

Q1= Detective Diane Nelson  
Q2= Detective Christofer Nybeck  
A= Officer Todd Black

**Witness Interview**

Q1: Okay, this interview's gonna be starting Friday, November 10<sup>th</sup> at 23:08 hours at the Crystal Police Department conference room. This is Detective Diane Nelson, and with me is with my part- with me is my partner Detective Chris Nybeck. And your name for the record, please?

A: Officer Todd Black.

Q1: Can you spell that, please?

A: T-O-D-D. B-L-A-C-K.

Q1: And your date of birth, sir?

A: [REDACTED]

Q1: Okay. And you're currently employed by whom?

A: City of New Hope.

Q1: And how long have you been employed by New Hope?

A: Uh, 30 years, and, uh, 4 months.

Q1: Okay. And what's your du- regular duty assignment?

A: Uh, currently patrol officer.

Q1: Okay. And were you assigned to work today, November 10<sup>th</sup>, 2017?

A: Yes, I was.

Q1: Okay. And what were your regular scheduled hours?

A: Uh, 7:00 a.m. to 7:00 p.m.

Q1: Okay. At some point in time during the evening a call came out, um, regarding a call in Crystal, Minnesota. Can you tell us a little bit about what happened?

A: I was, uh, on patrol in the city of New Hope. I overheard, uh, Crystal Police Department receive a call of a, I believe it came out as a, uh, suicidal male, uh, with a, a handgun, uh, came out as a—wife called police, uh, sayin' that her husband had two guns to his head, and was threatening to commit suicide. And I believe somewhere along there they also said that if he was ever approached by police that he would be, uh, shooting them.

Q1: Okay. Do you remember what time of day that was?

A: I believe it was, uh, 17:11 hours this evening, or 17 or 17:10 hours.

Q1: And it's pretty normal in this area given the size of the agencies, is it pretty normal to do, uh, mutual aid?

A: Yes.

Q1: Especially for a call like this?

A: Correct.

Q1: Okay. So what happened next?

A: Uh, several officers from the, uh, New Hope Police Department, and, uh, Robbinsdale Police Department, uh, went to, uh, the general area where we, uh, were advised on our way there to, uh, start setting up a perimeter around the target house, which was the, uh, 5100 block of Angeline Drive. So, um, I took a position on the, the intersection of 53<sup>rd</sup> and Quail for probably a good, I don't know, half hour or so.

Q1: Do you know what time you arrived on scene?

A: I'm guessing about, uh, 17:14 hours.

Q1: And what was your squad number tonight?

A: Uh, my call number is 4115.

Q1: Okay. So when you arrived and you set up, um, how long were you at that position? Off of 53<sup>rd</sup> and Quail.

A: Off the top of my head probably half hour to maybe 40 minutes.

Q1: Okay. What happened next?

A: Uh, I was instructed by I believe, uh, the Crystal police sergeant to, uh, go more west on 53<sup>rd</sup> towards the, uh, um, house directly to the north of the target house because they were giving some entail that the, uh, subject inside the target house may be, uh, becoming more agitated and possibly, uh, would be, uh, coming outside to, uh, um, possibly ya know take on the police, uh, with his weapons. So at that point I left my, uh, the intersection on 53<sup>rd</sup> there, and I w- took my, uh, AR-15 rifle out of my squad, and I ran, uh, ya know half a block to, uh, like the 5100 block of, uh, 53<sup>rd</sup> Avenue. I recall asking dispatch if they could, uh, direct me, uh, if they could check the map to see exactly what house on 53<sup>rd</sup> was, uh, [Inaudible] up to the backyard of the target house. And, I met, uh, two Robbinsdale, uh, police officers at that location. Uh, we determined that there was no area along the backyard to get any, uh, visual whatsoever because it was surrounded by six foot high privacy fences for probably a good three to four or five yards, so.

Q1: So after you saw the privacy fences and you, and you couldn't get a good view or good sightline, what happened next?

