

Minnesota Bureau of Criminal Apprehension

ACISS Case Master Report 2016-213

Date Initiated 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Agency: MINNESOTA BUREAU CRIMINAL APPREHENSION
Division: Investigations
Section: Metro Regional Office
Unit: MRO - Homicide
Lead LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Type Of Case: Officer Involved Shooting
Case Sub Type: Fatal
Case Description: Officer Involved Shooting - Raul Salvador Marquez Heraldes - Minneapolis

Case Status

Case Status: Open
Case Status Date: 04/04/2016
Dissemination: Chain of Command

Minnesota Bureau of Criminal Apprehension

ACISS Initial Report 2016-213

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Request from Minneapolis PD to Investigate an OIS
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/06/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

Agency	Case/File Number
Minneapolis Police Department	16-116598
MN BCA Lab	S16-03518

Synopsis

On April 4th 2016, SA Phill was notified by SSA Swanson that the Mpls PD was requesting a BCA investigation for an Officer Involved Shooting. The address was 2120 Minnehaha Av S and it involved several officers as witnesses and two as shooters. Raul Marquez Heraldes died at HCMC from his gunshot wounds. No items of evidence acquired with this report.

Address #1 - Occurred #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2 #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Minnesota Bureau of Criminal Apprehension

ACISS Initial Report 2016-213

Report Date: 04/04/2016

Subject #2 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
 Record Type: Person
 Bio: 59 yr. old, White, Male
 Birth Date: [REDACTED]
 Juvenile: NO

Personal Information

Height: 508
 Weight: 180
 Eye Color: Brown
 Hair Color: Brown
 Facial Characteristics: OTHER
 Glasses Type: OTHER

Scars, Marks, and Tattoos

Description	Type	Body Part	Side	Location
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

Relationship	Address
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #3 - WITNESS #2 - Wukotich, George Dan

Primary Information

Subject Name: Wukotich, George Dan
 Record Type: Person
 Bio: 68 yr. old, White, Male
 Birth Date: [REDACTED]
 Juvenile: NO

Personal Information

Ethnicity: American
 Height: 600
 Weight: 258
 Eye Color: Brown

Minnesota Bureau of Criminal Apprehension

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Report Date: 04/04/2016

Subject #4 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #5 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
BUSINESS LOCATION	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #6 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Minnesota Bureau of Criminal Apprehension

ACISS Initial Report 2016-213

Report Date: 04/04/2016

Subject #6 - SUBJECT #3 - Heraldes, Raul Salvador Marquez - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Record Status Information

Record Origination Operator:	Abrahamson, Tina (Operations Center / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/04/2016 07:19
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/06/2016 15:14

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 4th 2016, Special Agent (SA) Phill was notified by SSA Swanson that the Minneapolis Police Department (Mpls PD) had an officer involved shooting at around 6am and they were requesting a Bureau of Criminal Apprehension (BCA) investigation.

SA Phill was told that at least two Mpls PD officers shot one man, later identified as Raul Salvador Marquez Heraldes. Heraldes had taken a man later identified as Alan Coleman, hostage with a hunting knife. Coleman was being stabbed as Officers entered the apartment and shot Heraldes. Both men were transported to the Hennepin County Medical Center (HCMC) where Heraldes later died. SA Phill learned that the address of the shooting was 2120 Minnehaha Av and that there were a few witnesses to the incident.

SSA Swanson notified the BCA Crime Scene Team (CST) of the Mpls PD request and the address of the crime scene. CST Team Leader Joe Cooksley advised that he would respond with two CST members. SA Phill advised Cooksley that Agents at the crime scene would fill him in.

SA Phill responded to Mpls PD headquarters at 350 S 5th St. SA Phill met with various Mpls PD administrators to learn which Officers and witnesses were involved and available. SA Phill conducted two witness interviews and acquired some evidence from Mpls PD personnel. Please refer to later reports detailing the interviews and evidence acquired. SA Phill then responded to the crime scene to assist the CST and deliver evidence to the CST.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/1

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Crime scene report, 2120 Minnehaha Ave Minneapolis, MN
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/04/2016 00:00
Reporting LEO: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/19/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/04/2016 SA Henning was directed to respond to 2020 Minnehaha Ave S. in Minneapolis for an officer involved shooting. SA Henning responded with other agents and met with Minneapolis Police officers at an address later determined to be 2120 Minnehaha Ave S. Minneapolis, MN. SA Henning was advised that officers had shot an individual after he had stabbed a hostage he was holding. Acquisition of exhibit 2016-213/1.1.

Address #1 - Occurred #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Address #2 - Occurred #2 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Subject #1 - WITNESS #1 - Fossum, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: Fossum, Michael
Record Type: Law Enforcement Official
Bio: White, Male
Email: Michael.fossum@minneapolismn.gov
Rank/Position: Lieutenant
Juvenile: NO

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/1

Report Date: 04/04/2016

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED] - Continued

Primary Information - Continued

Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #4 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

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Report Date: 04/04/2016

Property #1 - One CD containing photographs of MPD officers and the CS taken by Lt. Fossum

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: One CD containing photographs of MPD officers and the CS taken by Lt. Fossum
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/04/2016 18:15

Officers

LEO

Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/04/2016 18:15
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/19/2016 12:30

Reporting LEO	Date	Supervisor	Date
Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

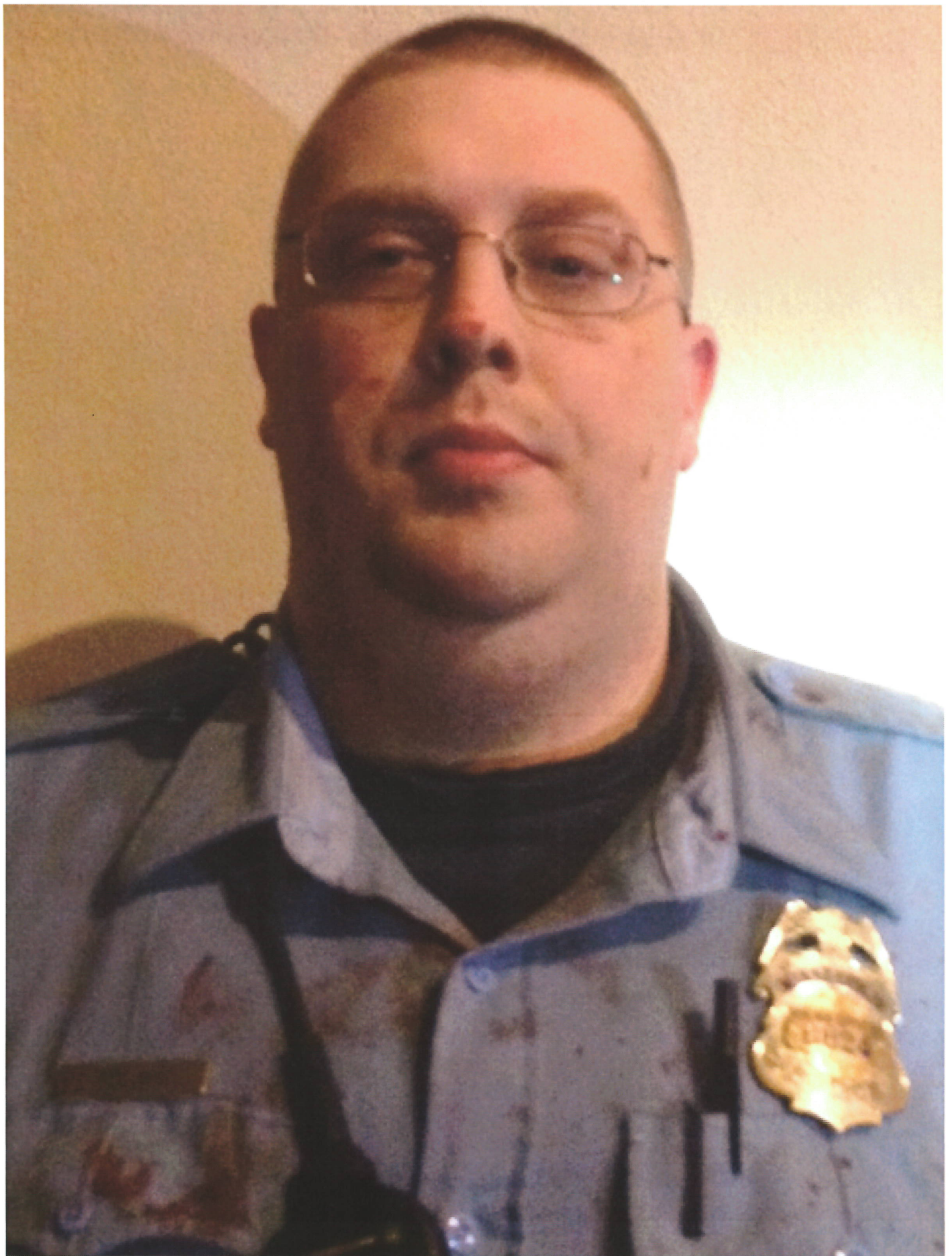
Narrative begins on the following page.

On 04/04/2016 SA Henning responded to 2120 Minnehaha Ave S. in Minneapolis for an Officer involved shooting. SA Henning was initially given the address for this incident as 2020 Minnehaha Ave. SA Henning arrived on scene and met with SA Frascione who had previously arrived on scene. SA Henning and Frascione met with Minneapolis Police Inspector Mike Sullivan. Inspector Sullivan advised that his officers had responded to an initial call of an unwanted person at this address. Inspector Sullivan said that officers arrived and quickly encountered a suspect armed with a knife. Inspector Sullivan said the suspect had entered apartment #2 and taken the male occupant hostage. Inspector Sullivan said officers requested assistance and attempted to negotiate with the suspect that had identified himself as Raul. Inspector Sullivan told agents that during negotiations that the suspect started to stab the hostage. Inspector Sullivan said the officers forced entry into apartment #2 and shot the suspect who was actively stabbing the hostage.

