squad car was later replaced by Detective Serrano and his unmarked car of the Waukesha Police Department.

At approximately 0350hrs, members of the Milwaukee Crime Lab arrived. Detective Kirby from the Wauwatosa Police Department was also on scene. I began to work with and assist them using equipment and resources belonging to the Waukesha Police Department at their request.

The suspect had been brought to room #1 in the Emergency Room. Upon entering, Detective Casey was there with a Waukesha Sheriff's Deputy. At approximately 0422, I was able to positively identify the suspect. I used the MorphoIdent Fast ID device which used captured fingerprint images from the right and left index finger. The suspect was identified as Randy Steven Ashland (M/W, DOB [redacted]-1961). Ashland had a Wisconsin criminal State ID #WI[redacted]. This information was saved and later printed for this report. Detective Kirby was notified by me of this information.

I met with Chris Johnson from the Crime Lab and he and I began to canvass the inside portion of the scene, looking for items of evidentiary value in the north parking lot. It was still very dark outside. The passenger side of the Toyota was the area of main interest. There was a pool of suspected blood on the asphalt. A silver 44 magnum Taurus Judge, 5 shot revolver was on the asphalt toward the rear of the vehicle. There were five .410 shotgun shells which were laying next to the firearm on the asphalt. There were marks in the asphalt that resembled lines, possible bullet strike marks, which appeared to line up in the direction where Officers had been positioned and the suspect had been positioned.

Further north in the parking lot, in a direct line with the area where Officers were when they had shot, there was a black Ford truck with Wisconsin registration [redacted]. Chris Johnson and I located a fired and deformed jacketed bullet laying on the asphalt to the south of the truck a short distance away. There was a small paint chip in the front passenger door. After locating this item, the perimeter was expanded, and the whole north parking lot was taped off until an in-depth search could be completed. I helped coordinate the completion of this task, Waukesha Police personnel were stationed at the entrances to prevent vehicles from driving through the tape and into the parking lot.

After this was completed, I was able to view the surveillance camera video which recorded this incident. The surveillance camera was located on the northwest corner of the hospital near the top floor. It was positioned behind the Officers looking in a northern direction. I was able to have a copy of the video released and e-mailed to me.

Officer Ament from New Berlin Police Department had been involved with this incident. He is a K-9 handler and his K-9 partner is trained in locating items of evidentiary value, specifically with gun powder residue. Around 0600, I had been requested to walk with Officer Ament and his K-9 partner to conduct a more thorough canvass of the north parking lot.

Parked In the same row as the truck was a gray minivan with Wisconsin registration [redacted]. The K-9 indicated on an area on the passenger side of the van. The K-9 crawled under the van and emerged with a fired less lethal round. The K-9 dropped it on the asphalt next to the van. I then looked under the van with my flashlight and located a 2nd deformed, partially jacketed bullet. At this time there was another vehicle parked in the next stall the south. I checked this vehicle as well and determined it was not involved. The canvass was completed and it was determined the only two vehicles, other than the white Toyota, that needed to be focused on were the black truck and the minivan. Detective Kirby and the Crime Lab were immediately notified so it could be properly documented.

As the Crime Lab finished their initial photographs, I was requested to obtain photographs using the Ricoh 360 camera, which I completed. Then I began to obtain scan data utilizing the Faro 3D X330 scanner. In total, 15 scans were obtained. Specialist Platta assisted me with this portion of my involvement. Prior to obtaining scan data, the interior perimeter crime scene tape was taken down to help provide cleaner scans. There were also several vehicles that were allowed to leave. These vehicles belonged to uninvolved hospital staff, patients and their family members

As scan data was being obtained, I worked with Waukesha Memorial Security and the Crime Lab to obtain photographs using the Waukesha Police Phantom 3 UAS (Unmanned Aircraft System). I had two objectives: to obtain overall photographs

of the scene, and to obtain photographs that could be processed into a digital point to supplement the Faro scan data. I contacted the Waukesha County Airport ATC (Air Traffic Control) at 0850 and requested to operate in the air space. That request was granted. Then I coordinated with Waukesha Memorial staff so that the UAS flights would not interfere with any Flight for Life operations. In total, I obtained 212 photographs with the UAS.

Once Faro scanning and UAS operations were complete the Crime Lab continued photographing and collecting items of evidentiary value. I did not collect any item.

I met with the owner of the Ford truck, A[redacted] [redacted] A[redacted] (M/B, [redacted]-[redacted]-1987). I explained to him why his truck was being photographed. He was understanding of the situation. He confirmed the small paint chip in the front passenger door was new. He and I looked over the rest of his truck and there was no other new damage.

Shortly after 1200, the scene was collapsed and the parking lot was turned over to Waukesha Memorial Hospital.

Upon returning to the Waukesha Police Department, I began uploading the photographs and scan data I had collected. I also placed these items on Property Report. The UAS photographs were uploaded to a program which combined the photographs and created a digital point cloud. The Faro scans were loaded into the Faro laptop where they were processed and registered and also made into a project point cloud. Over the next several days, the two point clouds were merged. A fly through video was created along with a Scene2go webshare, which will be turned over to Wauwatosa Police and the Milwaukee Crime Lab. The data from the Faro scans will be preserved on the Faro laptop, as well as a thumb drive should it be needed for further processing.

Photographs that were obtained by the Crime Lab at the scene and autopsy were turned over to me and I placed them on the drive and onto property report.

The surveillance video from the Waukesha Memorial Hospital Security was e-mailed to me and also placed on the drive and then onto Property Report

On Monday, April 27, 2020, I downloaded photographs that the Crime Lab released obtained during the autopsy. I also placed the Faro data on the thumb drive. These two items were placed on property report. I also placed all the scan data and Scene2Go webshare presentation on the Share File which is administered by the Crime Lab. This allowed the Crime Lab and the Wauwatosa Police Department to have access to the files.

This completes my initial involvement with this investigation. Please refer to other Officers' reports.

AS/sm/REFER: IR 20-16731; Supplement; Property Report.

OTHER NAMES

City Of Waukesha Police Department of 1901 Delafield St, Waukesha,WI,53188
Phone 1:(262) 524-3831 Phone 2:(262) 524-3832

H[redacted], M[redacted] W/M-64 of 725 American Ave, Waukesha,WI,53188
DOB: [redacted]/[redacted]/1955
Phone 1:(262) 928-2280

Crime Lab-Milwaukee of 1578 S 11th St, Milwaukee,WI,53201
Phone 1:(414) 382-7500

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001683				
1	EVI		14 360 Photos of Scene	14.000 $0.00 [Recovered]
2	EVI		212 Photographs obtained with UAS	212.000 $0.00 [Recovered]
3	EVI		15 Faro Scans of scene	15.000 $0.00 [Recovered]
20-001684				
1	EVI		Surveillance video from north entrance area of Hospital Emergency Room Lobby	1.000 $0.00 [Recovered]
20-001685				
1	EVI		Crime Lab photographs and video. 707 Photographs of scene. 1 scene video. 1 PDF of photos of scene.	709.000 $0.00 [Recovered]
20-001805				
1	EVI		339 Photographs and 1 PDF File of Autopsy	1.000 $340.00 [Recovered]
2	EVI		USB Containing Faro Raw Scans, Web Share2 Go, Fly Through Video.	1.000 $0.00 [Recovered]

Waukesha Police Department

Supplemental Report

Incident Report Number:	Incident Location:		Incident Date:
20-016731	725 American Ave, Waukesha, WI, 53188		04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

SUMMARY

SUPPLEMENT #5

On Wednesday, April 15, 2020, at approximately 0150 hours, I, Lieutenant J. Hendricks, received a telephone call from Sergeant Benitez indicating that there was an Officer-Involved Shooting at the Waukesha Memorial Hospital, located at 725 American Avenue. The initial information provided to me was that all officers were okay and the suspect was deceased and had a gun. Therefore, I responded to the Waukesha Police Department where I met with involved and witnessing officers to gather public safety statements . Specifically, I met with Sergeant DeKarske, Officer Solberg, Officer N. Smidt, and Officer Filter individually and completed the seven question Waukesha Police Department Public Safety Statement. The public safety statements were forwarded to Sergeant Daily for his review and use for the ongoing investigation. Please refer to the statements for further information.

No narrative to follow.

JH/jeb/REFER: IR20-16731, Supplements.

Reporting Officer(s):		Payroll Number :	Report Date:
Hendricks, Joseph D.		P423	04/21/2020
Reviewed by:	Payroll Number :	Copy To:	Page:
Daily, David M.	P431		1 Of 1

Waukesha Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-001844	20-016731	725 American Ave Waukesha, WI, 53188	04/15/2020 01:30:29

Name (Last, First, Middle)	DOB:	Race/Sex:
City Of Waukesha Police Department,		

Address: (Address, City, State, Zip)	Home Phone Number:
1901 Delafield St Waukesha, WI, 53188	

Details of Recovery

Recovered Location: (Address, City, State, Zip)	Recovery Date:
	04/29/2020 13:20:28

Found in Possession of:	Address: (Address, City, State, Zip)

☐ Evidence	Place Retained:	Sent to Property Room 04/29/2020 13:20:28	☐ Found Property

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Item# Type Reason

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1 Gun Seized/Confiscated
Description: Rifle from Flt 18 Wauwatosa PI# 20-1312-1
Serial#: [redacted]
Quan/Value: 1.000 / $1000.00
Disposition: Sent To Property Room

2 Gun Seized/Confiscated
Description: Penn Arms 40mm launcher Wauwatosa PD Property# 20-1312-3
Serial#: [redacted]
Quan/Value: 1.000 / $1000.00
Disposition: Sent To Property Room

3 Article Seized/Confiscated
Description: Ammunition from Flt 18 Wauwatosa PD Property 20-1312-2
Colors: Silver-Aluminum,
Quan/Value: 1.000 / $30.00
Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Platta, David J	P411	Platta, David J	P411	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

Waukesha Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-001683	20-016731	725 American Ave Waukesha, WI, 53188	04/15/2020 01:30:29