A: Uh, the two Robbinsdale officers, uh, stayed in the, uh, uh, backyards there along 53<sup>rd</sup> Avenue. Um, I attempted to, uh, get a better vantage point. I went over, uh, to the, uh, the next street to the west, I don't know the name of it off hand. I met, uh, another New Hope Officer, uh, Bardon, he was, uh, standing outside of his, uh, patrol car. Um, I asked him at that time if there were any other, uh, officers, uh, basically near the, uh, southwest corner of that cul-de-sac, and he said no, and so I took a, uh—started running to the, uh,

the backyards, which would be the, uh, southwest corner of that cul-de-sac, uh, kind of, uh, um, almost parallel across the, uh, the cul-de-sac from the target house.

Q1: Could you, did you have a good view of the target house, which in this case was 5128 Angeline?

A: Initially I did not. Um, I tried, uh, um, without exposing myself, uh, trying to get a good visual of the, uh, the target house it was at this time that I, uh, initially, uh, heard what I thought to be the, uh, suspect, uh, yelling outside of his residence. Um, I went, uh, one more yard to the east still on the, uh, south side of the cul-de-sac, and I found a, uh, a sidewalk, I believe it's a, uh, a twin home there that, uh, gave me a perfect, uh, visual of the entire front of the, uh, target house.

Q1: When he was yelling, could you tell what he was saying?

A: Uh, no. I...I c-, I could make out a few words here and there, but I really can't recall exactly what he was saying at this time.

Q1: Okay. Could see him? Or at some point did he come to view?

A: Yes.

Q1: Okay. Uh, where was he standing? Or where was he at?

A: Uh, I initially saw him, uh, walking inside of his—or I should say I saw a male walking inside of his living room. I noticed the, uh, the light in the living room, uh, going on and off. Um...and I noticed a, uh, a white male coming out of the house into the garage, it was at that point I told dispatch that I had the, uh, the male, uh, uh, coming outside to the garage. And I believe it was at that time where, uh, the male fired off his, uh, second shot.

Q1: Do you know when the first shot took place?

A: Yeah, I would have to backtrack to, uh, when I was, when I initially got out of my squad, when I left that 53<sup>rd</sup> and Quail intersection, I ran to the, uh, middle of the block on 53<sup>rd</sup> there. Soon as I got to that basically a first 6 foot tall privacy fence I heard a large boom, um, it was at that time I believe, uh, Crystal Police Sergeant, uh, advised other squads on the scene that, uh, no officers had shot, that shot was from the suspect himself.

Q1: Uh, so let's go back now. You're seeing him in the living room, you see a man in the living room.

A: Correct.

Q1: What was he wearing? Do you recall?

A: I couldn't see what he was wearing inside the living room, uh, I just saw what I perceived to be a, uh, a male. Like I said the, the lights in the living room kept on, uh, going on and off at times, uh, but I didn't get a, a really good view until he, uh, stepped outside into his garage.

Q1: Once he stepped out into his garage, what did you see?

A: I saw a, uh, a white male with a beard. Uh, it looked like he had a, uh, a light colored hoodie on, and, uh, wearing blue jeans. Uh, he appeared to be, uh, talking on his cell

phone using his left hand, and in the right hand every now and then I could see a, uh, a red laser dot.

Q1: Could you tell, um, if there's anything else in that right hand?

A: No. Not from—it was a—not from that distance, no.

Q1: Okay. Could you see any handguns or any weapons? At that point.

A: I could see what I thought was, uh, something protruding from this right hand. I could maybe foresee it to be a gun, but I couldn't say for sure.

Q1: Okay. Was there anybody else around in the immediate area, including in the garage or in the residence that you know of?

A: No, there was no other civilians that I could see.

Q1: Okay. What happened next?

A: Um...at this point, uh, he continued talking on his cell phone. Uh, he was getting obviously more agitated at whoever he was talking to on the phone. He kept on, uh, pacing around the middle portion of his garage, uh, the garage door was, uh, open, wide open, there was, uh, one vehicle on the left side of the garage parked. Um, I believe at that time I overheard dispatch saying that the, uh, the subject was, uh, possibly speaking to his sister. Um, yeah, he was becoming, uh, more agitated, uh, at one time I heard him, uh, yell it's over. And, um, maybe like a minute and a half to two minutes later he, uh, gave out this, uh, very loud like yee-haw, uh, sort of an exclamation. Um, shortly after that, you know I maintained my position along the, uh, house across the street with my AR-15, and it was shortly after that point that, uh, I heard a, uh, very loud gunshot coming to my right side, which would be east of me. And soon as I heard the shot, uh, the male that I had been watching inside the, uh, garage, which was now, he had walked basically to the, uh, very entrance to the garage, almost onto his driveway now, um, he dropped extremely fast.