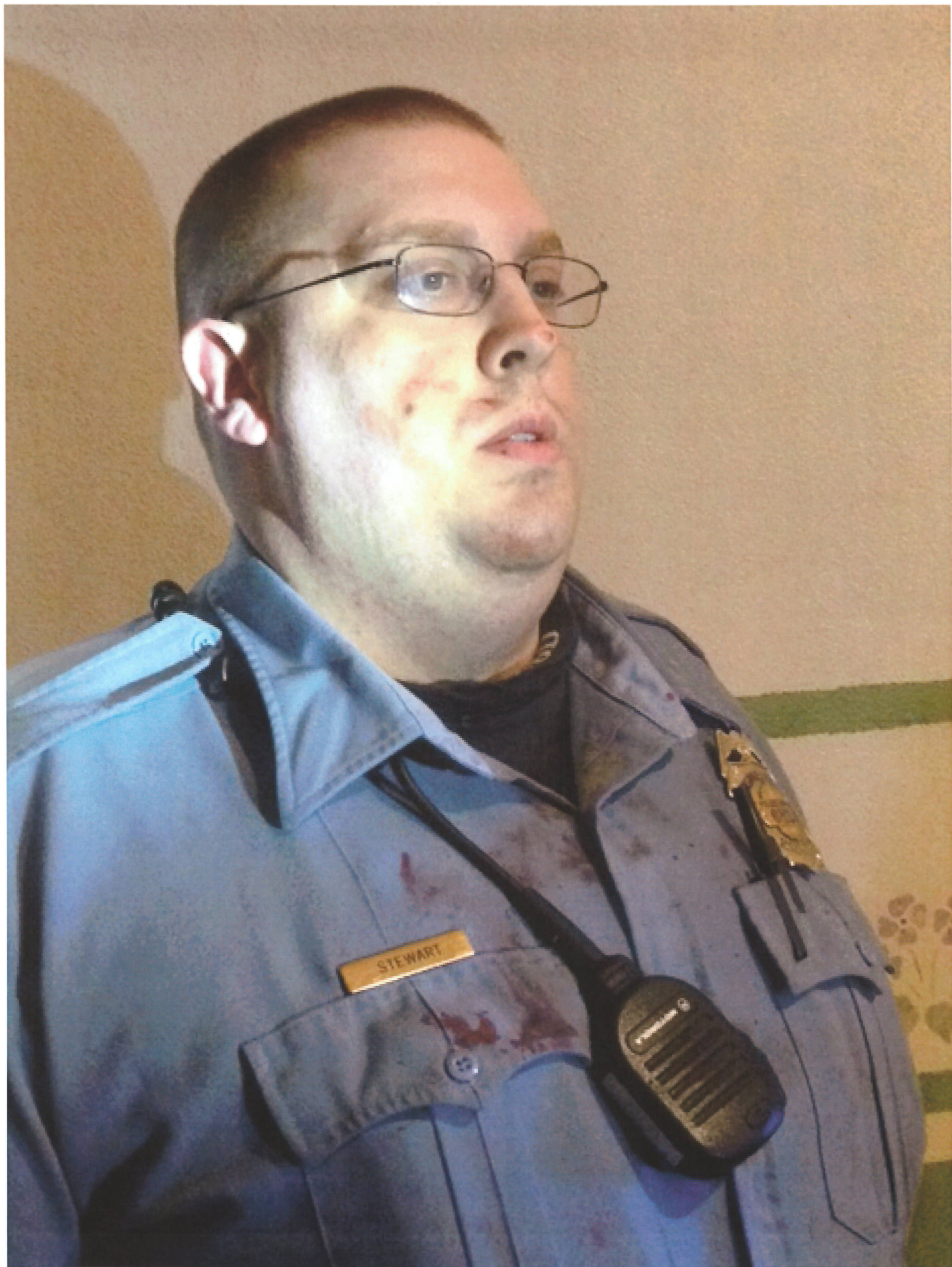
Inspector Sullivan advised that the suspect, hostage and one of the officers had been transported to Hennepin County Medical Center for treatment of their injuries. Inspector Sullivan told agents that the suspect had died shortly after arriving at the hospital. SA Frascione and Henning went into the eight unit apartment building and viewed the scene. SA Henning spoke with Lt. Mike Fossum who had been the on scene supervisor during this incident. Lt. Fossum told SA Henning that he had taken photographs of the scene after it was secure using his iPhone. Lt. Fossum later provided SA Henning with a compact disc containing the photographs he had taken of the scene and the officers involved, acquisition of exhibit 2016-213/1.1.

SA Henning was directed to draft a search warrant for the crime scene by SSA Swanson. SA Henning drafted a warrant which was signed using the address of 2020 Minnehaha Ave S. #2, Minneapolis, MN 55404. That search warrant was signed by the Honorable Judge Bev Benson. SA Henning was advised that the actual address of the crime scene was 2120 Minnehaha Ave S. Minneapolis, MN 55404. Prior to the execution of the initial search warrant SA Henning drafted a second warrant with the proper address of 2120 Minnehaha Ave #2 Minneapolis, MN 55404. SA Henning presented the Honorable Judge Bev Benson with the second search warrant. After review of the search warrant Judge Benson signed the search and it was executed shortly thereafter.

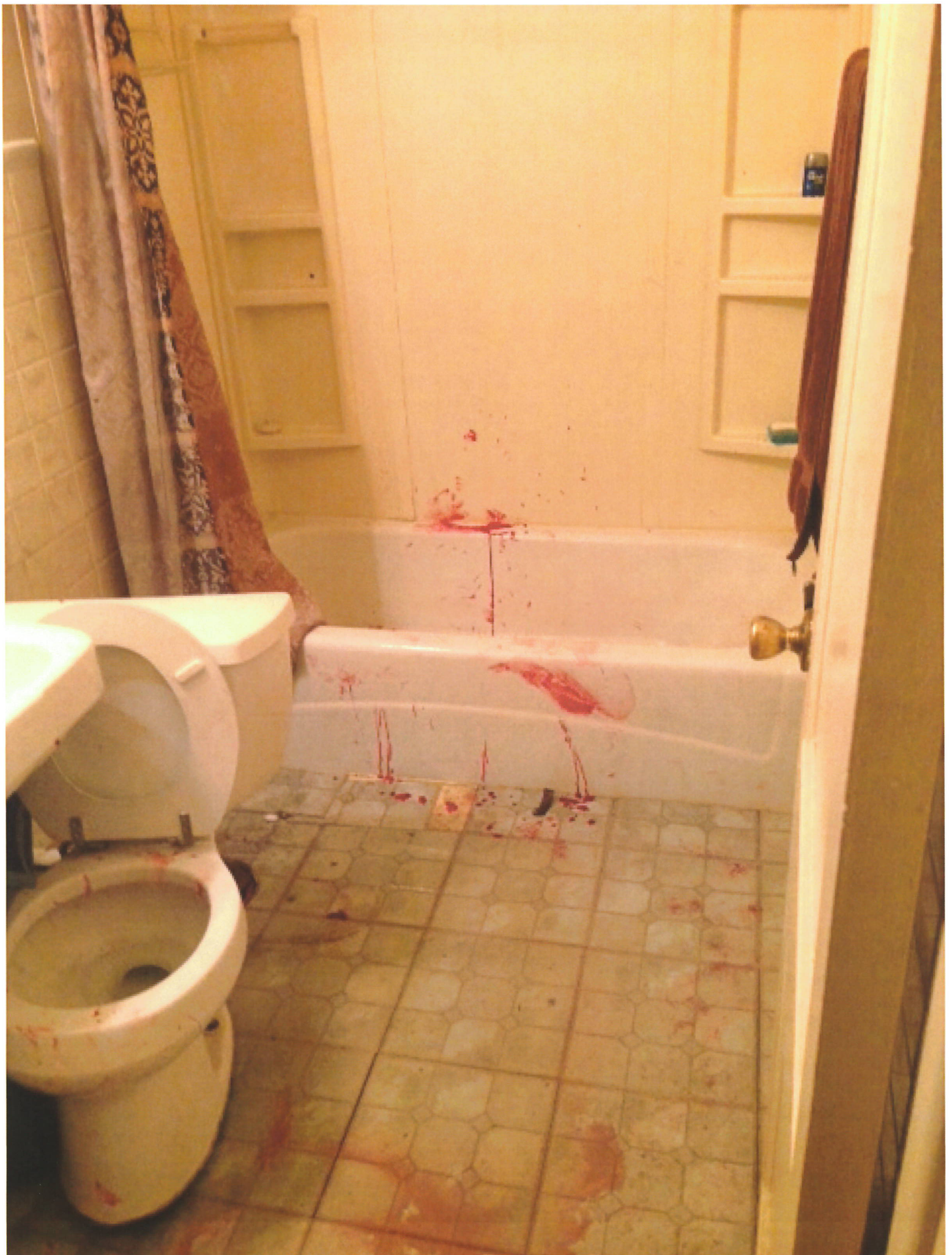
The crime scene was processed by the BCA crime scene team led by forensic scientist Joe Cooksley. SA Henning will attach copies of both search warrants and the receipt for items taken during the search. All items collected during the search were kept in the possession of the CST leader and submitted to the BCA laboratory.

















Minneapolis Police Department				
Crime Scene Entry Log				
Case #:	16-116598		Location: 2120 MINNICHANA AVS	Date: 4-4-16
DATE	*TIME IN	*TIME OUT	OFFICER Name/Badge	REASON
4-4-16	546	0615	CACHS	
4-4-16	546	0615	CAPE	
4-4-16	546	0615	PERKINS	
4-4-16	546	0615	GRAUPNER	
4-4-16	546	0615	TREBESCHI	
4-4-16	546	0600	STEWART	
4-4-16	546	0600	ROBINSON	
4-4-16	546	0735	FUSSUM 2012	
4-4-16	546	0600	RIVARD	
4-4-16	546	0600	MALMBERG	
4-4-16	549	0600	E7	
4-4-16	530	0600	HCEMS #490	
4-4-16	530	0615	GRUIT	
4-4-16	539	1505	BUEGE 0858	
4-4-16	611	0635	BARRETE	
4-4-16	617	0617	GROSS 2142	
4-4-16	637	0645	ELDER	
4-4-16	039	1505	Shogren 6521	Crime Log
4-4-16	0715	1505	Do. Henny	BCA
4-4-16	0715	1505	M. Priscilla	BCA
4-4-16	0728	1505	Gary Swinkson	BCA
4-4-16	0738	0802	McHale 4635	MCD
4-4-16	0738	0802	Tim Eck 1688	MCD
4-4-16	0738	0802	Angela Prescott 5800	MCD
4-4-16	0738	0802	Clark Groat 2354	MCD
4-4-16	0743	1505	Lady Horner	BCA Crime Scene
4-4-16	0848	0858	Dan Willis 7788	MCD
4-4-16	0851	0858 1001	Jake May	Interpreter BCA
4-4-16	0924	1505	Joe Gookley	BCA Crime Scene
4-4-16	0924	1505	McKenzie Anderson	BCA Crime Scene
4-4-16	0924	1505	Melissa Loren	BCA Crime Scene
REMARKS				

*Times are approximate and are recorded according to the logging officer's watch.