Name *(Last, First, Middle)*	DOB:	Race/Sex:
City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Home Phone Number:
1901 Delafield St Waukesha, WI, 53188	

Details of Recovery

Recovered Location: *(Address, City, State, Zip)*	Recovery Date:
	04/15/2020 07:17:00

Found in Possession of:	Address: *(Address, City, State, Zip)*

☑ Evidence	Place Retained:	☐ Found Property
	Sent to Property Room 04/15/2020 07:17:00	

Item# Type Reason

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1 Article Evidence
Description: 14 360 Photos of Scene
Quan/Value: 14.000 / $0.00
Disposition: Sent To Property Room

2 Article Evidence
Description: 212 Photographs obtained with UAS
Quan/Value: 212.000 / $0.00
Disposition: Sent To Property Room

3 Article Evidence
Description: 15 Faro Scans of scene
Quan/Value: 15.000 / $0.00
Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Schmidt, Andrew T	P422	Daily, David M	P431	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

Waukesha Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-001684	20-016731	725 American Ave Waukesha, WI, 53188	04/15/2020 01:30:29

Name *(Last, First, Middle)*	DOB:	Race/Sex:
City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Home Phone Number:
1901 Delafield St Waukesha, WI, 53188	

Details of Recovery

Recovered Location: *(Address, City, State, Zip)*	Recovery Date:
	04/15/2020 13:00:00

Found in Possession of:	Address: *(Address, City, State, Zip)*
Hokenson, Michael, A	725 American Ave Waukesha, WI, 53188

☑ Evidence	Place Retained:	☐ Found Property
	Sent to Property Room 04/15/2020 13:00:00	

1 Article Evidence
Description: Surveillance video from north entrance area of Hospital Emergency Room Lobby
Quan/Value: 1.000 / $0.00
Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Schmidt, Andrew T	P422	Daily, David M	P431	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

Waukesha Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-001685	20-016731	725 American Ave Waukesha, WI, 53188	04/15/2020 01:30:29

Name *(Last, First, Middle)*	DOB:	Race/Sex:
City Of Waukesha Police Department,		

Address: *(Address, City, State, Zip)*	Home Phone Number:
1901 Delafield St Waukesha, WI, 53188	

Details of Recovery

Recovered Location: *(Address, City, State, Zip)*	Recovery Date:
	04/17/2020 13:42:57

Found in Possession of:	Address: *(Address, City, State, Zip)*
Crime Lab-Milwaukee,	1578 S 11th St Milwaukee, WI, 53201

☑ Evidence	Place Retained:	Sent to Property Room 04/17/2020 13:42:57	☐ Found Property

1 Article Evidence
Description: Crime Lab photographs and video. 707 Photographs of scene. 1 scene video. 1 PDF of photos of scene.
Quan/Value: 709.000 / $0.00
Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Schmidt, Andrew T	P422	Daily, David M	P431	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

Waukesha Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-001805	20-016731	725 American Ave Waukesha, WI, 53188	04/15/2020 01:30:29

Name (Last, First, Middle)	DOB:	Race/Sex:
City Of Waukesha Police Department,		

Address: (Address, City, State, Zip)	Home Phone Number:
1901 Delafield St Waukesha, WI, 53188	

Details of Recovery

Recovered Location: (Address, City, State, Zip)	Recovery Date:
	04/27/2020 13:11:20

Found in Possession of:	Address: (Address, City, State, Zip)
Crime Lab-Milwaukee,	1578 S 11th St Milwaukee, WI, 53201

☑ Evidence	Place Retained:	Sent to Property Room 04/27/2020 13:11:20	☐ Found Property

1 Article Evidence
Description: 339 Photographs and 1 PDF File of Autopsy
Quan/Value: 1.000 / $340.00
Disposition: Sent To Property Room

2 Article Evidence
Description: USB Containing Faro Raw Scans, Web Share2 Go, Fly Through Video.
Quan/Value: 1.000 / $0.00
Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Schmidt, Andrew T	P422	Daily, David M	P431	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

WAUKESHA COUNTY MEDICAL EXAMINER'S OFFICE

AUTOPSY PROTOCOL

NAME: Randy Ashland **CASE NO**: 20-0847

AGE: 58 Years

SEX: Male

DATE OF AUTOPSY: April 15, 2020 **TIME**: 1130

PLACE OF AUTOPSY:

Waukesha County Morgue
Waukesha County Medical Examiner's Office
515 West Moreland Boulevard
Waukesha, Wisconsin 53188

ASSISTING AT AUTOPSY:

Dalelynn Modrak, Deputy Medical Examiner / Pathology Assistant
Warren Becker, Deputy Medical Examiner / Pathology Assistant

OTHER ATTENDEES:

Detective Joe Lewandowski, Wauwatosa Police Department
Leaha Lackowski, Wisconsin Crime Lab
Pamela Taylor, Wisconsin Crime Lab
Ben DeStaercke, Wisconsin Crime Lab

PROSECTOR:

Lynda Biedrzycki, MD, Waukesha County Medical Examiner

CAUSE OF DEATH:

Multiple gunshot wounds

Lynda Biedrzycki MD

Lynda Biedrzycki, MD
Waukesha County Medical Examiner

FINDINGS

I. Gunshot wound to right mandible/ear
   - A. Grazing gunshot wound, no slug recovered
   - B. Soft tissue injury
   - C. Direction of wound track: Upward and front to back

II. Gunshot wound to right upper arm posterior
   - A. Small size slug recovered from top of right shoulder and retained
   - B. Fracture, head of humerus
   - C. Direction of wound track: Upward and back to front

III. Gunshot wound to right upper arm anterior
   - A. Through and through gunshot wound (one defect), no slug recovered
   - B. Soft tissue injury, brachial artery severed
   - C. Direction of wound track: Upward and left to right

IV. Gunshot wound to mid-chest
   - A. Grazing gunshot wound, no slug recovered
   - B. Skin graze only
   - C. Direction of wound track: Upward and left to right

V. Gunshot wound left side of chest
   - A. Through and through and gunshot wound, no slug recovered
   - B. Perforation of lung with hemothorax
   - C. Direction of wound track: Upward and left to right and front to back

VI. Gunshot wound to posterior left thigh
   - A. Small size slug recovered from left buttock and retained
   - B. Soft tissue and muscle injury
   - C. Direction of wound track: Upward and back to front

VII. Gunshot wound, left lower leg superior
   - A. Through and through gunshot wound
   - B. Soft tissue injury
   - C. Direction of wound track: Upward and front to back

VIII. Gunshot wound to left lower leg inferior

A. Through and through gunshot wound

B. Soft tissue and bony injury, posterior tibial artery severed

C. Direction of wound track: Upward and left to right and front to back

D. Slug and jacket fragment found in soft tissue of left lower leg may be related to either gunshot wound 7 or 8

IX. Gunshot wound, left thigh antero-medial

A. Grazing gunshot wound

B. Skin and subcutaneous injury

C. Direction of wound track: Upward back to front and right to left

X. Gunshot wound, left thigh postero/lateral

A. Grazing gunshot wound

B. Skin and subcutaneous injury

C. Direction of wound track: Upward and left to right

Wound tracks refer to the body in the anatomic position.

No soot or gunpowder is seen on the skin around any entrance wounds.

Some wounds maybe re-entries.

XI. Superficial abrasions and contusions

XII. Pain pump recovered from left back

PHOTOGRAPHS

Photos are taken for the purposes of identification and documentation.

IDENTIFICATION

Identification was made by fingerprint comparison by City of Waukesha Police Department.

X-RAYS

X-rays of the head, neck, chest, abdomen, right shoulder and left leg are taken at this facility.

CLOTHING

There is no clothing on the body.
There are multiple irregular cuts to the clothing that may be through pre-existing defects. New defects may have been created.
Clothing accompanying the body includes the following:

1. Brown and black plaid button front fleece jacket, cut. There are defects to the lateral left front, left back and right placket areas. There are large and small defects to the right sleeve.
2. Red, white and blue bandana.
3. White metal beaded chain and a white metal pendant.
4. Black short sleeve pullover shirt, cut. There are defects to the lateral left chest, the back and to the end of the right sleeve.
5. Gray elastic pants, cut. There are defects to the medial, lateral and posterior upper left thigh area and lower lateral and posterior leg area.
6. Green print pants, cut. There are defects to the lower left leg and to the lateral upper left leg.
7. Brown plastic Croc shoes with a sling back.
8. Blue men's underpants, cut.
9. There are gray socks, one sock is extensively blood soaked.
10. In the bag with the green pants, a piece of lead, deformed, is also recovered.

No soot or gunpowder are identified on the clothing.
There is an albuterol inhaler with the clothing.
At this time, the hands are bagged in paper bags.

EXTERNAL EXAMINATION

The body is that of a normally developed white male, appearing consistent with the recorded age of 58 years.
The length is 71 inches.
The weight is 137 pounds.
Preservation is good in the absence of embalming.

Lividity is red purple, present posteriorly and blanches to pressure.
Rigidity is developed and the body is cool to touch following refrigeration.
The hairline shows some frontal receding with the head hair gray-brown with a length of 2 inched.
There is a brown and gray mustache and small beard below the lower lip.
The eyebrows are full.
Male body hair distribution is normal and average in amount.
The scalp and ears are unremarkable.
The eyes are open.
The cornea are clear.
The irides are brown.
The nose and mouth exhibit no irregularities.
The natural teeth are present.
The face and neck are unremarkable.
The chest is symmetric, as are the breasts, which are flat and contain no masses.
The abdomen is slightly protuberant and soft without palpable organs or masses.
The limbs are equal and symmetrically developed.
The fingernails are very short.
The genitalia are that of a circumcised adult male with both testes descended.
The back and buttocks exhibit no gross lesions.

TATTOOS

1. 24 cm blue rose upper left chest.
2. 11 cm flowers and heart upper lateral right arm.
3. 15 cm crown of thorns "Fit for a King John 3:16" upper right back.