Q1: So you heard a, a first shot as you were going back to the privacy fence, and then you said there was a second shot?

A: Yes.

Q1: When was the second shot?

A: The second shot occurred when I was, uh, running up to the, uh, the backyards after I just spoke to, uh, um, the other New Hope officer that was, had his squad parked. Um, I heard another loud, uh, shot and I believe it was at that time that they came over the main saying that, uh, that was the suspect who had shot again. Um, so right after I heard that shot is when I tried to, uh, find a, uh, better position of, uh, cover across the street, so I could see the entire front end of the house.

Q1: After the man in the garage, uh, went to the ground, what happened next?

A: I temporarily, uh, maintained my, uh, position, uh, with my AR-15, uh, upright. I noticed a, uh, group of officers, what I would imagine be maybe, uh, four possibly five officers were, uh, closing in. I heard, uh, two rounds from what I thought were, uh, less-lethal

rounds, um, directed at this male. From my vantage point I couldn't see, uh, his hands, all I saw was, uh, he was down on the ground on his back, um, not moving whatsoever. At that point I left my, uh, position. I, uh, ran basically in a northwesterly direction, uh, closer to the target house, uh, maintaining cover behind a white vehicle that was, uh, parked inside the, uh, target's, uh, driveway. Uh, it was at that time that, uh, those four or five officers, um, approached the male and I was, uh, maintaining, uh, cover on the male. Um, we as a team, uh, turned the male, uh, over on his stomach and handcuffed him behind his back.

Q1: Okay. You mentioned that he was getting more and more agitated from what you could tell. What was he doing?

A: You could just, uh, hear the tone of his voice, uh, talking on the, uh, cell phone, uh, you know there'd be, uh, times when he was talking to whomever on the cell phone, uh, kind of quiet, then all of a sudden, uh, um, he would be raising his voice. And then like I said I think that's when I heard him say that it's over to whomever he was talking to on the cell phone. Um, you could just tell he was kind of starting to pace back and forth, uh, more rapidly. Uh, he was starting to, you know, raise his, uh, hands [coughing], uh, more rapidly. Uh, just the tone of his voice in general.

Q1: So after he was handcuffed and rolled, what happened next?

A: After, uh, we secured the, uh, suspect, uh, I got a, uh, group of, uh, like three or four people goin' towards the, uh, the garage service door leading into the house, and, uh, and told 'em we have to, uh, clear the house, make sure there's nobody, uh, no other subject's, suspect's inside the house or possibly innocent people. So that took, uh—we went inside the house with a group of, uh, probably six or seven. Uh, cleared the, uh, the main floor first, uh, went down in the basement. Um, determined that, uh, there were no, nobody else inside of the house. Uh, came back, gave a, uh, code 4 situation, and, uh, I stayed near the, uh, the driveway there.

Q1: Okay. When you all approached, the officers, um, what type of possessions, did you notice any possessions that the male in the garage had on or near his body?

A: I initially, I did not notice, uh, three handguns, uh, since my focus was concentrated at the, uh, the suspect himself, but, uh, after our situation was controlled that's when I noticed, uh, three handguns, uh...fairly near the body, uh, probably, uh, within 10 feet of him, uh, in the southeasterly direction I 'spose you could say from the body.

Q1: So were they more inside of the garage or were they out onto the driveway?

A: They're definitely on the driveway.

Q1: Okay.

A: Probably a good, uh, maybe 10 to 15 feet outside of the garage.

Q1: Do you know if anyone who originally approached, uh, the suspect, um, did anyone make comment about where those handguns were from?

A: I did not hear any comments, no.

Q1: Okay. Could you tell, um, semi-automatic, revolver, or just three handguns there?

A: I know there was one revolver, and there were two, uh, semi-automatics.

Q1: Okay. Who else was in the immediate area?

A: It should be, uh, if I could just also add too that, uh, I noticed that one of the semi-automatics had what appeared to be a laser sight on it.