COMPLETED BY: Eric Shogren 6521

Crime Scene Entry Log

REMARKS

COMPLETED BY:

COMPLETED BY: Eric Shogren



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

Laboratory Number

S16-03518

Agency Case Number

2016-213

TEL: 651-793-2900

TTY: 651-242-6555

FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Attn: SA Mike Phill

COUNTY: Hennepin

TELEPHONE: 651-793-1100

TYPE OF CASE:

Officer Involved Shooting/with a Death

Report Distribution: BCA St. Paul - 1

Section Involved

Crime Scene Team

Estimated Due Date

5/4/2016

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

Cooksley, Loren, Anderson

PRINCIPALS:

Heraldes, Raul Salvador Marquez
Coleman, Alan
Malmberg, Eric
Robins, David
Stewart,
Oachs,

Date Of Birth
9/13/1965

Sex
M

Type
D

Race

Comments

M

V

M

P

P

P

P

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Source / Description</u>
1		One manila envelope containing evidence classified as a bloodstain	from steps of stoop
2		One cardboard box containing evidence classified as an item of evidence	knife sheath
3		One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 Auto +P" from hallway
4		One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from hallway
5		One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from kitchen
6		One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom
7		One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
8		One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom

9	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
10	One manila envelope containing evidence classified as bullet fragment(s)	from bathroom
29	One manila envelope containing evidence classified as a bloodstain	from bathroom
30	One manila envelope containing evidence classified as a bloodstain	from bathroom
31	One manila envelope containing evidence classified as a bloodstain	from bathroom
32	One manila envelope containing evidence classified as a bloodstain	from bathroom
33	One manila envelope containing evidence classified as a bloodstain	from bathroom
34	One manila envelope containing evidence classified as a bloodstain	from bathroom
35	One manila envelope containing evidence classified as a bloodstain	from bathroom
36	One manila envelope containing evidence classified as a bloodstain	from bathroom
37	One manila envelope containing evidence classified as a bloodstain	from bathroom
38	One manila envelope containing evidence classified as a bloodstain	from bathroom
39	One manila envelope containing evidence classified as bullet(s)	from bin in bedroom
40	One manila envelope containing evidence classified as bullet(s)	from bedroom floor

Submitted By

Received By



04/04/2016 15:18:00

Crime Scene Collection

Joe Cooksley

Submission Date and Time

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/1

Case Agent: Henning, Doug

Item	Quantity	Description
1	1.00	One CD containing photographs taken by MPD LT. Fossum

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Date Received

Name

Phill, Charles (Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Released By Henning, Doug (1361 / MRO -

Telephone

Verified By



Bureau of Criminal Apprehension
1430 Maryland Avenue East, St. Paul, Minnesota 55106
Phone: 651-793-7000, Fax: 651-793-2901



023-CS

EVIDENCE RECEIPT	Laboratory Case No. <i>516-03518</i>	Requesting Agency No. <i>BCA</i>	BCA Investigations No. <i>2016 213</i>
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Person or Address/Location Evidence Obtained From

Apartment #2 2120 Minnehaha Ave., Minneapolis, MN

Lab Item No.	DESCRIPTION OF ARTICLES
<i>1</i>	<i>bloodstain from steps of steps</i>
<i>2</i>	<i>black knife sheath</i>
<i>3</i>	<i>cartridge case "Federal 45 AUTO +P" - hallway</i>
<i>4</i>	<i>cartridge case "Federal 45 AUTO +P" - hallway</i>
<i>5</i>	<i>cartridge case "FC 9MM +P" - kitchen</i>
<i>6</i>	<i>cartridge case "Federal 45 AUTO +P" - bathroom</i>
<i>7</i>	<i>cartridge case "FC 9MM +P" - bathroom</i>
<i>8</i>	<i>cartridge case "Federal 45 AUTO +P" - bathroom</i>
<i>9</i>	<i>cartridge case "FC 9MM +P" - bathroom</i>
<i>10</i>	<i>apparent bullet fragment from bathroom</i>
<i>28-38</i>	<i>bloodstains from bathroom</i>
<i>39</i>	<i>bullet from bin in bedroom</i>
<i>40</i>	<i>bullet from floor of bedroom</i>

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date <i>4/4/16 @ 15:18</i>	Signature <i>Angela D. Costello</i>
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CHAIN OF CUSTODY

Item	Date	Relinquished By	Received By
		Signature	Signature

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT.

Special Agent Douglas Henning, being duly sworn upon oath, hereby makes application to this Court for a warrant to search the Property, hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

Court authorization to photograph/video and process for physical evidence using commonly accepted forensic processing techniques.

- Any clothing that contains biological evidence, to include, but not limited to blue jean pants and a grey and blue striped man's shirt.
- Trace evidence including, but not limited to: blood, hairs, fibers, fingerprints, bodily fluids, and items of identification.
- Any weapon or instrument which could have caused the death, or could be used to determine the manner of death of an unknown male party or injuries to an unidentified male hostage., including, but not limited to: folding knives, fixed blade knives, sheaths, other edged weapons used to cause puncture type stabbing wounds, any and all firearms, projectiles and cartridge casings
- Items or materials that could be used to identify possible perpetrators, including, but not limited to: blood, hair, fibers, bodily fluids, and clothing, as well as chemical testing for blood, bodily fluids and fingerprints.
- Any notes, writings, journals or diaries that may show motive or reason for the crime, to include digital evidence such as computers, hard drives, flash drives, CD's/DVD's, and a search of said electronic devices.
- Cellular telephones that the subject had access to or could have used to communicate before, during or after the crime occurred, and to forensically process and download said cellular telephones.
- Any yet undiscovered items which might tend to show the nature, cause or manner of death of the unidentified male or the injuries to the unidentified hostage.
- To have all items seized, tested by the Minnesota Bureau of Criminal Apprehension.

are on the property, described as:

Apartment #2, 2020 Minnehaha Avenue, Minneapolis, MN 55406, to include the exterior/curtilage of the building as well as the entry door to the building and hallway leading to apartment #2.
located in the City of Minneapolis , County of Hennepin, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

5. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your Affiant is a licensed peace officer and Special Agent (SA) employed by the Minnesota Bureau of Criminal Apprehension (MN BCA). Your Affiant has been employed by the MN BCA for just short of ten years. Your Affiant was employed by the Chisago County Sheriff's Office and the Lindstrom Police Department for approximately 12 years prior to working for the MN BCA. Your Affiant has had several assignments while employed with the MN BCA. These assignments have included investigating Narcotics, Financial crimes and General investigations which include death investigations: officer involved shootings, conflict investigations as well as other investigations as assigned. Your Affiant has received training related to investigations which include: Crime Scene Processing, Interview and Interrogation, Drafting or Search Warrants and other court documents, Photography, Narcotics related training which has been provided by the Drug Enforcement Administration (DEA), The Bureau of Alcohol, Tobacco and Firearms (ATF) and the Federal Bureau of Investigations (FBI). Your Affiant has been investigating felony level crimes for the last 12 years. During the last 12 years your affiant as has many cases prosecuted at both the state and federal level, all of which have resulted in convictions.

On 04/04/2016 your affiant was directed to respond to 2020 Minnehaha Ave in Minneapolis for a Officer involved shooting. Your Affiant responded and met with Minneapolis Inspector Mike Sullivan and Lt. Fossum. Lt Fossum told you affiant that Minneapolis Police had received a call for assistance at about 5:10 AM to 2020 Minnehaha Ave which is a multi unit apartment building. The caller was the caretaker of the building and advised that there was an unwanted and male in the common area of the apartment building possibly armed with a knife.

Officers responded and encountered the male party inside the entrance door to building. Officers attempted to speak with the subject for a period of time. The subject ran further inside the building and entered apartment #2. Officers called for assistance at about 5:20 AM. As more officers arrived they were made aware that an occupant of apartment #2 had jumped out of the window of the apartment to avoid the armed subject now inside. The remaining occupant of apartment was held at knife point as officers attempted to talk the suspect into giving up his knife and coming out to them.

After a short time of negotiating with the male party officers heard screaming from inside apartment #2. Lt. Fossum who was the supervisor on scene directed the officers to force entry to the apartment. As officers entered the apartment they encountered the subject and his hostage in the bathroom immediately inside the entry door. Officers fired on the subject as he was actively stabbing the hostage. The unidentified hostage was removed from the apartment with a knife protruding from his back per Lt. Fossum. The subject continued to be combative even after being shot multiple times.

The subject and victim were both transported by medical personel to Hennepin County Medical Center. The hostage is being treated and the subject expired shortly after arriving at the hospital. Your affiant respectfully requests that your Honor grant this request to search and forensically search the property and areas described herein.

WHEREFORE, Affiant requests a search warrant be issued, commanding **Special Agent Douglas Henning**, (a) peace officer(s), of the State of Minnesota, **and all other personnel under your direction and control between the hours of 7:00 a.m. and 8:00 p.m. only** to search the hereinbefore described Person, for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.

Subscribed and sworn to before me this

day of April, 2016



Affiant: Special Agent Douglas Henning



Judge of District Court

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

TO: **SPECIAL AGENT DOUGLAS HENNING**, (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.

WHEREAS, **SPECIAL AGENT DOUGLAS HENNING** has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described Property, :

located in the City of Minneapolis, County of Hennepin STATE OF MINNESOTA for the following described property and things:

Court authorization to photograph/video and process for physical evidence using commonly accepted forensic processing techniques.

- Any clothing that contains biological evidence, to include, but not limited to blue jean pants and a grey and blue striped man's shirt.
- Trace evidence including, but not limited to: blood, hairs, fibers, fingerprints, bodily fluids, and items of identification.
- Any weapon or instrument which could have caused the death, or could be used to determine the manner of death of an unknown male party or injuries to an unidentified male hostage., including, but not limited to: folding knives, fixed blade knives, sheaths, other edged weapons used to cause puncture type stabbing wounds, any and all firearms, projectiles and cartridge casings
- Items or materials that could be used to identify possible perpetrators, including, but not limited to: blood, hair, fibers, bodily fluids, and clothing, as well as chemical testing for blood, bodily fluids and fingerprints.
- Any notes, writings, journals or diaries that may show motive or reason for the crime, to include digital evidence such as computers, hard drives, flash drives, CD's/DVD's, and a search of said electronic devices.
- Cellular telephones that the subject had access to or could have used to communicate before, during or after the crime occurred, and to forensically process and download said cellular telephones.
- Any yet undiscovered items which might tend to show the nature, cause or manner of death of the unidentified male or the injuries to the unidentified hostage.
- To have all items seized, tested by the Minnesota Bureau of Criminal Apprehension.

COPIES TO: COURT • PROS.ATTY • PEACE OFFICER • PREMISES/PERSON

WHEREAS, the application and supporting affidavit of Special Agent Douglas Henning was/were duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

5. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The Court further finds that probable cause exists to believe that the above-described property and things are At Apartment #2, 2020 Minnehaha Avenue, Minneapolis, MN 55406, to include the exterior/curtilage of the building as well as the entry door to the building and hallway leading to apartment #2.

NOW, THEREFORE, YOU SPECIAL AGENT DOUGLAS HENNING, MICHELLE FRASCONE, CODY HORNER and SENIOR SPECIAL AGENT GARY SWANSON THE PEACE OFFICER(S) AFORESAID, AND ALL OTHER PERSONNEL UNDER YOUR DIRECTION AND CONTROL ARE HEREBY COMMANDED BETWEEN THE HOURS OF 7:00 A.M. AND 8:00 P.M. ONLY TO SEARCH THE PERSON OF, FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW.

BY THE COURT:



JUDGE OF DISTRICT COURT

Dated : April 4, 2016

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT.

Special Agent Douglas Henning, being duly sworn upon oath, hereby makes application to this Court for a warrant to search the Property, hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

Court authorization to photograph/video and process for physical evidence using commonly accepted forensic processing techniques.