SCARS

1. 34 cm longitudinal mid back thoracic to lumbar.
2. 12 cm longitudinal right elbow.
3. 11 cm longitudinal left elbow.
4. 14 cm longitudinal anterior left knee.
5. 4 cm longitudinal left flank.
6. 3 cm posterior left wrist.
7. 12 cm anterior right shoulder.
8. 6 cm transverse scar superior right buttock associated with a subcutaneous device. On incision, a subcutaneous neurostimulator is recovered in the subcutaneous tissue. It is labeled as follows: "Medtronic Intellis with Adaptive Stim," on the back "[redacted]"
9. 6 cm transverse anterior neck left side.

EVIDENCE OF INJURY

Evidence of injury consists of multiple gunshot wounds.
Gunshot wounds are numbered for convenience and do not reflect sequence of firing.

Gunshot wound #1 consists of a grazing gunshot wound to the right side of the face. This is a 14 cm long tangential wound with an entry point at about the angle of the jaw on the right, extending upward and posteriorly along the right jaw and external ear. It does not go through and through the ear. It penetrates the skin and subcutaneous tissue of the jaw. The point of entry of this graze wound is at the angle of the jaw where there is a 0.1 to 0.2 cm abrasion at the inferior aspect of the injury. Skin tags point toward this point along the course of the graze wound. There is soft tissue injury only. This is a mainly subcutaneous injury. Due to the tears, the wound is somewhat wider superiorly. The inferior aspect of the wound at the jaw is 63 1/2 inches above the heel. The direction of the wound track is upward and front to back.

Gunshot wound #2 is an entrance wound to the posterior upper right arm. The entrance wound is located 54 inches above the heel. It is 5 cm in length with an inferior abrasion of 0.4 cm. There are some gray flecks in the soft tissue at the inferior medial border of the wound. The slug passes through the skin, subcutaneous and muscular tissue of the back of the right arm. It fractures and fragments the head of the right humerus. A small size slug is recovered from the top of the right shoulder under the skin and is retained. The direction of the wound track is upward and back to front when the body is in the anatomic position.

Gunshot wound #3 is a gunshot wound to the right upper arm anteriorly. The entry of this wound of this is 50 1/2 inches above the heel. This wound is 13 cm in length representing the entrance, course and exit. Skin tears point downward. No discrete abrasion is seen. It is a gaping and irregular wound exposing a severed bicep muscle and severed brachial artery. No slug is recovered. The direction of the wound track is upward and left to right.

Gunshot wound #4 is a grazing gunshot wound to the right side of the chest. The inferior aspect of this wound is 47 inches above the heel and 3 ¼ inches right of anterior midline. The wound in its totality is 8 cm in length and 0.7 cm wide. The most inferior 5 cm of the wound is an ovoid contiguous abrasion that becomes less confluent and surrounded by some bruising at the more superior portion. This is a superficial wound. The inferior portion is closer to the midline of the body angling upward and rightward toward the right nipple. The direction of the wound track is upward and left to right.

Gunshot wound #5 is an entry wound to the left side of the chest. It is located 47 ½ inches above the heel and 5 inches left of anterior midline. It is 3 cm in diameter. In is an atypical entrance wound with a somewhat rectangular abrasion located between 4 and 6 o'clock measuring 0.2 cm in width x 0.4 cm in length contiguous with the entry margin. There are some irregular tears at the superior margin of the wound and irregular abrasions at the superior margin of the wound, not contiguous with the wound. The slug passes through the skin, subcutaneous tissue and muscle of the anterior left chest, passing through the 5th and 6th left ribs anteriorly, passing through the upper lobe of the left lung, exiting the posterior 3rd left rib, subcutaneous tissue, muscle, and skin of the left back. The exit wound is located 60 1/2 inches above the heel, 2 inches left of posterior midline. The exit wound is a 1.5 cm slit-like wound with a 0.6 cm abrasion leftward. No slug is recovered. Associated with the gunshot wound is 450 mL of blood (measured) in the left chest cavity. The direction of the wound track is upward, front to back, and left to right.

Gunshot wound #6 is a gunshot wound of entry to the posterior left thigh. The entrance wound is located 26 inches above the heel just lateral to mid-thigh. The entry wound is a 7 cm in length wound and 2.7 cm wide oriented longitudinally. At the inferior margin of the wound is a 2 cm linear abrasion contiguous with the margin. The slug passes through the skin, subcutaneous, and muscular tissue of the thigh. A small size slug is recovered from the posterior left buttock area and is retained. There is soft tissue injury as a result of this wound. The direction of the wound track is upward, back to front.

Gunshot wound #7 is a gunshot wound of entry to the lower left leg. It is discrete 0.5 cm circular entrance wound with an even collar abrasion of 0.1 cm, wound to the lower left leg 13 inches above the heel. The slug passes through the skin, subcutaneous tissue of the lower left leg and exits the posterior lower left leg through a 7 cm in diameter oval exit wound 15-1/2 inches above the heel. The direction of the wound track is upward, front to back.

Gunshot wound #8 consists of a gunshot wound of entry to the lower left leg. This is a 0.5 cm defect located 10 1/2 inches above the heel. There are microtears in an abrasion collar of 0.1 cm around this wound. This wound is inferior and medial to wound #7 and adjacent to a large defect of the anterior left lower leg with a visible fragmented left tibial fracture. The slug passes through the skin, subcutaneous tissue of the anterior left lower leg, shattering the tibia, severing the posterior tibial artery and exits the back of the left lower leg through an exit wound 4 cm in diameter, 16 1/2 inches above the heel. This exit wound is medial the exit wound of gunshot wound #7. The direction of the wound track is upward, front to back and left to right. Slug and jacket fragments are found in the left lower leg and may be related to either gunshot wound #7 or #8.

Gunshot wound #9 is a grazing gunshot wound to the antero-medial left thigh. This is a 6 cm in length wound located 24 inches above the heel. There is a 0.3 cm wide, 4 cm long abrasion at the inferior wound margin more posterior. The wound is superficial with a partially subcutaneous defect with slight undermining of 1 cm superiorly. No slug is recovered. The direction of the wound track is upward and right to left and back to front.

Gunshot wound #10 is a grazing gunshot wound to the postero-lateral left thigh. It is a 6 cm oval defect 1.5 cm wide located 29 inches above the heel with a 0.4 cm abrasion inferiorly. The slug passes through the skin, subcutaneous tissue just to the fascia of the lateral left thigh. No slug is recovered. The direction of the wound track is upward and left to right and back to front.

There is no soot or gunpowder on the skin around any of the gunshot wounds.
Infiltrating hemorrhage is present along all wound tracks. Wound track direction refers to the body in the anatomic position.

FURTHER EVIDENCE OF INJURY

1. 8 cm linear frayed abrasion to the posterior upper right arm parallel to and lateral to gunshot wound #2.
2. 1.5 cm purple bruise to the right side of the abdomen.
3. 2.5 cm purple bruise to the left side of the abdomen.
4. 3 cm blue bruise to the anterior mid-right thigh.
5. 1.5 cm bland abrasion to the right side of the forehead.
6. 1.5 cm bland abrasion above the lateral right eyebrow.
7. 1.5 cm abrasion above the mid-left eyebrow.
8. 1.5 cm abrasion/contusion to the inferior lateral left orbit.
9. 1 cm purple bruise to the right side of chin.
10. Two 0.5 cm abrasions to the right elbow.
11. 0.7 cm abrasion left elbow.

EVIDENCE OF MEDICAL THERAPY

There is no evidence of medical therapy.

INTERNAL EXAMINATION

BODY CAVITIES

The body is opened through the usual Y-shaped thoracoabdominal incision.
The subcutaneous fat of the anterior abdomen measures 2 cm.
The mediastinum is in the midline.
The diaphragm is intact.
The retroperitoneum and mesentery are unremarkable.
See previously described injuries.
There is no unusual accumulation of fluid in the right chest or pericardial cavity.
There are focal pericardial adhesions.
There are some abdominal adhesions.

CARDIOVASCULAR

The aorta is opened from the iliacs to the aortic valve.
There is focally moderate atherosclerosis of the distal abdominal aorta.
The remainder of the aorta shows mild atherosclerosis.
The inferior vena cava is free of thromboemboli.
The heart is of normal shape.
The heart weighs 346 gm.
The epicardial surface is smooth and glistening.
The coronary arteries are serially sectioned revealing a right dominant system.
They are thin walled, widely patent, without atherosclerosis.
The right coronary ostium is small and is somewhat narrowed by plaque.
The myocardium itself is red-brown and firm without focal lesion.
The left ventricular thickness is 1 cm.
The right ventricular thickness is 0.3 cm.
The left ventricular chamber diameter is 2 cm.
The valve leaflets are thin and pliable without vegetations or mural thrombi.
The valve circumferences are as follows:

Tricuspid	12.5 cm
Pulmonic	8 cm
Mitral	11.5 cm
Aortic	8 cm

The tricuspid valve leaflets, the anterior and septal leaflets are somewhat rolled.

RESPIRATORY

See previously described injuries.
The upper airways are clear.
The trachea and mainstem bronchi are patent.
The pleural surfaces of both lungs are shiny and smooth.
There is moderate anthracotic pigmentation.
There are blebs in both apices.
The left lung weighs 458 gm.
The right lung weighs 406 gm.
The lungs are generally aerated and unremarkable on section.
There are no pulmonary thromboemboli.

HEPATOBILIARY

The liver is of normal shape.
The capsule is intact.
The liver weighs 1260 gm.
The edges are sharp.
The color is brown.
On section, there is no evidence of pigment retention, fibrosis, fatty change, or focal lesion.
The gallbladder is present and contains about 10 mL of bile.
The extrahepatic biliary tree is of normal distribution and widely patent throughout.

LYMPHORETICULAR

The spleen is of normal shape.
The capsule is intact.
The spleen weighs 110 gm.
On section, the parenchyma is uniformly red-purple without focal lesion.
Lymph nodes where identified are unremarkable.

GENITOURINARY

The kidneys are of similar size and shape.
The capsules strip with ease to reveal pale brown smooth cortical surfaces.
The right kidney weighs 112 gm.
The left kidney weighs 124 gm.
On bivalving each kidney, there is good corticomedullary delineation.
The pelves and calyces are not dilated.
The ureters are of even diameter as they course to the bladder.
The bladder contains 40 mL of urine (measured), it is otherwise unremarkable as is the prostate on section.