Q1: Okay. Do you know the names of any of the other officers who approached the suspect with you?

A: Uh, Sergeant Brunner from, uh, New Hope Police Department. And there...I'm guessing I, I believe there was like, uh, two other officers from the Crystal Police Department and I believe there was one other from [coughing] Robbinsdale Police Department. And I believe, uh, Officer Kuyper from New Hope Police Department was also there.

Q1: After the house is clear, and after you're maintaining, uh, r-right outside of the target residence, what have you done since then?

A: Uh, my sergeant, uh, Sergeant Brunner stayed at the, uh, the residence along with two other officers, uh, he advised me to, uh, put my, uh—no, he initially advised me to, uh, go across the street and check on, uh, Officer Harty, who I was told was the, uh, the officer that, uh, shot the round. So I went across the street, spoke to, uh, Officer Harty. Uh, he appeared to be doing okay, we, uh, advised him to, uh, get out of that situation, um, walk towards the street. Um, it was at that time that I, uh, cleared his rifle for safety's sake. I made his rifle safe. And, uh, there were two, uh, un-spent, uh, rounds still left in, uh, Officer, uh, Harty's rifle. There was a, uh, Robbinsdale Police Officer [coughing] that was, uh, at the location where, uh, Officer Harty had positioned himself. Uh, he maintained integrity of that, uh, scene anyway where the, uh, the rifle was, uh...um, since the Robbinsdale officer was there, I, uh, started, uh, walking back towards my squad, so I could secure my own rifle.

Q1: Mm-hm.

A: Um, when I was back to my squad, uh, Sergeant Brunner, uh, advised me that he wanted me back at the scene to, uh, maintain, uh, help assistance with the perimeter. And I, uh, walked back, uh, up into the driveway, and, uh, basically stayed there until, at which time I was cleared.

Q1: Okay. At any time did you fire your weapon?

A: No, I did not.

Q1: Okay.

Q2: Just a couple quick questions. When you heard him and seen him in the gar- when you heard him talkin' on the phone in the garage, and you seen him, was he stationary or was he pacin'? Did he seem to be in an agitated state at all with his movements?

A: Uh, very much so, yes. He, uh, like I said I, I could make out a word or two here and there, but, uh, for the most part, uh, I could just hear a lot of, uh, yelling going on. Uh, he was, uh, clearly, uh, what I would describe as becoming more agitated just because of his increase just pacing around the garage. Uh, he would, uh, ya know, turn his back on me,

walk towards the, uh, the middle of the garage. He would, uh, stay at the end of the garage, uh, raising his hands. Um, yelling some more in the phone, uh, and then walking, uh, back towards the, uh, the opening of the garage, the entrance, and, ya know that's when I saw that red laser light coming from his, uh, right hand.

Q2: And from your training experience, you know that a red laser like that is typically attached to a firearm?

A: Very possible, yes.

Q2: Okay. Uh, just one more quick question. Did any of the officers try to make verbal contact with him as he was in the garage on the phone pacing? And if they did, did he respond to the officers at all?

A: At the time when I took my, uh, position at the corner of the house where I did not, uh, hear any verbal, uh, r-remarks made by officers towards the suspect.

Q2: Okay.

Q1: [Inaudible].

A: But I believe, uh, when everything was said dispatch kept us, ya know, updated saying that he's back on the phone again, uh, talking to dispatch or he's back on the phone talking to his sister I believe, and, uh, so that's the only—I believe one of the, the Crystal police officers, uh, negotiated, uh, attempted to, uh, talk to him, but I don't know exactly what was said.

Q2: Okay.

Q1: Based on your training experience, once you approached the garage, was there any reason to attempt to provide first aid? Or was the suspect obviously deceased?

A: Uh, suspect was obviously deceased based on, uh, the copious amounts of blood, uh, around his head, and he was already, uh, starting to lose, uh, uh, skin color.

Q1: Okay.

Q2: I'm good.

Q1: Okay. So we will be—is there anything else you wanna add at all, that you can think of?

A: Uh, no. I can't think of anything right now.

Q1: Okay. If you do end up thinking of something else, we're gonna give you business cards, you can certainly give us a call. Uh, this interview will be concluding at 23:34 hours.