- Any clothing that contains biological evidence, to include, but not limited to blue jean pants and a grey and blue striped man's shirt.
- Trace evidence including, but not limited to: blood, hairs, fibers, fingerprints, bodily fluids, and items of identification.
- Any weapon or instrument which could have caused the death, or could be used to determine the manner of death of an unknown male party or injuries to an unidentified male hostage., including, but not limited to: folding knives, fixed blade knives, sheaths, other edged weapons used to cause puncture type stabbing wounds, any and all firearms, projectiles and cartridge casings
- Items or materials that could be used to identify possible perpetrators, including, but not limited to: blood, hair, fibers, bodily fluids, and clothing, as well as chemical testing for blood, bodily fluids and fingerprints.
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- Any yet undiscovered items which might tend to show the nature, cause or manner of death of the unidentified male or the injuries to the unidentified hostage.
- To have all items seized, tested by the Minnesota Bureau of Criminal Apprehension.

are on the property, described as:

COPIES TO: COURT • PROS.ATTY • PEACE OFFICER

Apartment #2, 2120 Minnehaha Avenue, Minneapolis, MN 55406, to include the exterior/curtilage of the building as well as the entry door to the building and hallway leading to apartment #2. located in the City of Minneapolis, County of Hennepin, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

5. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your Affiant is a licensed peace officer and Special Agent (SA) employed by the Minnesota Bureau of Criminal Apprehension (MN BCA). Your Affiant has been employed by the MN BCA for just short of ten years. Your Affiant was employed by the Chisago County Sheriff's Office and the Lindstrom Police Department for approximately 12 years prior to working for the MN BCA. Your Affiant has had several assignments while employed with the MN BCA. These assignments have included investigating Narcotics, Financial crimes and General investigations which include death investigations; officer involved shootings, conflict investigations as well as other investigations as assigned. Your Affiant has received training related to investigations which include: Crime Scene Processing, Interview and Interrogation, Drafting of Search Warrants and other court documents, Photography, Narcotics related training which has been provided by the Drug Enforcement Administration (DEA), The Bureau of Alcohol, Tobacco and Firearms (ATF) and the Federal Bureau of Investigations (FBI). Your Affiant has been investigating felony level crimes for the last 12 years. During the last 12 years your affiant as has many cases prosecuted at both the state and federal level, all of which have resulted in convictions.

On 04/04/2016 your affiant was directed to respond to 2120 Minnehaha Ave in Minneapolis for a Officer involved shooting. Your Affiant responded and met with Minneapolis Inspector Mike Sullivan and Lt. Fosum. Lt Fosum told you affiant that Minneapolis Police had received a call for assistance at about 5:10 AM to 2120 Minnehaha Ave which is a multi unit apartment building. The caller was the caretaker of the building and advised that there was an unwanted and male in the common area of the apartment building possibly armed with a knife.

Officers responded and encountered the male party inside the entrance door to building. Officers attempted to speak with the subject for a period of time. The subject ran further inside the building and entered apartment #2. Officers called for assistance at about 5:20 AM. As more officers arrived they were made aware that an occupant of apartment #2 had jumped out of the window of the apartment to avoid the armed subject now inside. The remaining occupant of apartment was held at knife point as officers attempted to talk the suspect into giving up his knife and coming out to them.

After a short time of negotiating with the male party officers heard screaming from inside apartment #2. Lt. Fossum who was the supervisor on scene directed the officers to force entry to the apartment. As officers entered the apartment they encountered the subject and his hostage in the bathroom immediately inside the entry door. Officers fired on the subject as he was actively stabbing the hostage. The unidentified hostage was removed from the apartment with a knife protruding from his back per Lt. Fossum. The subject continued to be combative even after being shot multiple times.

The subject and victim were both transported by medical personel to Hennepin County Medical Center. The hostage is being treated and the subject expired shortly after arriving at the hospital. Your affiant respectfully requests that your Honor grant this request to search and forensically search the property and areas described herein.

WHEREFORE, Affiant requests a search warrant be issued, commanding **Special Agent Douglas Henning**, (a) peace officer(s), of the State of Minnesota, **and all other personnel under your direction and control between the hours of 7:00 a.m. and 8:00 p.m. only** to search the hereinbefore described Person, for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.

Subscribed and sworn to before me this 4
day of April, 2016


Affiant: Special Agent Douglas Henning


Judge of District Court

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF HENNEPIN DISTRICT COURT
TO: **SPECIAL AGENT DOUGLAS HENNING**, (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.

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BY THE COURT:



JUDGE OF DISTRICT COURT

Dated : April 4, 2016

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/2

Report Date: 04/04/2016

Primary Information

Description: Autopsy of Raul Salvador Marquez Heraldes
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/04/2016 00:00
Reporting LEO: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 07/27/2016
Approved By: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/04/2016 SA Henning attended the autopsy of Raul Salvador Marquez-Heraldes at the Hennepin County Medical Examiners Office. No evidence was generated by nature of this report.

Address #1 - Occurred #1 - 530 CHICAGO AVE

Primary Information

Address: 530 CHICAGO AVE, Minneapolis, Minnesota 55415 , United States
Description: Hennepin County Medical Examiner

Subject #1 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Officers

LEO

Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/2

Report Date: 04/04/2016

Record Status Information	
Record Origination Operator:	Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/04/2016 18:16
Last Update Operator:	OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	07/27/2016 17:18

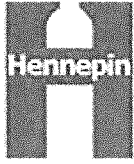
Reporting LEO	Date	Supervisor	Date
Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Narrative begins on the following page.

On 04/04/2016 SA Henning attended the autopsy of Raul Heraldes at the Hennepin County Medical Examiners Office in Minneapolis. The autopsy was conducted by Dr. Stephanie Stauffer.

SA Henning had to leave prior to the completion of the autopsy but later received a telephone call from Dr. Stauffer in which she indicated that the cause of death for Raul Heraldes was multiple gunshot wounds and that his manner of death was homicide. SA Henning has attached a press release from the HCME Office concerning the death investigation of Raul Heraldes.

The final autopsy report will be attached when it has been issued by HCME. No evidence was generated by nature of this report.



**B HENNEPIN COUNTY
MEDICAL EXAMINER'S OFFICE
AUTOPSY REPORT**



ME NO.: 16-1990

CASE TITLE: MULTIPLE GUNSHOT WOUNDS

DECEASED: Marquez-Heraldes, Raul **SEX:** M **AGE:** 50

DATE AND HOUR OF DEATH: 4-4-16; 6:19 a.m.

DATE AND HOUR OF AUTOPSY: 4-4-16; 9:00 a.m.

PATHOLOGIST: Stephanie L. Stauffer, M.D. **STAFF:** Lorren W. Jackson, M.D.

FINAL DIAGNOSES:

50-year-old man that was shot by another person(s).

I. Multiple gunshot wounds

A. Gunshot wound of chest, penetrating, indeterminate range of fire

1. Entrance: right chest
2. Path: sequentially perforates soft tissues of right chest, right 2nd intercostal muscle and anterior right 3rd rib, right lung, right hemidiaphragm, and liver; then penetrates right perirenal soft tissue
3. Associated findings: scant hemothoraces and hemoperitoneum
4. Recovery: one jacketed projectile from right perirenal soft tissue
5. Trajectory: downward, backward, and slightly leftward

B. Gunshot wound of lateral right hip, penetrating, indeterminate range of fire

1. Entrance: lateral right hip
2. Path: sequentially perforates soft tissue of right hip and subcutaneous tissue of lower abdomen; then penetrates soft tissues of left hip

PLEASE NOTE: Except for the public data, the information in the Medical Examiner's file is protected under Minn. Stat. §13.83 and is not public for a period of 30 years. Under the provisions of the same statute, the information being furnished to you because you are charged by law with investigating the same incident, retains its data privacy classification under Minn. Stat. §13.03 4 (e), and must not be further disseminated by your office

3. Associated findings: contusion of anterior left hip overlying wound track
 4. Recovery: one jacketed projectile from subcutaneous tissue of left hip
 5. Trajectory: leftward, slightly upward, and slightly frontward
- C. Gunshot wound of posterior right hip, penetrating, indeterminate range of fire
1. Entrance: posterior right hip
 2. Path: sequentially perforates soft tissue of right hip, proximal right femur, right pelvis (iliac bone), and urinary bladder; and impacts left side of pelvis (iliac bone) prior to ricochet and re-entry into the soft tissue of the left pelvic bowl
 3. Recovery: one jacketed projectile from left side of pelvic bowl
 4. Trajectory: leftward and slightly upward, with no significant frontward or backward deviation
- D. Gunshot wound of left wrist, perforating, indeterminate range of fire
1. Entrance and exit: left wrist
 2. Path: perforates soft tissues and bones of left wrist
 3. Trajectory: indeterminate (either predominantly frontward, or predominantly backward)
- E. Gunshot wound of left leg, penetrating, indeterminate range of fire
1. Entrance: anterior left leg
 2. Path: penetrates soft tissues of left leg
 3. Recovery: one jacketed projectile from subcutis of lateral left knee
 4. Trajectory: upward, backward, and leftward

F. Gunshot wound of left foot, perforating, indeterminate range of fire

1. Entrance: plantar surface of left 2nd and 3rd toes
2. Path: perforates soft tissue and bone of left 3rd toe, and soft tissue of left 2nd toe
3. Exit: dorsal surfaces of left 2nd and 3rd toes
4. Trajectory: upward, rightward, and slightly backward

II. Additional injuries

- A. Incisions of right 4th and 5th fingers, left palm, and left 5th finger
- B. Abrasions and contusions of face and extremities
- C. Subcutaneous hemorrhage of frontal scalp

III. No significant natural disease

IV. Toxicology (performed on admission specimens collected at Hennepin County Medical Center on 4/4/16 at 06:06)

- A. Blood volatile screen: negative for acetone, ethanol, isopropanol, and methanol
- B. Blood drug screen: amphetamine detected by immunoassay; methamphetamine detected by mass spectrometry
- C. Blood amphetamine quantitation: amphetamine 0.03 mg/L, methamphetamine 0.51 mg/L

SS/LP: 6/17/2016

7/26/2016

X  signing for

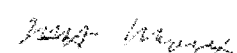
Stephanie L. Stauffer, M.D.
Deputy Medical Examiner
Signed by: Lorren Jackson

7/26/2016

X 

Lorren W. Jackson, M.D.
Assistant Medical Examiner
Signed by: Lorren Jackson

7/27/2016

X 

Mitchel K. Morey, M.D.
Reviewing Pathologist
Signed by: Mitchel Morey MD

ADDITIONAL PERSONNEL PRESENT AT AUTOPSY:

The autopsy is conducted in the presence of Special Agent Doug Henning of the Minnesota Bureau of Criminal Apprehension.

IDENTIFICATION:

Identification is confirmed via comparison of antemortem and postmortem fingerprints by the Minnesota Bureau of Criminal Apprehension. Additionally, a Medical Examiner's identification tag is attached to the outside of the body bag, and is labeled with appropriate case identifying information.

EXTERNAL EXAMINATION:

The body is received in a blue pouch sealed with a yellow plastic zip tie bearing the following handwritten information: "04/04/16 @ 0745 NAB AD", and the following printed information "SEALED 0000503".

The body is that of a well-developed, well-nourished appearing, 65 inches long, 156 pounds (approximate Body Mass Index 26 kg/m²) Hispanic male whose appearance is consistent with the reported age of 50 years. Unfixed red-purple livor mortis is posterior dependent, except in areas exposed to pressure. Rigor is present. The body is slightly warm. Acute injuries are described in a separate section below.