GASTROINTESTINAL

The esophagus, stomach, and duodenum are opened en bloc.
The stomach contains 10 mL of tan liquid.
The large and small bowel are entirely opened revealing tan chyme and green stool.
The appendix is present.

ENDOCRINE

The pancreas is tan, lobulated and unremarkable on section.
The adrenals are symmetric with yellow cortices and gray-brown medullae.
The pituitary is grossly unremarkable.
The thyroid is red-brown, symmetric, and without focal lesion on section.

MUSCULOSKELETAL

See previously described injuries.
The skeletal structure is intact.
There is evidence of metal surgical hardware to the cervical and lumbar vertebrae.

NECK

The hyoid bone is intact.
The larynx is unobstructed.
The upper esophagus is empty.
The cervical vertebrae are normal in alignment.
There are no hemorrhages in the anterior strap muscles of the neck.

CENTRAL NERVOUS SYSTEM

There is no subcutaneous hemorrhage of the scalp.
There are no fractures of the skull.
There is no epidural or subdural hemorrhage.
The spinal fluid is clear.
The brain exhibits normal topography.
The cerebrovasculature is of normal distribution and widely patent throughout.
The brain weighs 1568 gm.
On serial coronal sections of the cerebrum, no focal lesions are seen.
The brainstem and cerebellum are unremarkable on section.
The neurostimulator placement is identified on X-rays.

SPECIMENS OBTAINED

Routine histologic and toxicologic specimens are retained.

SLIDE KEY

1. Hippocampus
2. RLL / liver
3. Kidney / pancreas
4. Anterior LV / coronary

MICROSCOPIC

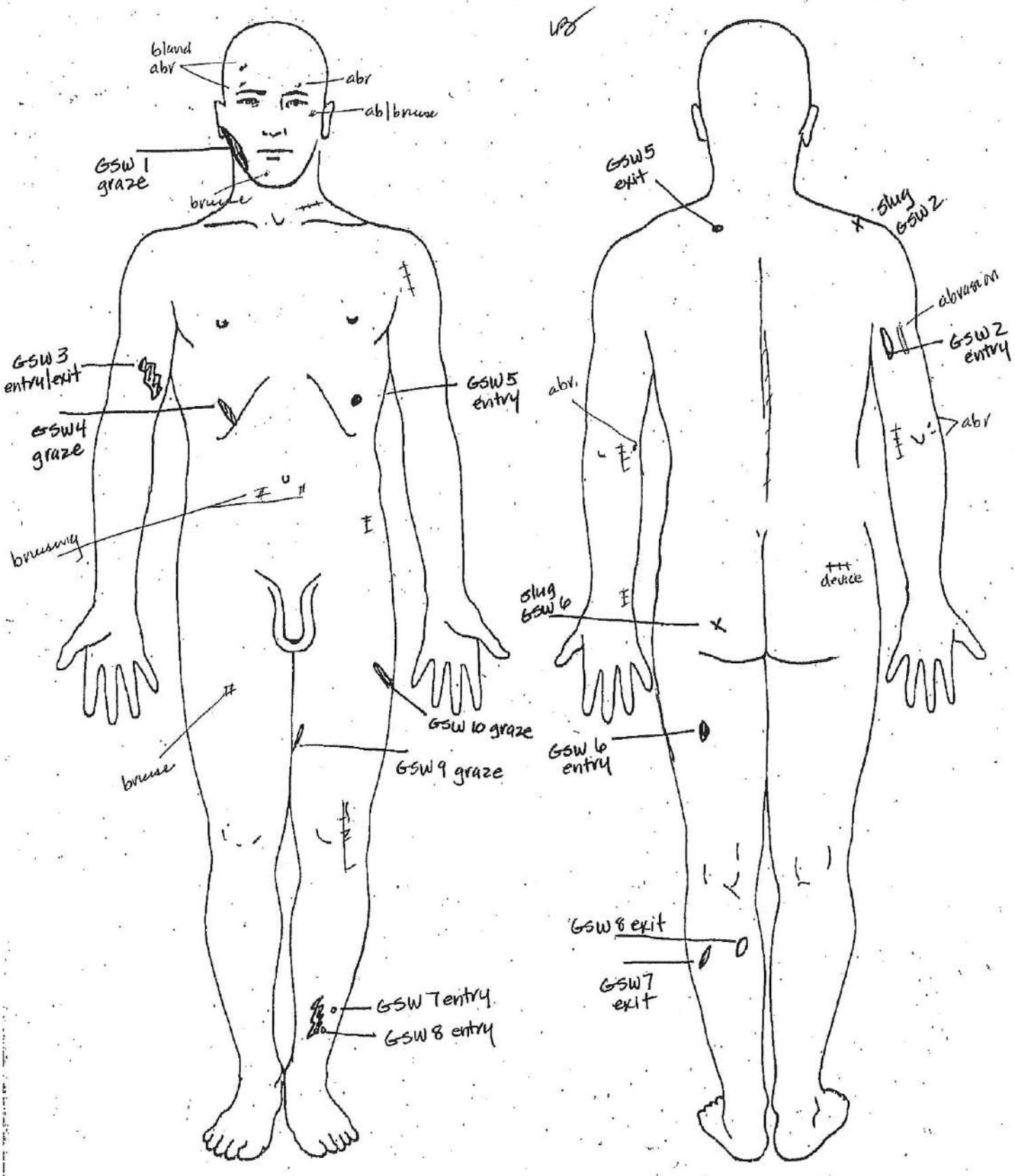
Liver: Mild steatosis is seen.

Lung: Finely pigmented macrophages are present.

Other sections examined are without specific histopathologic diagnoses.

END OF REPORT

Name Randy Ashland Case No. 20-0847



West Allis Police Department — Incident Report

Incident: Assist Other Dept/Service/Requ

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-012925			4/15/20	02:17

Incident Location: 725 American Ave,CW

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
G3	ZBS2103		
CFS Code-5:	**CFS Code-6:**	**CFS Code-7:**	**CFS Code-8:**

	Name *(Last, First, Middle)*	DOB:	Race/Sex
DOA	Ashland, Randy S	[redacted]/[redacted]/1961	W/M

Address: *(Address, City, State, Zip)*: 19[redacted] Milky Way Rd, Waukesha, WI, 53189 — Phone 1: ([redacted]) [redacted]-[redacted]

Employer — Phone 2

Employer Address — Work Phone #

	Name *(Last, First, Middle)*	DOB:	Race/Sex

Address: *(Address, City, State, Zip)* — Phone 1

Employer — Phone 2

Employer Address — Work Phone #

SUMMARY

LT Brian Saftig reports: The Milwaukee Area Investigative Team (MAIT) investigated an officer involved death that occurred in the city of Waukesha on Wednesday 15 April 2020. The city of Waukesha Police Department is the involved agency and the Wauwatosa Police Department has been designated the lead investigative agency in accordance with Wisconsin State Statute 175.47.

Vehicle Information: (*Year, Make, Model, Style, Color*)

License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information: — NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Saftig, Brian	BS2103	04/15/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
03:16:58	07:56:28	151, 155, 160, 250	1 Of 2

Reviewed by:	Payroll Number :	Copy To
Clerical and Coding Manz, Tra	TM9656	

Date: 04/15/2020

CFS Code-1: G3

Incident Report Number: 20-012925

NARRATIVE

WEST ALLIS POLICE RESPONSE

The following West Allis Police Department personnel responded to assist with this investigation:

Lieutenant Brian Saftig
Lieutenant Michael Sitter
Detective David Madden
Detective Jason Vanderwerff

Detective Madden and Detective Vanderwerff completed supplemental reports for this investigation. This case file will be turned over to Lt. Michael Schultz, as the Wauwatosa Police Department was the lead MAIT agency for this incident.

West Allis Police Department			Supplemental Report
Incident Report Number: 20-012925	Incident Location: 725 American Ave,CW		Incident Date: 04/15/2020
New Incident:	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:

NAMES

Police Officer

Dominguez, Antonio W/M of 515 W Mooreland Road, Waukesha,WI,53188

NARRATIVE

PRELIMINARY INFORMATION

On 04/15/2020, at about 0219 hrs., I responded to the Waukesha Memorial Hospital to assist with the investigation of a City of Waukesha Police officer involved shooting with the Milwaukee Area Investigative Team (MAIT). I arrived on scene and City of Wauwatosa Police LT Michael Schultz conducted a briefing and assigned me to interview a witness officer, Waukesha County Deputy Antonio Dominguez.

STATEMENT DEPUTY DOMINGUEZ

On 04/15/2020, at 0427, I interviewed Deputy Dominguez in the "Quiet Room," adjacent to the Emergency Department lobby.

In response to my questions, Deputy Dominguez stated he has been employed by the Waukesha County Sheriff Department for three years; April 17, 2020, will be his three year anniversary. Prior to his employment with WKSO, Deputy Dominguez was employed as a full time Police Officer with the Town of Brookfield for three years, Washington County Sheriff Department as a full time limited term employee undercover narcotics investigator, and one year as a Police Officer with the City of Watertown Police Department. Deputy Dominguez is currently employed as a part time Police Officer with the Village of Eagle Police Department but has not worked any hours there in approximately the past three years. Deputy Dominguez is a 2012 graduate from the University of Wisconsin - Milwaukee. He graduated from the Waukesha County Technical College Police Academy in 2008.

Deputy Dominguez is assigned to the Village of Sussex substation. He normally works late shift, [redacted] hrs., to [redacted] hrs. Deputy Dominguez works [redacted] days on duty, [redacted] days off duty, [redacted] days on duty, [redacted] days off duty. Tuesday night, [redacted] to Wednesday morning, [redacted], was his last day of a [redacted] day on duty rotation.

Deputy Dominguez stated he worked the night prior to the incident from [redacted]-[redacted]. He went home, ate, showered, and went to sleep at about [redacted]. He work up at about [redacted] hrs., on 04/14/2020. Deputy Dominguez stated he did not consume any intoxicating beverages on 04/14/2020 and did not take any medications on 04/14/2020.

Deputy Dominguez stated he started his shift at [redacted] hrs., on 04/14/2020. He cleaned his squad and was sent to a call of a wrong way driver on I94. The wrong way driver crashed at HWY SS on I94 and Deputy Dominguez assisted at the scene of the crash.

Deputy Dominguez left the crash scene and was assigned to cover the City of Pewaukee for the remainder of the night with another Deputy. Deputy Dominguez was in the area of the Waukesha County Technical College when he heard the call of a man with a gun at Waukesha Memorial Hospital on the City of Waukesha Police radio channel. Deputy Dominguez responded to assist.

Deputy Dominguez stated he heard the safe approach route on the radio, through the police and fire entry to the hospital parking lot, and responded using this route. He turned off his squad's emergency lights and siren as he got closer and parked his squad near the ambulance bay. Deputy Dominguez removed his patrol rifle from the squad, charged it, took off his reflective traffic vest, and approached the scene. Deputy Dominguez stated he did not take his tactical vest with the extra rifle magazines from his squad.

Deputy Dominguez approached a City of Waukesha Police squad parked south and west of a white car in the parking lot north of the emergency department. A male with a handgun was laying on the ground, on his back, outside the passenger door of the parked white car. Deputy Dominguez stated he clearly saw the handgun in the person's right hand as he approached. This person was later identified as Randy S. Ashland. Ashland was holding the gun to his own head while he was on the ground. Ashland's feet were towards the front of the hospital and his head was to the north.

Deputy Dominguez described the firearm Ashland was holding as a, "fairly bigger gun, huge." Deputy Dominguez stated the handgun looked like a large revolver with a chrome barrel and it looked like it had white grips. Deputy Dominguez stated the handgun looked like it might have been, "an old .357 magnum revolver."

Deputy Dominguez took a position next to an officer with a shield, PO Schmidt, behind the engine block of the parked squad south-southwest of Ashland. Deputy Dominguez was to PO Schmidt's left. Deputy Dominguez stated he was shoulder to shoulder with PO Schmidt. Deputy Dominguez estimated he was about 70-100 feet from where Ashland was laying on the ground.

Deputy Dominguez described the lighting as, "decent," as there was lighting from the hospital and he, along with other officers were illuminating Ashland with their gun lights. Deputy Dominguez stated the only police squad in the area was the squad he along with some of the other officers were taking cover behind. This squad did not have it's emergency lights activated. Deputy Dominguez stated if the squad's emergency lights were activated, it would have made it harder for him to see Ashland.

Deputy Dominguez stated he covered Ashland with his rifle while one of the other officers gave Ashland commands. Another officer would occasionally also give commands. Deputy Dominguez stated he had a clear, unobstructed view of Ashland. Deputy Dominguez stated there were other officers, set up in teams, under cover to his left and right, behind squads and concrete pillars of the hospital. The squad he was behind with PO Schmidt, with the shield, was parked at an angle affording him both cover and a clear view of Ashland. There were no officers positioned north of Ashland. All the officers were south and south west of Ashland, near the hospital.

Deputy Dominguez stated one City of Waukesha Police Officers was mainly giving commands to Ashland. Deputy Dominguez stated the officers were yelling the commands and he did not think they were using the PA in the squad. Another officer would occasionally also give commands. They were ordering Ashland to put the gun down. Deputy Dominguez heard Ashland yell, "I don't want to hurt you, I'm not here to hurt you guys." The officers continued their commands and Ashland put the gun down, by his right side, out of sight, by his waist. Deputy Dominguez stated the handgun was out of view but it looked like Ashland was, "tucking it in," on his right side waist band.

Deputy Dominguez stated the officers were continuing to order Ashland to show his hands. Ashland put up one hand and they continued ordering Ashland to put his hands up. Ashland complied and put both hands up, only raising them about six inches. The officers ordered Ashland to raise his hands higher but he refused to comply and kept them raised six inches.

The officers ordered Ashland to roll over onto his side. Ashland complied, rolling on to his right side, where the firearm was located. As he rolled, Ashland initially kept his hands up. When Ashland rolled over, Deputy Dominguez stated he thought Ashland had rolled onto the firearm. Ashland, "grabbed the gun," pulling it out from his right waist band with his left hand. Ashland moved the gun to his chest with it pointed up, across his chest, in his left hand. Deputy Dominguez stated the firearm was "perpendicular to his [Ashland] chest," pointed south-south west, in the direction of a car and a truck parked in the lot, south-south west of Ashland.

Deputy Dominguez stated that after Ashland pulled the firearm out, the officers yelled, "drop the gun," about three times. Ashland was moving the gun across his chest and he paused the movement of the firearm when it was in the

middle of his chest, perpendicular, pointed south-south west, in the general direction officers were positioned. Deputy Dominguez stated Ashland did not point the firearm at Deputy Dominguez, but it was pointed in the general direction of the other officers, to the west of Deputy Dominguez.

Deputy Dominguez stated when Ashland paused the movement of the firearm, Deputy Dominguez heard a rifle shot from his right side; Deputy Dominguez thought it was one of the officers who was probably by a concrete hospital pillar. After the single shot, there was a "quick pause," and "shots from both sides," of Deputy Dominguez, his left and his right.

Deputy Dominguez stated he heard about six to eight more rifle shots after the first gunshot. Deputy Dominguez stated he was not certain how many rifle shots were fired, total, but thought it was about six to eight. Deputy Dominguez stated Ashland, "dropped the gun," onto his chest after the rifle shots and the firearm fell off Ashland onto the ground. Ashland's hands fell to his chest and the gun was on his right side on the pavement.

Deputy Dominguez stated the officers ordered Ashland, "do not touch the gun," and officers approached Ashland on foot, from Deputy Dominguez' left side, with two shields. Deputy Dominguez stated he remained on long cover until the officers moving up to Ashland were close to Ashland and had secured the firearm.

Deputy Dominguez stated officers went inside the hospital's emergency department and got a stretcher. Officers put Ashland on the stretcher and took Ashland into the emergency department. Deputy Dominguez did not see whether anyone handcuffed Ashland.

Deputy Dominguez stated after Ashland was inside the hospital, Deputy Dominguez secured his rifle in his squad, initially making it squad ready. Deputy Dominguez re-loaded his rifle, making it call ready with the same cartridge that had been in the chamber, when he realized that although he did not fire the rifle, it might be needed for the investigation. Deputy Dominguez assisted with the scene, moving his squad to the west and putting up crime scene tape and securing the scene.

Deputy Dominguez went into the emergency department and assisted by locating the witnesses to the incident from the emergency department. Deputy Dominguez stated he spoke to the owner of the white car whom Deputy Dominguez identified, Pastor J[redacted] F[redacted]. Deputy Dominguez asked F[redacted] for a brief summary. F[redacted] told Deputy Dominguez he drove Ashland to the hospital because Ashland wanted help, saw the firearm when they arrived at the hospital, went into the hospital leaving Ashland in the car, and notified hospital security there was an armed person in his, F[redacted]'s, car in the parking lot. The security officer, W[redacted] G[redacted], took F[redacted] to an office

and F[redacted] called 911. F[redacted] was on the phone with 911 when the gunshots went off.

Deputy Dominguez stated G[redacted], saw the incident from inside the emergency department and locked down the hospital. S[redacted] M[redacted], another security officer, went to the emergency department to assist with the lockdown of the hospital but did not see anything related to the incident. L[redacted] , another security officer, saw the incident on the video display screens in the security office.

Deputy Dominguez identified the security officers and provided their information and the brief summary of the events they recounted to him to the investigators when we arrived on scene.

Deputy Dominguez stated he did not fire his handgun or rifle during this incident and did not have any physical contact with Ashland.

EQUIPMENT AND PHOTOS

Deputy Dominguez stated he carries a Glock .40 caliber model 23 handgun with a full magazine, 13 cartridges, in the handgun and one cartridge in the chamber and three spare magazines on his duty belt with 13 cartridges in each magazine. His assigned squad has an AR15 rifle with a fully loaded 30 round magazine in the rifle when it is squad ready and two spare fully loaded 30 round magazines in a tactical vest that is kept in the squad. Deputy Dominguez stated that at the start of his shift, he cleaned his squad and verified the rifle magazines were fully loaded by pressingthe top rounds in the magazine and finding no movement verifying the rifle was squad ready; bolt closed on an empty chamber, rifle fire selector switch on "SAFE," full magazine inserted in the magazine well.

After I interviewed Deputy Dominguez we went to his squad and retrieved his rifle with the one magazine he had on scene. Deputy Dominguez removed the cartridge from the chamber and we returned to the quiet room. Deputy Dominguez emptied the magazine, arranging the cartridges on a table in the room. I counted the rounds in his rifle magazine, 29, and one in from the chamber, for a total of 30 rounds.

Deputy Dominguez removed the cartridge from his handgun chamber and unloaded the magazines. Each magazine contained 13 cartridges one cartridge came from the handgun chamber.

Deputy Dominguez stated he carries a Taser CEW and OC spray on his duty belt. He did not deploy either of these tools.

I took the following photos of Deputy Dominguez and his equipment in the room I interviewed him in on my department cell phone:

1. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine.
2. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine.
3. 30 .223 rifle cartridges; two groups of 10, one group of nine, with cartridge from chamber away from group of nine, with empty magazine.
4. Colt AR15 rifle, chamber side up, empty.
5. Colt AR15 rifle chamber.
6. Colt AR15 rifle, chamber.
7. Colt AR15 rifle, serial number.
8. Colt AR15 rifle, serial number side up.
9. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
10. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
11. Four Glock magazines, empty, 13 cartridges per magazine (52 total) with one from chamber in front of magazine from chamber: 53 .40 caliber cartridges total.
12. Glock .40 caliber model 23 handgun, right side.
13. Glock .40 caliber model 23 handgun, serial number on slide.
14. Glock .40 caliber model 23 handgun, left side.
15. Deputy Dominguez, front view.
16. Deputy Dominguez, front view.
17. Deputy Dominguez, right elbow.
18. Deputy Dominguez, left elbow.
19. Deputy Dominguez, top of hands.
20. Deputy Dominguez, bottom of hands.
21. Deputy Dominguez, right knee.
22. Deputy Dominguez, left knee.
23. Deputy Dominguez with rifle.
24. Deputy Dominguez with rifle.