The crown of the head shows male pattern baldness. Elsewhere, the scalp is covered with brown stubble. Facial hair consists of a trimmed brown and white mustache, as well as brown and white beard stubble. The irides are brown, and the pupils are round. The sclerae and conjunctivae are clear. The ears are unremarkable. The nose and maxillae are palpably stable. The nares are patent, and the oral frenula are atraumatic. The teeth appear natural and in adequate condition, with restoration of the left central maxillary incisor. There is antemortem absence of the right central maxillary incisor and the central mandibular incisors.

The neck is straight, and the trachea is midline. The chest is symmetric with iatrogenic injury to be described. The abdomen is flat. The genitalia are those of a normal adult male. The testes are descended, and the scrotum is free of masses. Pubic hair is normally distributed. The back, buttocks, and anus are unremarkable.

The hands are initially covered in tape-sealed evidentiary bags, which are signed, removed, and photographed. The upper and

lower extremities are symmetric and without clubbing, edema, or absence of digits. The fingernails and toenails are short and focally dirt-soiled. On the dorsum of the left hand is a 2 x 1.5 cm faded black tattoo of a cross.

CLOTHING AND PERSONAL EFFECTS:

The following clothing items and personal effects are examined separate from the body at the time of autopsy (Note: All clothing items and personal effects are received in sealed, evidentiary bags and containers. No gross evidence of soot or unburned gunpowder deposition is identified on any of the submitted clothing items):

- One gray and black "Kenneth Cole" brand short-sleeve shirt, size large, with multiple cuts on the front (compatible with medical intervention). On the right front of the shirt is a 1.5 x 1.3 cm oval hole with frayed margins that is centered approximately 7.5 cm below the top right side of the collar.
- One black "Fruit of the Loom" brand tank top-style shirt, size large. On the right front of the shirt is a 2.5 x 2.1 cm irregular hole with frayed margins that is centered approximately 2 cm below the top right side of the collar.
- One pair of blue denim pants (brand not discerned) with multiple cuts on the front (compatible with medical intervention), size 32. The following defects are observed:
 - On the right side of the pants is a 0.7 cm diameter round hole with frayed margins that is centered 13.5 cm below the waistband.
 - On the back right side of the pants, centered approximately 7 cm from the previously described defect, and 12 cm below the waistband is a 0.6 cm diameter round hole with frayed margins.
- One pair of black "Hanes" brand boxer brief-style underwear, size small, with multiple cuts on the front (compatible with medical intervention), and an apparent wear defect in the groin area. The following additional defects are observed:
 - On the front left side is a 0.8 x 0.7 cm oval hole with frayed margins that is centered 13.5 cm below the waistband.
 - On the left side is a 1.1 x 0.7 cm oval hole with frayed margins that is centered 12 cm below the waistband.
- One unmatched pair of black socks. At the toe of one sock, spaced approximately 5 cm apart, are two irregular holes with frayed margins measuring 1.5 and 3 cm in maximum dimension.

- One black and brown leather "Brooks Brothers" brand belt with a white metal buckle, cut (compatible with medical intervention), size 34/85.
- One white metal ring (band).

MEDICAL INTERVENTION:

- An endotracheal tube is in the mouth, and is secured with adhesive face pads and an elastic strap.
- On the central chest is a 63 cm curvilinear open surgical incision with associated thoracotomies through the right 6th intercostal space, and left 5th intercostal space.
- Fractures involve the anterior aspects of the right 2nd through 6th ribs, and anterior aspects of the left 4th through 6th ribs.
- The pericardial sac has been surgically opened; scant blood is in the bilateral pleural and pericardial spaces.
- A vascular catheter is in the medial left forearm, and is secured with adhesive tape.
- A hospital identification band encircles the right wrist, and a hospital identification tag is attached to the left great toe.
- Vascular catheters are in the right and left inguinal areas, and each is secured with suture.

RADIOGRAPHS:

Postmortem full body radiographs show retained radiopaque projectiles and fragments in the following locations:

- Minute irregular fragments are in the right side of the chest.
- Minute irregular fragments and one large irregular projectile are in the right side of the abdomen.
- Several minute irregular fragments are in the area of the proximal right femur (with associated fracture) and right side of the pelvic bowl.
- A projectile is within the left side of the pelvic bowl.
- A projectile is in the soft tissue of the left hip.
- A defect in the medial left wrist with associated carpal fractures and retained minute irregular metal fragments.
- A projectile is in the soft tissue lateral to the left knee.

No retained radiopaque projectiles or projectile fragments are noted in the images of the head, neck, right upper extremity,

mid to distal right lower extremity, or distal left lower extremity. A dental restoration and multiple medical interventions, including thoracotomy-related soft tissue and bony injuries, are also seen in postmortem radiographs.

EVIDENCE OF INJURY:

The order of the following gunshot, blunt force, and sharp force injuries is for descriptive purposes only and does not imply relative severity or order of infliction. All wound pathways are described relative to standard anatomic position.

GUNSHOT WOUND OF CHEST:

ENTRANCE: On the right side of the chest, centered approximately 31.5 cm below the top of the head, 9 cm right of the anterior midline, and 9 cm inferior and medial to the right shoulder (acromion process) is a 1.2 x 1 cm oval defect with a partially dried circumferential abrasion margin that is 0.1 to 0.7 cm in width, and maximally wide at the 10 to 12 o'clock aspect. The skin surrounding the defect shows an area of patchy irregular purple-blue contusion up to 4 x 3.5 cm, but no evidence of searing, soot deposition, unburned gunpowder stippling or muzzle abrasion.

PATH: The hemorrhagic wound track sequentially perforates the soft tissue of the right side of the chest, anterior right 2nd intercostal muscle and superior aspect of the anterior right 3rd rib, upper lobe of the right lung, right hemi-diaphragm, and right lobe of the liver. The projectile then penetrates and comes to rest in the right perirenal soft tissue.

ASSOCIATED FINDINGS: Associated findings include scant hemothoraces and scant hemoperitoneum.

RECOVERY: One deformed lead-color projectile with a copper-color jacket, and relatively intact base (approximate diameter of 0.9 cm), is recovered from the right perirenal soft tissue.

TRAJECTORY: The wound direction is downward, backward, and slightly leftward.

GUNSHOT WOUND OF LATERAL RIGHT HIP:

ENTRANCE: On the lateral right hip, centered approximately 90.5 cm below the top of the head, 9 cm right of the anterior midline of the leg, and 70.5 cm superior to the base of the right heel is a 0.7 cm in diameter round, punched-out defect with a

circumferential abrasion margin that is 0.1 to 0.4 cm wide, that is maximally wide at the 8 to 9 o'clock aspect. The skin surrounding the wound shows no evidence of searing, soot deposition, unburned gunpowder stippling or muzzle abrasion.

PATH: The hemorrhagic wound track sequentially perforates the soft tissue of the right hip and subcutaneous tissue of the lower abdomen, before penetrating and coming to rest in the soft tissue of the left hip.

ASSOCIATED FINDINGS: A 10 x 3 cm irregular purple-blue contusion is on the anterior left hip overlying the wound track.

RECOVERY: One deformed lead-color projectile with a copper-color jacket, and relatively intact base with a diameter of approximately 1 cm, is recovered from the subcutaneous tissue of the left hip.

TRAJECTORY: The wound direction is leftward, slightly upward, and slightly frontward.

GUNSHOT WOUND OF POSTERIOR RIGHT HIP:

ENTRANCE: On the posterior right hip, centered approximately 86.5 cm below the top of the head, 21.5 cm right of the posterior midline, and 72 cm superior to the base right heel is a 0.9 cm round, punched-out defect with a circumferential abrasion margin measuring 0.1 cm or less in width, that is maximally wide at the 4 to 6 o'clock aspect. The skin surrounding the wound shows no evidence of searing, soot deposition, unburned gunpowder stippling or muzzle abrasion.

PATH: The hemorrhagic wound track sequentially perforates the soft tissue of the right hip, proximal aspect of the right femur, right iliac bone, and urinary bladder. The projectile then strikes the inner table of the left iliac bone, and deflects back into the soft tissues of the pelvic bowl (adjacent to the left iliac bone).

RECOVERY: One deformed lead-color projectile with a copper-color jacket, and relatively intact base with a diameter of 1 cm, is recovered from the left side of the pelvic bowl.

TRAJECTORY: The wound direction is leftward and slightly upward, with no significant frontward or backward deviation.

GUNSHOT WOUND OF LEFT WRIST:

ENTRANCE AND EXIT: Two closely spaced defects are associated with a perforating gunshot wound of the left wrist. One defect is on the posterior left wrist, and is centered approximately 77 cm below the top of the head, 2 cm right of the posterior midline of the left arm, and 17.5 cm superior to the tip of the left 3rd finger. This defect consists of a 1.5 x 0.9 cm irregular to stellate laceration that is centered within an approximate 6 x 5 cm area of faint pink-purple contusion. Irregular to curvilinear red-brown abrasions ranging from 0.2 to 1.1 cm in maximum dimension are present on the skin surrounding the wound, between the 9 o'clock and 4 o'clock positions.

The second defect involves a gaping laceration of the acral skin of the anterior aspect of the left wrist, and is centered approximately 77 cm below the top of the head, 2 cm right of the anterior midline of the left arm, and 17.5 cm superior to the tip of the left 3rd finger. This defect measures 2.5 x 2 cm and has irregular to stellate morphology.

Due to tissue destruction, irregular appearance of the wounds on the wrist, and lack of associated searing, soot deposition, gunpowder stippling, or muzzle imprint on the skin surrounding either wound, the points of bullet entry and exit cannot be definitively determined.

PATH: The hemorrhagic wound track perforates the soft tissues and bones of the left wrist.

TRAJECTORY: Because entrance and exit wounds cannot be differentiated, the wound trajectory is also unclear, but is either predominantly frontward or predominantly backward, relative to anatomic position.

GUNSHOT WOUND OF LEFT LEG:

ENTRANCE: Near the anterior midline of the left leg, centered approximately 136 cm below the top of the head and 31 cm superior to the left heel is a 2 x 0.8 cm oval punched-out defect with an associated roughly triangular area of superficial skin disruption and marginal abrasion involving the 2 to 10 o'clock aspects of the wound edge. This abraded area of skin is 0.1 to 2.5 cm wide, and is maximally wide at the 6 o'clock aspect. Three skin tags, which all point roughly inferiorly, are present along the wound edges at the 1 o'clock aspect (0.6 cm long tag), at the 2 o'clock aspect (0.7 cm long tag), and 11 o'clock aspect (1.9 cm long tag). The skin surrounding the

wound shows focal faint pink discoloration, without evidence of searing, soot deposition, unburned gunpowder stippling or muzzle abrasion.

PATH: The hemorrhagic wound track penetrates the soft tissue of the left leg.

RECOVERY: One deformed lead-color projectile with a copper-color jacket, and relatively intact base with a diameter of 1 cm, is recovered from the subcutis of the lateral left knee.

TRAJECTORY: The wound direction is upward, backward, and leftward.

GUNSHOT WOUND OF LEFT FOOT:

ENTRANCE: Near the midline of the left foot, on the plantar surface of the left 2nd and 3rd toes (when closely approximated) is a 0.5 cm diameter round punched-out defect with no apparent abrasion margin. The skin surrounding the wound shows no evidence of searing, soot deposition, unburned gunpowder stippling or muzzle abrasion.