The above photos were downloaded into the WAPD DIMS system.

NAMES

Police Officer

Schutte, Anthony U/ of 515 W Moreland Avenue, Waukesha,WI,53188

NARRATIVE

Det. Jason Vanderwerff reports...

04/15/20:

INITIAL RESPONSE

At approximately 0217 hours, The Milwaukee Area Investigative Team (MAIT) was activated for a critical incident at Pro Health Waukesha Memorial Hospital, located at 725 American Way, Waukesha, WI.

Upon arrival, investigators were debriefed by City of Wauwatosa Police Lt. Michael Schultz. After the debrief, I was assigned to interview Waukesha County Sheriff Deputy Anthony Schutte. Deputy Schutte was standing in a hallway near a set of double doors adjacent to the security office.

STATEMENT OF WAUKESHA COUNTY SHERIFF DEPUTY ANTHONY SCHUTTE

At approximately 0427 hours, I interviewed Deputy Schutte in a secondary consultation room inside the hospital. The following is a synopsis of the incident from the best of his recollection and is not verbatim:

Deputy Schutte graduated with a degree in Criminal Justice at Waukesha County Technical College in 2014. He has prior experience as a non-sworn reserve officer for the Village of Mukwonago Police Department. He has been employed by the Waukesha County Sheriff's Office since September of 2014. He is a member of the Special Weapons and Tactics (SWAT) team and attended basic swat school in 2016.

Deputy Schutte's payroll number is #[redacted] and his patrol district is 9306. During this incident, he was assigned Waukesha County Sheriff marked unit 251. His regular assignment is 3rd shift patrol and his hours are from [redacted] to [redacted]

hours. Deputy Schutte does not take any prescribed medications and had a normal sleep schedule of approximately six (6) total hours the prior day. His last off day was Sunday (April 12th).

I asked Deputy Schutte to tell me about the events that led to this incident. He said he was at the hospital with Waukesha County Sheriff's Deputy Mitchell Rosenfeldt and had a suspect in custody that was receiving medical care for a fatal accident that occurred on I-94. The suspect was receiving medical care at the hospital for injuries suffered in the car crash. A Village of Pewaukee Police Officer (unknown name) had come to the hospital with a portable fingerprint identification unit to confirm the identity of the suspect in custody. Deputy Schutte said that a security guard was in the room with them, which is standard practice at the hospital.

They were waiting for the doctor to come in when the security guard ran out of the room. Approximately 30 seconds later Waukesha County Sheriff dispatch advised that a subject with a gun may be at the hospital. Schutte and the Pewaukee Officer left Rosenfeldt with the prisoner and responded toward the security office. Deputy Schutte approached a set of double doors that led to the interior entrance of the emergency room. He observed a male subject talking to a security guard in the lobby area. Deputy Schutte described the subject as a male white in his 60's.

Deputy Schutte entered the security office and spoke with security. They advised that the subject with the gun was in a white vehicle in the parking lot. Deputy Schutte radioed sheriff dispatch with the vehicle description and location. He described the vehicle as a white sedan. He looked at the camera and did not see any movement at the sedan. He asked security on how to get out to the location. They led him to an exterior exit that was on the west of the security office.

Deputy Schutte exited the building with the Pewaukee Officer. A marked City of Waukesha Police squad arrived from the west side of the parking lot and traveled eastbound in the lot. It parked about 25 yards from the suspect vehicle and was positioned adjacent to the vehicle. The vehicle was facing about a 45 degree angle towards the suspect vehicle. Two police officers were at the vehicle. One was positioned behind the driver's side door and the other was positioned on the passenger side of the vehicle. Deputy Schutte took a position near the driver's side of the squad.

The officers began communicating with a subject in the vestibule of the entrance. Deputy Schutte said that he believed the danger was at the white sedan. A male voice from the area of the vehicle said, "Hurry Up!" in a clear and direct voice. Deputy Schutte observed a male white subject laying on the ground near the passenger side of the vehicle. His feet were facing towards the front passenger tire and his head was positioned towards the rear of the car. He was laying on his back or right shoulder on the ground.

Deputy Schutte disengaged to grab a ballistic police shield. The two officers that were originally positioned by the first responding marked SUV took cover at an unknown location. Deputy Schutte observed a second dark colored unmarked police vehicle parked approximately 40 feet west of the original responding police SUV. Deputy Schutte knew from prior experience that there was a ballistic shield in the vehicle. He observed a City of Waukesha police supervisor (unknown name) grab the shield and Deputy Schutte took a position briefly on the passenger side of the front of the marked SUV. Another City of Waukesha police supervisor joined them and they stacked up behind a pillar at the hospital emergency room vestibule.

The stack consisted of the original supervisor, possibly named Benitez, holding the shield. A second supervisor with an AR platform rifle was behind him and Deputy Schutte was the third man in the stack. The two officers were standing and Deputy Schutte was kneeling on the ground. The supervisor with the rifle was giving commands, as well as officers to the left of them near the original responding marked SUV. The commands were, "Put the gun down!". This order was given to the male subject multiple times.

Deputy Schutte usually wears glasses at night and had left his glasses in his squad, since he was in the hospital and could see fine from closer distances. Deputy Schutte observed what he believed to be a silver colored handgun with the subject. He believed it was a handgun based on the chrome polished color and original call for service. He was not able to see how the subject was holding the gun, but observed that it was moving. Police continued to give commands for him to put the gun down for approximately one minute. The subject finally put the gun down and another officer advised the subject had dropped the gun. Officers began giving commands for the subject to roll away from the firearm and he was not complying with commands. Deputy Schutte believed the subject was instructed to roll away from the firearm approximately five (5) times and was not complying with uniformed officer's instructions.

After approximately thirty (30) seconds to a minute later, an officer advised that the subject had picked the gun back up. Almost simultaneously, Deputy Schutte heard shots fired from the second officer in the stack's rifle. Deputy Schutte was not certain if anyone else shot around him because of the loud noise of the rifle in his group. He was unable to say how many shots he heard, but said there were multiple shots fired. As the shots were fired, Deputy Schutte saw the suspect moving the handgun. He was not able to say which hand the suspect had the firearm in.

Deputy Schutte saw that the gun was on the ground and an unknown officer continued to give commands for the suspect to drop the gun and leave the gun alone. Deputy Schutte communicated with the other officers in the stack about how they were going to proceed and they moved to the back of the black SUV. They maintained a position of cover so they could make a plan to secure the

scene and attend to the subject that was shot.

Officers approached the subject and Deputy Schutte was assigned to secure the subject's hands and to stabilize the subject. They approached the subject and Deputy Schutte advanced with the group with his pistol drawn. Deputy Schutte observed the handgun by the subject's right body. They gave the Pewaukee officer cover so he could retrieve the firearm from the subject so they could take him into custody. The subject took what Deputy Schutte described as an Aganol breath. Deputy Schutte approached the subject and holstered his firearm. He observed the subject was on his back. He grabbed the subject by the left arm and assisted in rolling the subject over onto his stomach. The subject was handcuffed by a City of Waukesha police officer.

The subject was briefly searched and a hospital gurney was immediately brought out. They brought the subject into the hospital and into a trauma room where he was immediately treated by medical staff. The handcuffs were removed at the request of medical personnel. I asked Deputy Schutte where the subject's injuries were. He was not certain, as the subject had clothes on. He observed a lot of blood around the subject and what appeared to be a neck wound.

I asked Deputy Schutte if he recognized the subject. He said he did not know the subject and did not believe he had ever had contact with the subject before. He did hear medical staff make a comment that they had seen him in the hospital approximately one week ago.

Deputy Schutte stayed on scene with the deceased subject until Deputy Matthew McIntyre, District Number 9308, Squad Number 274, responded to the hospital and took over scene custody of the deceased.

I asked Deputy Schutte if he remembered what the subject looked like. He described him as a male white, gray hair, approximately 130 lbs., approx. 6'00" tall, late 50's. The subject was wearing dark sweatpants, outer jacket with shirt underneath and slip on shoes.

EQUIPMENT CHECK

I conducted a round count of Deputy Schutte's ammunition and all rounds were accounted for. He had a total of sixty-one (61) rounds that were accounted for. Deputy Schutte had a black 9mm Heckler and Koch VP9 with Surefire tactical light with one 15 round magazine with one round in chamber. He had three additional magazines with 15 rounds fully loaded on front of duty belt. He was supplied with one can of oleoresin capsicum (O.C.) spray, one Taser CEW, gloves, Narcan, handcuffs, multi-tool and baton.

Deputy Schutte was in full Waukesha County Sheriff issued K9 uniform with WKSO patches identifying him as a law enforcement officer. There was no body camera

footage of this incident, as their department does not issued body cameras. His squad was not involved in this incident and there was no squad camera footage.

I thanked Deputy Schutte for his time and provided him with the relevant case numbers for this incident for his command staff.

The interview was concluded at approximately 0550 hours.

REPORT REVIEW

04/20/20:

At approximately 1530 hours, I met with Deputy Schutte at the Waukesha County Sheriff's Office Law Enforcement Center. He reviewed the report and advised that the events were true and accurate. There were several minor and non-substantive corrections to the report for accuracy and spelling.

End of supplemental report.

NAMES

Contact

R[redacted], M[redacted] W/M-53 of 19[redacted] Milky Way, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1967

Phone 1:([redacted]) [redacted]-[redacted]

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-002128				
1	EVI		Consent to Search 19[redacted] Milky Way	1.000 $0.00 [Recovered]

NARRATIVE

PRELIMINARY INFORMATION

After I interviewed Deputy Dominguez, I was assigned to go to the residence of Randy Ashland, 19[redacted] Milky Way, Waukesha, Wisconsin. I went to this address with LT Saftig, LT Sitter, Brown Deer Police Detective Morgan, Brown Deer Police Detective Guenette, and a City of Waukesha Police Officer and Detective.

CONTACT M[redacted] R[redacted]

When we started walking up the driveway at 19[redacted] Milky Way, we saw a person, later identified as M[redacted] R[redacted], in the front window of the address. R[redacted] came outside when we got to the front porch. I identified myself and informed R[redacted] we were at the house to speak to him about Randy Ashland. R[redacted] confirmed Ashland lived at the house and I asked for consent to come inside and speak to R[redacted]. R[redacted] agreed and invited us inside.

When we were inside, I asked whether the other officers could walk through the house for a protective sweep. R[redacted] agreed and while I initially spoke to

him, the other officers did a protective sweep with negative results. R[redacted] immediately asked me whether Ashland was dead. I responded, "yes," and explained that we were investigating the circumstances surrounding it. The other officers informed me there was an empty handgun holster on the bed in the basement in plain view.

In response to my questions, R[redacted] stated he last saw Ashland yesterday, 04/14/2020, at about 1600 hrs., when R[redacted] took Ashland dinner. Ashland lives in the basement of R[redacted]'s residence. R[redacted] owns the house and Ashland pays R[redacted] $300 a month to live on the south side of the open floor plan basement.

R[redacted] stated he had an appointment and left the house on 04/14/2020 at about 1600-1630. He arrived home again at 2000 hrs., and did not see Ashland. R[redacted] did not know Ashland was not at the house until I confirmed Ashland was deceased. R[redacted] looked outside and saw both of Ashland's trucks were parked outside the house; a Dodge Dakota pick up and a Chevrolet Avalanche.

R[redacted] stated he works as a mortgage broker and, as it is an essential industry under the current government travel and employment restrictions, he is currently working and his appointment was for work. R[redacted] stated Ashland was working as a, "handyman." R[redacted] stated Ashland was not working much due to, "pain issues that lead to medication issues." R[redacted] stated Ashland was supposed to have a doctor's appointment yesterday but did not go as he claimed to be not feeling well.

R[redacted] stated to his knowledge Ashland has had nine (9) surgeries for unknown reasons and a long time ago Ashland accidently shot himself in the leg. R[redacted] stated Ashland also had heart problems with a "blockage."

R[redacted] stated that yesterday, Ashland wanted to chop wood. There was an old axe stuck in the top of a piece of wood on the back patio. R[redacted] told Ashland not to chop wood due to his heart blockage. R[redacted] stated he is currently heating the house with the natural wood fireplace as Ashland was self quarantining for possible COVID 19 exposure. Ashland had been hospitalized from April 3 to April 6. Due to his stay at Waukesha Memorial Hospital and potential for exposure to COVID 19 at the hospital, Ashland was on a self quarantine. R[redacted] turned off the forced air furnace to prevent any virus from circulating in the house. R[redacted] stated he purchased two face cords of firewood to use for heat so Ashland would not need to chop the wood.

R[redacted] stated Ashland did have mental health issues but did not know what specifically the issues were. R[redacted] stated Ashland was, "a bit of a hypochondriac." Ashland had a drinking/alcohol abuse problem that R[redacted] was not aware of until a three to six months after Ashland moved in to the basement. R[redacted] stated Ashland took a lot of different medications but he did not know what they were.

R[redacted] stated he has known Ashland for about 15 years. R[redacted] knows Ashland from the church they both attend, [redacted] [redacted] Church. Due to the COVID 19 restrictions, Ashland was not currently attending services or participating in the church. R[redacted] stated Ashland's, "main support was the church," and Ashland is currently, "separated from that."

R[redacted] stated Ashland has lived in the basement for about one and a half (1.5) years. R[redacted] has complete access to the basement, can enter the basement any time he wants, and does use the basement when ever he wants to. R[redacted] stated Ashland did not restrict R[redacted]'s access to the basement as it was, "my house." R[redacted] stated if Ashland had tried to restrict R[redacted]'s access, R[redacted] would have had Ashland move out.

I asked R[redacted] if we could search the basement for any items that might shed some light on the incident we were investigating. He initially agreed and I completed a Consent to Search form. I presented the form to R[redacted] and explained it to him. R[redacted] stated he would be prefer to consult with an attorney before signing the form. I told R[redacted] he could absolutely consult with an attorney and waited while he sent and received some text messages. R[redacted] ultimately informed me we could search the residence and signed the form after response from the attorney he had been texting. The other officers began the search of the basement while I completed the interview.

R[redacted] stated that yesterday, he saw Ashland had a .40 caliber handgun in a holster on his bed. R[redacted] stated Ashland has four (4) or five (5) handguns and four (4) long guns. Ashland did not say what he was doing with the handgun on his bed.

R[redacted] stated he could not tell when and if Ashland was drinking. Ashland's preferred drink was rum.

R[redacted] stated Ashland had not expressed any intent to harm himself or others. If Ashland had expressed such an intent, R[redacted] would have called 911. R[redacted] stated he suspected Ashland's recent hospital stay was a 72 hour hold as a result of Ashland's use of medications.

R[redacted] stated when he saw Ashland before R[redacted] left the house on 04/14/2020, R[redacted] told Ashland, "if you have any trouble, 911."

R[redacted] stated on Saturday, Ashland had collapsed on the lawn outside the house. R[redacted] found Ashland and told Ashland to text R[redacted] if it happened again and Ashland needed help. R[redacted] stated when Ashland moved into the house, Ashland weighed about 130# and recently Ashland was up to 150#. R[redacted] stated, "he was on the road to recovery."

R[redacted] stated Ashland quit smoking about three months ago. Ashland was using Chantex as a nicotine source to help him quit.

R[redacted] stated Ashland, "never tried to harm anyone else." R[redacted] stated Ashland, "tried to harm himself in the past." The most recent self harm was last summer when Ashland, "drank too much and was cutting himself."

R[redacted] stated Ashland went to the hospital on 04/03/2020, via ambulance, at about midnight. R[redacted] picked Ashland up at Waukesha Memorial Hospital on 04/06/2020 at about 1500 hrs. R[redacted] stated he did not know Ashland went to the hospital until about 1700 hrs., on 04/04/2020. R[redacted] stated he found Ashland missing in the morning and, saw both of Ashland's cars were in the driveway, and was concerned Ashland had done something to himself.

R[redacted] stated Ashland had been talking about shed hunting in the park near the house. Ashland had gone to cut wood for 10 hours, and Ashland never returned home that night.

R[redacted] stated Ashland had been, "a little more up and down than normal," over the last few days but R[redacted] could not specify a time frame for the different behavior.

R[redacted] stated Ashland was, "going through the process of stabilizing his mood." R[redacted] stated Ashland might have quit drinking since his hospital stay and knew Ashland did not drink for the three days Ashland was in the hospital.

After we completed the search, I informed R[redacted] we were done with the search and would be taking some ammunition for the firearm and a note book. I sat down to briefly explain the circumstances of the investigation to R[redacted] and he immediately asked, "was it suicide by cop?" I confirmed it was a law enforcement shooting and R[redacted] asked, "is your cop ok?' I confirmed the officer was ok. R[redacted] had no further questions. We left the residence at 0752 hrs.

The Brown Deer detectives took the ammunition and notebook as evidence. See the Brown Deer Police reports for the search and evidence.

PROPERTY

I put the Consent to Search form on property as set forth above.
An electronic copy is attached to this report.

West Allis Police Department

Property Report

Property Number:	Case Number	Location:	Incident Date:
20-002128	20-012925	725 American Ave,CW	04/15/2020 03:16:58

Name *(Last, First, Middle)*	DOB:	Race/Sex:

Address: *(Address, City, State, Zip)*	Home Phone Number:

Details of Recovery

Recovered Location: *(Address, City, State, Zip)*	Recovery Date:
	04/16/2020 11:03:11

Found in Possession of:	Address: *(Address, City, State, Zip)*

☑ Evidence	Place Retained:	☐ Found Property
	Sent to Property Room 04/16/2020 11:03:11	

Item# **Type** **Reason**

---

1 Article Evidence

Description: Consent to Search 19[redacted] Milky Way

Quan/Value: 1.000 / $0.00

Disposition: Sent To Property Room

Reporting Officer:		Reviewed by:		Report Date
Madden, David	DM1871	Madden, David	DM1871	04/15/2020

Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:

Owner - Agent Printed Name:	Owner - Address:

Signature of Owner - Agent:	Signature of Officer Releasing Property:

West Milwaukee Police Department — Incident Report

Incident: Mutual Aid Response

Incident Report Number:	Between: Date - Time		And/At: Date-Time	
20-002493			4/15/20	01:31

Incident Location: 1901 Delafield St, Waukesha, WI, 53188

CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
9012			
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

	Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Phone 1
Employer	Phone 2
Employer Address	Work Phone #

SUMMARY

On Wednesday, April 15th, 2020, the Milwaukee Area Investigative Team was requested to respond to the Waukesha Memorial Hospital to investigate an officer involved critical incident for the Waukesha Police Department (Case #20-16731), the lead investigative agency is the Wauwatosa Police Department, Case #20-7316.

	Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number :	Report Date:
Chic, Brian M.	227	04/15/2020

Time Received:	Time Cleared:	Unit(s) Assigned:	Pages:
07:01:38	08:49:08	28	1 Of 6

Reviewed by:	Payroll Number :	Copy To
Donovan, Charles E.	213	

Date: 04/15/2020

CFS Code-1: 9012

Incident Report Number: 20-002493

NARRATIVE

West Milwaukee Police Department Detective Brian Chic reporting...

On Wednesday, April 15th, 2020, at approximately 7:34 a.m., at the Waukesha Police Department, located 1901 Delafield Street, in Interim Chief Wagner's Office, I spoke with Waukesha Police Department Officer Katrina R. Smidt, Badge #475, (who will be referred to as Officer K. Smidt for the remainder of this report).