PATH: The hemorrhagic wound track perforates the soft tissue of the left 2nd toe and soft tissue and distal phalanx of the left 3rd toe.

EXIT: On the dorsal aspect of the left 2nd and 3rd toes (when re-approximated), centered approximately 173.5 cm below the top of the head, is a 1.8 x 1.7 cm irregular, partially punched-out and lacerated defect. Separate apparent inferior-pointing skin tags are on the 2nd and 3rd toes and measure 0.4 cm and 0.3 cm long, respectively.

TRAJECTORY: The wound direction is upward, rightward, and slightly backward.

SHARP FORCE INJURIES:

- On the anterior right 4th finger is a 1.3 cm long x 0.3 cm deep curvilinear incision.
- On the anterior right 5th finger is a 3 cm long x 0.8 cm deep horizontal incision.
- On the left palm, near the base of the fingers, is a 4.2 cm long, superficial (less than 0.1 cm in depth) linear incision.

- On the palmar surface of the base of the left 5th finger are three incisions measuring 0.3, 0.5, and 0.8 cm in length, and up to 0.1 cm in depth.

BLUNT FORCE INJURIES:

- On the face (extending over the right and left temporal regions, forehead, bridge of the nose, and left side of the face and chin) is a 23 x 19 cm area of scattered irregular red-brown abrasions and abraded faint red-purple contusions that range in size from less than 0.1 to 3.5 cm in maximum dimension.
- A 2 cm maximum dimension oval area of hemorrhage involves the subcutaneous tissue of the right frontal scalp.
- A 2.8 x 1.6 cm irregular red-purple abraded contusion is on the left side of the chest.
- A 1.2 x 0.7 cm, oval, faint purple contusion is on the left side of the chest.
- Three irregular faint red abrasions, ranging from 0.2 to 0.6 cm maximum dimension, are on the anterior left arm.
- A 1 x 0.8 cm oval faint purple contusion is on the anterior left wrist.
- A 1.4 x 1.2 cm oval purple contusion is on the anterolateral left thumb.
- A 1 x 0.8 cm oval purple contusion is on the anterolateral right thumb.
- Two irregular abrasions, 0.2 and 0.6 cm maximum dimension, are on the anterior right leg.

INTERNAL EXAMINATION:

HEAD: There is injury of the deep scalp, as previously described. The calvarium and underlying dura mater are intact. Clear cerebrospinal fluid surrounds the 1345 g brain, which is symmetric and has unremarkable gyri and sulci. The leptomeninges are thin and transparent. No epidural, subdural, or subarachnoid hemorrhage is identified. Coronal sections demonstrate sharp demarcation between white and gray matter, without hemorrhage or contusive injury. The ventricles are of normal size. The basal ganglia, brainstem, cerebellum, and arterial systems are free of injury or other abnormalities. The pituitary gland is normally positioned and is unremarkable. There are no skull fractures. The atlanto-occipital joint is stable.

NECK: The anterior strap muscles of the neck are homogenous, red-brown, and without hemorrhage. The thyroid cartilage and hyoid bone are intact. The larynx is lined by intact tan mucosa. The thyroid gland is symmetric, red-brown, and without cystic or nodular change. The tongue is free of bite marks, hemorrhage, or other injuries.

MUSCULOSKELETAL SYSTEM: The skeletal muscles are firm and appropriate for body habitus. Where not injured by gunfire or disrupted by medical intervention, the bony skeleton appears normal. The vertebral bodies are visibly and palpably intact.

BODY CAVITIES: Few fibrous adhesions are present in the left pleural cavity. The organs occupy the usual anatomic positions.

RESPIRATORY SYSTEM: The right and left lungs weigh 300 and 310 g, respectively. Each lung contains two lobes. Where not injured by gunfire, the external surfaces are smooth and deep red-purple. The pulmonary parenchyma is diffusely congested and edematous. Sectioning reveals no mass lesions or areas of consolidation. The tracheobronchial tree and the pulmonary vasculature are unobstructed.

CARDIOVASCULAR SYSTEM: The heart weighs 325 g. The epicardial surface is smooth, with minimal fat investment. The coronary arterial distribution is normal and right-dominant. Cross-sections of the vessels show mild (25%) atherosclerotic stenosis of the proximal aspect of both the left anterior descending and right coronary arteries. The left main and left circumflex coronary arteries are widely patent. The myocardium is red-brown, firm, and without areas of discoloration or fibrosis. The valve leaflets are thin, mobile, and free of vegetations or degenerative changes. There is red-purple discoloration of the apical epicardial fat. The atrial and ventricular septa are intact and unremarkable. There is thickening of the interventricular septum immediately inferior to the aortic valve. The walls of the left and right ventricles are 1.3 and 0.5 cm thick, respectively. The foramen ovale is sealed. The endocardium is smooth and glistening. The aorta shows no significant atherosclerosis and gives rise to three intact and patent arch vessels. The renal and mesenteric vessels are unremarkable. The venae cavae and their major tributaries are patent and appear normal.

LIVER AND BILIARY SYSTEM: The liver weighs 1335 g. Where not injured by gunfire, the capsule is smooth. There is a sharp anterior border. The parenchyma is red to tan-brown and congested, with the usual lobular architecture. Sectioning reveals no mass

lesions. The gallbladder contains green bile and no stones. The mucosal surface is green and velvety. The extrahepatic biliary tree is patent.

SPLEEN AND HEMATOPOIETIC SYSTEM: The 100 g spleen has a smooth, intact, capsule. The parenchyma is maroon and congested. No lymphadenopathy is identified. The exposed bone marrow is unremarkable.

PANCREAS: The pancreas is firm and yellow-tan, with the usual lobular architecture. No mass lesions or other abnormalities are seen.

ADRENALS: The right and left adrenal glands are symmetric, with bright yellow cortices and gray medullae. No masses or areas of parenchymal hemorrhage are identified.

GENITOURINARY SYSTEM: The right and left kidneys weigh 145 and 140 g, respectively. The external surfaces are intact and smooth. The cut surfaces are red-tan and congested, with uniformly thick cortices and sharp corticomedullary junctions. The pelves are unremarkable and the ureters are normal in course and caliber. The bladder mucosa is pink. The bladder contains no urine. There are injuries of the urinary bladder, as previously described. The prostate is normal in size, with yellow-tan parenchyma. The seminal vesicles are unremarkable. The testes are free of mass lesions, contusions, or other abnormalities.

GASTROINTESTINAL TRACT: The esophagus is intact and lined by smooth, red-white mucosa. The stomach contains approximately 20 mL of tan-yellow partially digested food. No medications are discerned. The gastric wall is intact. The duodenum, loops of small bowel, colon, and appendix are unremarkable.

ADDITIONAL PROCEDURES:

- Documentary photographs are taken.
- Specimens retained for toxicologic testing: blood (femoral, aortic), vitreous, liver, and gastric contents.
- Representative tissue biopsies are submitted in cassettes for microscopic examination; additional biopsies are retained in formalin for potential microscopic evaluation.
- All recovered projectiles are photographed and placed in labeled, sealed envelopes.
- Fingernail clippings and pulled chest hairs are placed in labeled, sealed envelopes.

MICROSCOPIC EXAMINATION:

- HEART (1):** Sections of the right and left ventricular myocardium show focal expansion of perivascular connective tissue; otherwise, no significant pathologic abnormality.
- KIDNEY (2):** A section shows rare sclerotic glomeruli.
- LUNGS (2,3):** Sections of the right upper lobe (2) and left upper lobe (3) show focally widened airspaces and scattered black pigment deposition. Polarized light microscopy is negative.
- LIVER (3):** Mild macrovesicular steatosis and patchy mild lymphocytic portal inflammation.
- BRAIN (4):** A section of hippocampus shows no significant pathologic abnormality.



**Hennepin County
Medical Examiner**

530 Chicago Avenue
Minneapolis, MN 55415



Press Release Report

Marquez Heraldes, Raul Salvador

Case No: 2016-1990

Press Release

Decedent: Marquez Heraldes, Raul Salvador

Age: 50 years

Race: Hispanic

Sex: Male

Address: 2908 16th Ave South #1

City: Minneapolis

State: MN

Zip: 55407

Date & Time of Injury: 04/04/2016

Location of Injury: 2120 Minnehaha Ave South #1
Minneapolis, MN 55407

Date of Death: 04/04/2016

Time of Death: 6:19AM

Location of Death: Hennepin County Medical Center - ER
701 Park Avenue (Hennepin County Medical Center- ER)
Minneapolis, MN 55415

Comments: This individual died of multiple gunshot wounds; manner of death is homicide.
The Minnesota Bureau of Criminal Apprehension (BCA) and the Hennepin County
Medical Examiner's Office are investigating.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Officer Robins firearm, blood draw, etc.
Occurrence From: 04/04/2016 07:30
Occurrence To: 04/04/2016 09:30
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/06/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 4, 2016, SA Olson responded to Hennepin County Medical Center and obtained a duty firearm from Officer Robins. A total of (13) items of evidence were obtained by virtue of this report.

Address #1 - Occurred #1 - 730 S 8TH ST

Primary Information

Address: 730 S 8TH ST, Minneapolis, Minnesota, United States
Description: Hennepin County Medical Center Red building

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404, United States

Subject #2 - SUBJECT #1 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Subject #2 - SUBJECT #1 - Robins, David [REDACTED] - Continued

Primary Information - Continued

Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #3 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #4 - ATTORNEY #1 - BRUNO, Frederic

Primary Information

Subject Name: BRUNO, Frederic
Record Type: Person
Bio: White, Male
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	1450 THE COLONNADE 5500 WAYZATA BLVD, Minneapolis, Minnesota 55416 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Property #1 - Gun Belt - Officer Robins (lab 11)

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Gun Belt - Officer Robins (lab 11)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #2 - Lt. blue MPD Uniform shirt Ofr. Robins (lab 12)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Lt. blue MPD Uniform shirt Ofr. Robins (lab 12)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #3 - Blood kit B383596 Ofr. Robins (lab 13)

Primary Information

Property Class: Evidence
Property Type: Blood Collection Kit
Description: Blood kit B383596 Ofr. Robins (lab 13)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #4 - Ofr. Robins service weapon with mag (lab 14)

Primary Information

Property Class: Evidence
Property Type: Weapon - Firearm
Description: Ofr. Robins service weapon with mag (lab 14)
Quantity: 1
Make: Smith & Wesson

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Property #4 - Ofr. Robins service weapon with mag (lab 14) - Continued

Primary Information - Continued

Model: M&P
Weapon Sub-Type: PISTOL-AUTOMATIC
Firearm Caliber: 9mm
Firearm Finish: BLUE/BLACK
Serial No: HSN4732
Owner: Robins, David [REDACTED]
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #5 - (2) magazines from Ofr. Robins duty belt (lab 15)

Primary Information

Property Class: Evidence
Property Type: Firearm Accessory (CASE, MAGAZINE)
Description: (2) magazines from Ofr. Robins duty belt (lab 15)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #6 - Uniformed duty pants - Officer Robins (lab 16)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Uniformed duty pants - Officer Robins (lab 16)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #7 - Right boot Ofr. Robins (lab 17)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Right boot Ofr. Robins (lab 17)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Property #7 - Right boot Ofr. Robins (lab 17) - Continued

Primary Information - Continued

Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #8 - Left boot Ofr. Robins (lab 18)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Left boot Ofr. Robins (lab 18)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #9 - Voice Link - Ofr. Robins (lab 19)

Primary Information

Property Class: Evidence
Property Type: Electronic equipment
Description: Voice Link - Ofr. Robins (lab 19)
Quantity: 1
Serial No: 202750
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #10 - Right glove Ofr. Robins (lab 20)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Right glove Ofr. Robins (lab 20)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Property #10 - Right glove Ofr. Robins (lab 20) - Continued

Primary Information - Continued

Collected Date/Time: 04/04/2016 08:30

Property #11 - Left glove Ofr. Robins (lab 21)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Left glove Ofr. Robins (lab 21)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #12 - Knit hat Ofr. Robins (lab 22)

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Knit hat Ofr. Robins (lab 22)
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 08:30

Property #13 - 9 digital photographs - Ofr. Robins HCMC

Primary Information

Property Class: Evidence
Property Type: PHOTO, NEGATIVE, SLIDE, LATENT
Description: 9 digital photographs - Ofr. Robins HCMC
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/04/2016 08:30

Officers

LEO

Schmidt, Sherral (Sgt. / Minneapolis Police Dept)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/3

Report Date: 04/04/2016

Officers - Continued

LEO

Halvorson, Henry (2650 / Lieutenant / Minneapolis Police Dept)

Beman, Cameron (Officer / Minneapolis Police Dept)

Glavan, Michael (2296 / Officer / Minneapolis Police Dept)

Kelly, Shawn (3689 / Officer / Minneapolis Police Dept)

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Origination Date: 04/04/2016 19:26

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

Last Update Date: 04/06/2016 15:20

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Monday, April 04, 2016, at about 0640 hours, SA Olson received a telephone call from SSA Swanson regarding an officer involved shooting in Minneapolis. SSA Swanson specifically requested SA Olson respond to Hennepin County Medical Center to photograph and obtain items of evidence from an injured Minneapolis Officer. This officer was later identified to SA Olson as Officer David Robins.

SA Olson arrived at the hospital at about 0730 hours. SA Olson observed Officer Robins in a private ER treatment room. Also present in the room were Sgt. Sherral Schmidt of the Minneapolis Police Federation and Lt. Henry Halvorson from Minneapolis Police Internal Affairs Unit. SA Olson observed Officer Robins' left wrist was in a cast. His uniform shirt was on the floor next to the ER bed along with his Kevlar, gloves, and knit hat. All of the above mentioned items were later collected by SA Olson as evidence except the Kevlar vest.

Officer Robins agreed to be photographed. SA Olson photographed and later preserved the photographs on CD (item 3.1). This CD was later transferred to SA Phill (see attached evidence transfer).

SA Olson took custody of the following items:

Item number: Item:

- | | |
|------|---|
| 3.2 | Gun belt (lab 11) |
| 3.3 | Light blue uniform shirt (lab 12) |
| 3.4 | Blood kit B383596 (received at about 0910 hours - lab 13) |
| 3.5 | Officer Robins firearm (lab 14) |
| 3.6 | Two additional magazines from duty belt (lab 15) |
| 3.7 | Uniform duty pants (lab 16) |
| 3.8 | Right boot (lab 17) |
| 3.9 | Left boot (lab 18) |
| 3.10 | Voice Link (squad dash camera audio – lab 19) |
| 3.11 | Right glove (lab 20) |
| 3.12 | Left glove (lab 21) |
| 3.13 | Knit hat (lab 22) |

SA Olson used latex gloves while handling and packaging all of the aforementioned items. SA Olson maintained custody and control of the items until they were later delivered to CST Lead Swenson (see attached evidence transfer). Officer Robins indicated his squad video was not running during this incident.

MPD Range Officer Shawn Kelly provided Officer Robins with a replacement weapon.

At about 0910 hours HCMC RN Colleen Johnson took two vials of blood from Officer Robins. SA Olson observed her initial and seal both vials. It should be noted that Officer

Robins spoke privately with legal counsel (Fred Bruno) before signing consent for a blood draw. The consent was witnessed by Sgt. Schmidt.

SA Olson did not make inquiries with Officer Robins about the incident during this exchange.

Prior to leaving HCMC, SA Olson attempted to speak with victim Alan Coleman who was in a nearby private ER room. Mr. Coleman did not appear to be coherent or able to respond to questions. SA Olson learned that due to the extensive ligament damage to his right hand he was in the process of being transferred to North Memorial Hospital where a surgeon was on stand-by. SA Olson spoke briefly with MPD Officer Cameron Beman and Michael Glavan who were providing security to Alan Coleman. Officer Beman reported he property inventoried miscellaneous personal items belonging to Coleman.

SA Olson cleared from HCMC at about 0930 hours.

End report.



















MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802

Phone: 651/793-7000 FAX: 651/793-7001 TTY: 651-282-6555

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

CONSENT TO PROVIDE CHEMICAL TEST OF BLOOD OR URINE

I, David [REDACTED] Johnson Johnson

hereby authorize SA Chris Olson

a Special Agent with the Bureau of Criminal Apprehension, and/or any other duly appointed law enforcement officer to administer a test of my (blood) (urine). This written permission is given by me voluntarily. I am not taking this test because of threats made or pressure exerted on me by my employer, anyone associated with my employer, or any other individual. No consideration or reward has been promised to me in exchange for my agreement to take the test.

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS

[Signature]
Signature

4/4/16
Date

[Signature]
Witness

4/4/16
Date



152

Bureau No. 2016-213	Laboratory No. S16-03518	Evidence No.
------------------------	-----------------------------	--------------

Item No.	S.W. Item No.	Lab Item No.	Quantity	Name of Person From Whom Property is Obtained	Purpose For Which Obtained
				Officer David Robins	OSS Inv
				DESCRIPTION OF ARTICLES	
1				Gun belt w/keypers	
2				LT. Blue MAs uniform top D. Robins	
3				Blood kit B383596 ofr. D. Robins	
4				Small Wesson HP #HSN4732 9mm w/ mag + loose round	
5				S/W mags x 2	
6				Duty Pants ofr. D. Robins	
7				RT. Boot officer Robins	
8				LT Boot officer Robins	
9				Voice Link #202750	
10				RT. Glove ofr. Robins	

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time 4-4-2016	Signature 	0830 hrs	Storage Site Vehicle
-----------------------	--	----------	-------------------------

CHAIN OF CUSTODY

[illegible]



EVIDENCE RECEIPT

Bureau No.	Laboratory No.	Evidence No.
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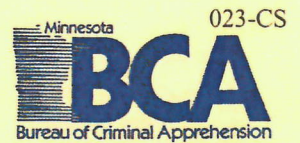
[illegible]

Date/Time	Signature	Storage Site

[illegible]



Bureau of Criminal Apprehension
1430 Maryland Avenue East, St. Paul, Minnesota 55106
Phone: 651-793-7000, Fax: 651-793-2901



EVIDENCE RECEIPT

Laboratory Case No.

Requesting Agency No.

BCA Investigations No.

516-03518

BCA

2016 213

Person or Address/Location Evidence Obtained From

SA Chris Olson

Lab Item No.

DESCRIPTION OF ARTICLES

11	gun belt w/ keepers
12	light blue MPD uniform top D. Robbins ^{JSC}
13	Blood kit B383596 ofr. D. Robbins
14	Smith / Wesson MP # HSN4732 9MM w/ MAC + loose round
15	S/w Mags x2
16	Duty Pants ofr. D. Robbins
17	RT. Boot ofr. Robbins
18	LT. Boot ofr. Robbins
19	Voice Link # 202750
20	RT. Glove ofr. Robbins
21	LT. Glove ofr. Robbins
22	Knit hat ofr. Robbins

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date

4/4/16 @ 12:06

Signature

Joseph D. Gendley

CHAIN OF CUSTODY

Item	Date	Relinquished By	Received By
11-22	4/4/2016	Signature [Signature] 1371	Signature Joseph D. Gendley

MEDICAL PERSONNEL CERTIFICATE

Peace Officer's Copy – Retain with Enforcement Agency's Records

Do NOT Send This Form to the BCA

Pursuant to Minn. Stat. §634.15, I certify as follows: at the request of the undersigned peace officer, I withdrew a sample of blood from:

David [REDACTED] Robins

Full Name

[REDACTED]

Date of Birth

I withdrew the sample of blood after preparing the withdrawal site with a non-alcohol substance. I used a sterile needle and container in withdrawing and receiving the blood sample. After withdrawing the blood sample, I gave the blood sample to the undersigned peace officer.

I withdrew the sample of blood at: Home

Location

at 0910 (A.M.) P.M., on 4 / 4 / 2016

Time

Date

I am authorized and qualified to draw blood samples pursuant to Minnesota Statutes § 169A.51, Subd. 7, because my occupation is (check applicable):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Physician | <input type="checkbox"/> Phlebotomist |
| <input checked="" type="checkbox"/> Registered Nurse | <input type="checkbox"/> Other Qualified Person(s)* |
| <input type="checkbox"/> Medical Technician | *Medical Personnel trained in a |
| <input type="checkbox"/> Medical Technologist | Licensed Hospital or Educational |
| <input type="checkbox"/> Laboratory Assistant | Institution to withdraw blood. |
| <input type="checkbox"/> Medical Laboratory Technician | |
| <input type="checkbox"/> EMT/Paramedic | |

x

Colleen Johnson RN

Signature of Medical Personnel

Colleen Johnson RN

Printed Name

Peace Officer's Copy – Retain with Enforcement Agency's Records

Do NOT Send this Form to the BCA

x

Chris Olson 1394

Signature of Peace Officer Receiving Blood Sample

Chris Olson

Officer's Printed Name

1394

Badge Number

P/A

Arresting Agency

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/3

Case Agent: OLSON, Chris

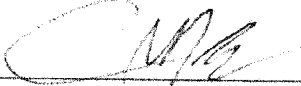
Item	Quantity	Description
1	1.00	9 digital photographs - Ofr. Robins HCMC

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

4-4-16

Name

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By

Olson, Christopher (Minnesot

Verified By

Minnesota Bureau of Criminal Apprehension
ACISS Crime Scene Supplement 2016-213/4

Report Date: 04/04/2016

Primary Information	
Description:	Crime scene response with raw photos and video
Reporting LEO:	HORNER, Cody (1395 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/06/2016
Approved By:	Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)

Response Information	
Weather Upon Arrival:	CLOUDY/OVERCAST
Work Status:	COMPLETE
Call Received By:	RADIO
Investigator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Investigator Status:	AT SCENE

Agency Reference Numbers	
<u>Agency</u>	<u>Case/File Number</u>
Minnesota BCA Forensic Laboratory - St. Paul	S16-03518

Address #1 - Occurred #1 - 2120 MINNEHAHA AVE S	
Primary Information	
Address:	2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Property #1 - CDs containing master images of crime scene by SA Horner	
Primary Information	
Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CDs containing master images of crime scene by SA Horner
Quantity:	1
Control Number:	4.1
Submitted To PES:	Property & Evidence
Remote Bin:	BCA-HQ
Collected Date/Time:	04/04/2016 15:30

Property #2 - CD containing raw video of crime scene by SA Horner	
Primary Information	
Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD containing raw video of crime scene by SA Horner
Quantity:	1
Control Number:	4.2

Minnesota Bureau of Criminal Apprehension
ACISS Crime Scene Supplement 2016-213/4

Report Date: 04/04/2016

Property #2 - CD containing raw video of crime scene by SA Horner - Continued

Primary Information - Continued

Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Collected Date/Time: **04/04/2016 15:30**

Record Status Information

Record Origination Operator: **HORNER, Cody (1395 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **04/04/2016 20:18**
Last Update Operator: **Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **04/06/2016 14:09**

Reporting LEO	Date	Supervisor	Date
HORNER, Cody (1395 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)		Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On 4-4-16 SA Horner was contacted by the MN Bureau of Criminal Apprehension's (BCA) Operations Center to respond to a crime scene, which occurred at 2120 Minnehaha Ave. S., located in Minneapolis, Minnesota, Hennepin County.