Officer K. Smidt stated she has been employed as a full time officer for the city of Waukesha Police Department for approximately ten years, with a current rank of patrol officer. Officer K. Smidt stated prior to working at the Waukesha Police Department she worked as a part-time officer for the University of Milwaukee Police Department for approximately 1.5 / 2 years and for the parts of two summers for the State Fair Police Department, which is where she obtained her law enforcement certification. Officer K. Smidt stated with the Waukesha Police Department she is assigned to third shift, but due to the health emergency their agency switched to twelve hours shifts, this occurred approximately two to three weeks ago. Officer K. Smidt stated she now works 6:00 p.m. - 6:00 a.m., on a scheduled rotation of two days on and four days off. Officer K. Smidt stated today's shift was her first day on, after having five days off. Officer K. Smidt stated from the night of Monday, April 13th, 2020, to the morning of Tuesday, April 14th, 2020, she slept for six to seven hours and then took a three to four nap on Tuesday, April 14th, 2020, at approximately 11:00 a.m. Officer K. Smidt stated this was all a normal amount of sleep and a normal sleeping pattern for her.

Officer K. Smidt stated for her shift starting on Tuesday, April 14th, 2020, at 6:00 p.m., she was radio #104, and was on patrol duty by herself driving a fully marked Ford SUV squad, fleet #2. Officer K. Smidt stated she was in full department issued uniform, she was carrying her duty weapon, which is a 40 caliber Glock, and informed me that she does not carry a back up firearm. Officer K. Smidt stated officers, including herself, do not wear body cameras, but her squad was equipped with a squad camera, which faces forward. Officer K. Smidt stated prior to this incident she was busy with standard calls, but nothing she considered high stress.

Officer K. Smidt stated while parked at the Waukesha Fire Department station #2 to type police reports in her squad, she heard on the police radio emergency tones, which alerts officers for an emergency call, which includes, but is not limited to: an active fight, a weapons call, or a domestic dispute. Officer K. Smidt stated after the emergency tone two other officers and herself were dispatched to Waukesha Memorial Hospital for the report of a man with a gun to his head (officers were dispatched on Wednesday, April 15th, 2020, at approximately

1:31 a.m.). Officer K. Smidt stated while en-route an officer radioed that he had the subject at gunpoint. Officer K. Smidt stated she responded from the fire department with emergency lights and siren activated and arrived in approximately 2.5 minutes. Officer K. Smidt stated while en-route an officer radioed that the safe approach was through the emergency room entrance from the south, which is the route she took. Officer K. Smidt stated she parked her squad up as close as she could to other squads. Officer K. Smidt stated she grabbed the rifle shield from her squad, and walked northeast up to a squad that officers were using as cover and that was canted facing southeast and was to the southwest of the subject with a gun. Officer K. Smidt stated this area was on the road located to the north of the emergency room and to the south of the parking lot where the subject was. Officer K. Smidt stated on the south side of the aforementioned squad were Officer Ryan Solberg and Brandon Danowski, who both had rifles over the engine block of the squad they were behind. Officer K. Smidt stated she approached with the shield and was shoulder to shoulder with Officer Danowski, who was to her left, and to the left of Officer Danowski was Officer Solberg. Officer K. Smidt stated approximately a minute or two later Waukesha County Sheriff's Office Deputy Dominguez and Deputy Thompson arrived. Officer K. Smidt stated Deputy Dominguez was positioned to her right, and Deputy Thompson was positioned to the rear of the squad.

Officer K. Smidt stated she observed the subject, later identified as Randy S. Ashland, in the hospital parking lot to the northeast of their location, to be an older white male, approximately 50 - 60 years of age, wearing glasses and light colored jeans. Officer K. Smidt, stated the subject was lying on his back on the ground next to the middle of the passenger side of a white car. Officer K. Smidt stated the white car appeared to be unoccupied and had it's doors closed. Officer K. Smidt stated the subject's feet were facing south and his head was facing north. Officer K. Smidt stated she did not observe any other citizens in the area around or behind the subject on the ground. Officer K. Smidt stated she did remember observing a citizen, described as a black male, wearing a dark color puffy jacket in the lobby of the emergency room, possibly looking out the window. Officer K. Smidt stated she observed the subject in the parking lot to have what appeared to be a "big" silver gun in his hand, unknown which one. Officer K. Smidt stated she based this on observing what appeared to be a silver barrel, the information provided over police radio, and what other officers were saying while she was on scene. Officer K. Smidt stated the shield she was holding and looking through has a plexiglass window in it that distorts viewing, but she peeked around it and that is when she observed the gun. Officer K. Smidt stated they were approximately four to five car lengths away from the subject. Officer K. Smidt stated while it was dark outside there was ambient lighting in the area, and that she could see well enough to observe the subject was wearing glasses. Officer K. Smidt stated she did not observe a squad spotlight shining on the subject. Officer K. Smidt stated she does wear glasses and was wearing them at the time.

Officer K. Smidt stated Officer Danowski was saying out loud for officers to hear something to the effect of: he could "See a gun", the subject was "Holding a

gun by the butt", and then that the subject was "Holding the gun to his eye". Officer K. Smidt stated Officer Danowski did flash his flashlight on the subject.

Officer K. Smidt stated Officer Solberg was giving loud, clear and concise commands to the subject to the effect of, "Drop the gun", "Roll away from the gun", "We want to help you", "Show me your hands". Officer K. Smidt stated Officer Solberg was giving commands consistently for approximately four to five minutes. Officer K. Smidt stated during this time she observed the subject wave with one open hand. Officer K. Smidt stated she asked Officer Solberg if the subject was saying anything, to which he said he could hear the subject talking, but couldn't hear what he was saying. Officer K. Smidt stated Officer Solberg asked the subject for his name and then called him, "Randy". Officer K. Smidt stated she could not hear anything the subject was saying.

Officer K. Smidt stated she peeked out from behind the shield when she heard Officer Danowski state, "he put the gun down" at which time she observed the gun lying on the ground next to the subject's chest area, she could observe that the subject was not touching the gun, but she did not see where his hands were. Officer K. Smidt stated Officer Danowski then stated something to the effect of, "he picked it back up", and then approximately six to eight seconds later she heard shots fired, and believed Officer Solberg, Officer Danowski and Officer Dominguez fired. Officer K. Smidt stated the sound of the gunshots were loud and she believed there was a lot, but she also realized they were echoing due to their location. Officer K. Smidt stated at no point did she have her service weapon drawn or fire it, nor was she carrying any other firearm. Officer K. Smidt stated she did not observe the subject pick up the gun as she was looking at officers to her right, which was Sergeant Dakarske and an unknown officer, who were near a concrete pillar.

Officer K. Smidt stated Sergeant Dakarske radioed to dispatch, "Shot's fired". Officer K. Smidt stated she heard Officer Danowski say the subject is still breathing. Officer K. Smidt stated officers coordinated an approach to move up to the subject. Officer K. Smidt stated to the west of where the subject was lying next to the white car, were one or two open parking spots, then a black sedan which was next to a black pick-up truck. Officer K. Smidt stated she with the shield and four or five officers walked north from there location along the west side of the aforementioned pick-up truck and to the rear of it. Officer K. Smidt stated at the rear of the truck officers communicated and organized which officer would secure the gun, and which officers would secure the subject. Officer K. Smidt stated they then walked east towards the subject, during which she did not remember if commands were given while they approached. Officer K. Smidt stated she was looking through the port or at her feet as they approached and she did not observe where the gun was, or observe if the subject was still breathing. Officer K. Smidt stated upon arrival to the subject someone placed him in handcuffs, as Deputy Thompson and herself cleared the vehicle and did not locate any subjects inside. Officer K. Smidt stated officers placed the subject onto a cot and

immediately wheeled him into the hospital. Officer K. Smidt stated she did observe the subjects glasses on the ground.

Officer K. Smidt stated Officer Solberg asked who shot so they could get off scene; she was aware of Sergeant Dakarske and Officer Solberg saying they fired and Officer Nate Smidt stated he fired less lethal. Officer K. Smidt stated Sergeant Benitez put Officer Nate Smidt in charge of the scene, at which time she advised Sergeant Benitez that he had been involved in the incident.

Officer K. Smidt stated she put the shield in her squad and turned off the squad cameras. Officer K. Smidt stated she was told by Officer Solberg to turn off the squad cameras from recording, which she figured was from a Sergeant. Officer K. Smidt stated she knew there was no reason to have the squad cameras continue to record. Officer K. Smidt stated she went into two other squads and turned off the squad cameras. Officer K. Smidt stated the one squad was further south of her squad and one was parked by the garage door ambulance entrance, which she also moved so ambulances could get into the hospital.

Officer K. Smidt stated she was ordered by Sergeant Benitez to convey Officer Solberg back to the Waukesha Police Department, which she did. Officer K. Smidt stated she checked with Officer Solberg to make sure he was okay, but they did not discuss the incident. Officer K. Smidt stated at the Waukesha Police Department she stayed with Officer Solberg until she was relieved by Officer Danowski. Officer K. Smidt stated she then stayed with Sergeant Dakarske until she was relieved, during which time she did not discuss this incident with him.

Officer K. Smidt stated at one point during the incident she remembers observing New Berlin Police Department Officer J.J. Ament exiting the hospital, but she does not know where he was before or after the shots were fired.

Officer K. Smidt stated she did not manipulate anything or touch anything in the area where the subject was taken into custody.

The interview ended at approximately 8:39 a.m.

NAMES

Deceased

Ashland, Randy S W/M-58 of 19[redacted] Miller Park Way, Waukesha,WI,53189
DOB: [redacted]/[redacted]/1961
HT: 600 WT: 155 Hair: Brown
Eyes: Brown

Police Officer

Smidt, Katrina R U/F of 1901 Delafield St, Waukesha,WI,53188

Phone 1:(262) 524-3831

Hospital

Waukesha Memorial Hospital of 725 American Avenue,Waukesha,WI,53188
Phone 1:(262) 928-1000

Police Department-1

Waukesha Police Department of 1901 Delafield Street,Waukesha,WI,53188
Phone 1:(262) 524-3831 Phone 2:(262) 524-3820

Police Department-2

Wauwatosa Police Department of 1700 N 116 St,Wauwatosa,WI,53226
Phone 1:(414) 471-8430 Phone 2:(414) 471-8444