SA Horner was briefed by SA Frascone of the MN BCA. The BCA Crime Scene Team responded to the scene, which was comprised of team leader Joe Cooksley, along with team members Melissa Loren and McKenzie Anderson.

SA Horner documented the crime scene with digital photography. The raw digital images were later transferred to a CD which was marked as exhibit 2016-165/4.1. SA Horner documented the scene with video. The CD containing the total footage video of the crime scene was labeled as item 2016-165/4.2.

The above items of evidence have been properly marked and will be stored within the crime scene files.

SA Katzovitz processed the files for distribution.



CSH_3240_PROCESSED



CSH_3241_PROCESSED



CSH_3242_PROCESSED



CSH_3243_PROCESSED



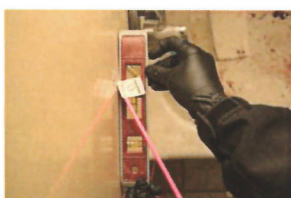
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CSH_3245_PROCESSED



CSH_3246_PROCESSED



CSH_3247_PROCESSED



CSH_3248_PROCESSED



CSH_3249_PROCESSED



CSH_3250_PROCESSED



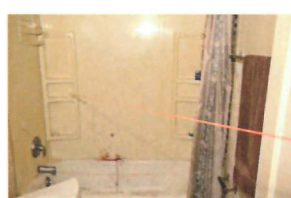
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CSH_3253_PROCESSED



CSH_3254_PROCESSED



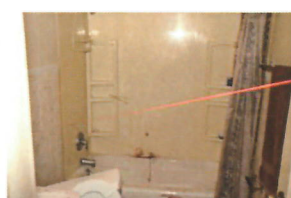
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CSH_3257_PROCESSED



CSH_3258_PROCESSED



CSH_3259_PROCESSED



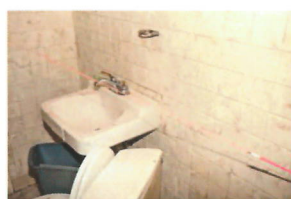
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CSH_3261_PROCESSED



CSH_3262_PROCESSED



CSH_3263_PROCESSED



CSH_3264_PROCESSED



CSH_2887_PROCESSED



CSH_2888_PROCESSED



CSH_2889_PROCESSED



CSH_2891_PROCESSED



CSH_2892_PROCESSED



CSH_2894_PROCESSED



CSH_2896_PROCESSED



CSH_2897_PROCESSED



CSH_2898_PROCESSED



CSH_2899_PROCESSED



CSH_2900_PROCESSED



CSH_2901_PROCESSED



CSH_2903_PROCESSED



CSH_2904_PROCESSED



CSH_2905_PROCESSED



CSH_2906_PROCESSED



CSH_2908_PROCESSED



CSH_2909_PROCESSED



CSH_2910_PROCESSED



CSH_2911_PROCESSED



CSH_2912_PROCESSED



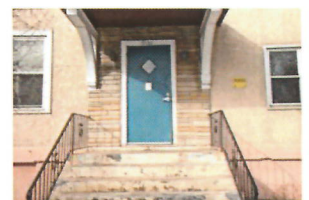
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CSH_2915_PROCESSED



CSH_2916_PROCESSED



CSH_2917_PROCESSED



CSH_2918_PROCESSED



CSH_2919_PROCESSED



CSH_2920_PROCESSED



CSH_2921_PROCESSED



CSH_2922_PROCESSED



CSH_2923_PROCESSED



CSH_2924_PROCESSED



CSH_2925_PROCESSED



CSH_2926_PROCESSED



CSH_2927_PROCESSED



CSH_2928_PROCESSED



CSH_2929_PROCESSED



CSH_2930_PROCESSED



CSH_2931_PROCESSED



CSH_2932_PROCESSED



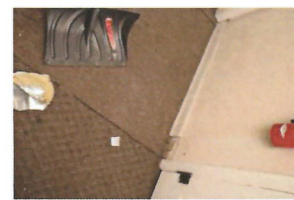
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CSH_2938_PROCESSED



CSH_2939_PROCESSED



CSH_2940_PROCESSED



CSH_2941_PROCESSED



CSH_2942_PROCESSED



CSH_2943_PROCESSED



CSH_2944_PROCESSED



CSH_2945_PROCESSED



CSH_2946_PROCESSED



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CSH_2948_PROCESSED



CSH_2949_PROCESSED



CSH_2950_PROCESSED



CSH_2951_PROCESSED



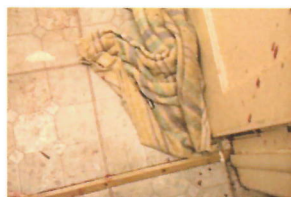
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CSH_2953_PROCESSED



CSH_2954_PROCESSED



CSH_2955_PROCESSED



CSH_2956_PROCESSED



CSH_2957_PROCESSED



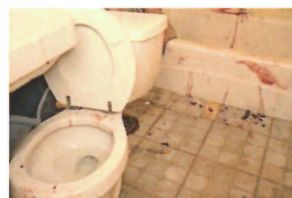
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CSH_2961_PROCESSED



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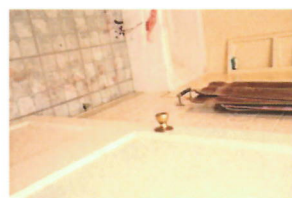
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CSH_2964_PROCESSED



CSH_2965_PROCESSED



CSH_2966_PROCESSED



CSH_2972_PROCESSED



CSH_2973_PROCESSED



CSH_2974_PROCESSED



CSH_2975_PROCESSED



CSH_2976_PROCESSED



CSH_2977_PROCESSED



CSH_3084_PROCESSED



CSH_3085_PROCESSED



CSH_3086_PROCESSED



CSH_3087_PROCESSED



CSH_3088_PROCESSED



CSH_3089_PROCESSED



CSH_3090_PROCESSED



CSH_3091_PROCESSED



CSH_3092_PROCESSED



CSH_3093_PROCESSED



CSH_3094_PROCESSED



CSH_3095_PROCESSED



CSH_3096_PROCESSED



CSH_3097_PROCESSED



CSH_3098_PROCESSED



CSH_3099_PROCESSED



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CSH_3101_PROCESSED



CSH_3102_PROCESSED



CSH_3103_PROCESSED



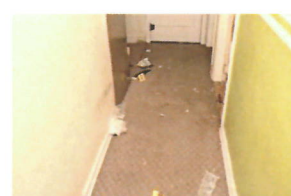
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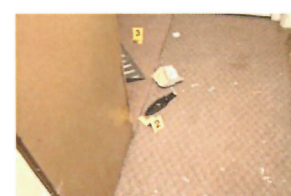
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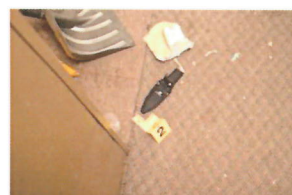
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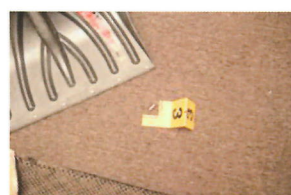
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CSH_3109_PROCESSED



CSH_3110_PROCESSED



CSH_3111_PROCESSED



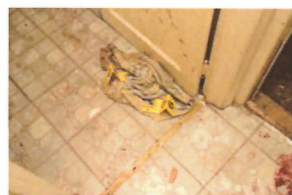
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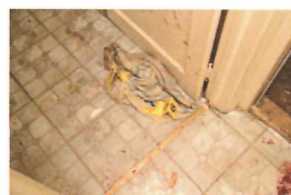
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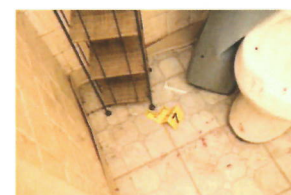
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CSH_3116_PROCESSED



CSH_3117_PROCESSED



CSH_3118_PROCESSED



CSH_3119_PROCESSED



CSH_3120_PROCESSED



CSH_3121_PROCESSED



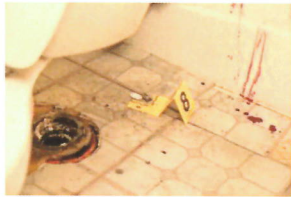
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CSH_3123_PROCESSED



CSH_3124_PROCESSED



CSH_3125_PROCESSED



CSH_3126_PROCESSED



CSH_3127_PROCESSED



CSH_3128_PROCESSED



CSH_3129_PROCESSED



CSH_3130_PROCESSED



CSH_3131_PROCESSED



CSH_3132_PROCESSED



CSH_3133_PROCESSED



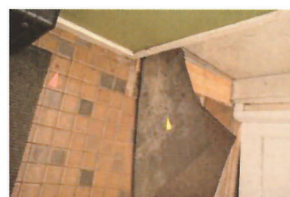
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CSH_3136_PROCESSED



CSH_3137_PROCESSED



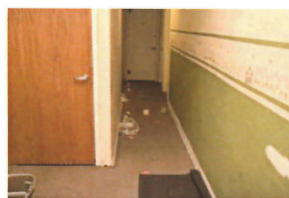
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CSH_3139_PROCESSED



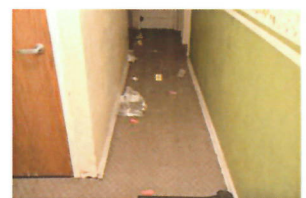
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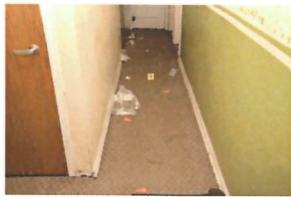
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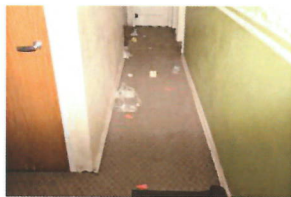
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CSH_3146_PROCESSED



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CSH_3150_PROCESSED



CSH_3151_PROCESSED



CSH_3152_PROCESSED



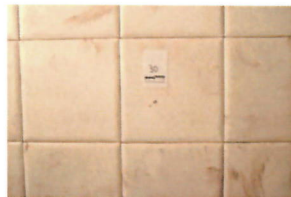
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CSH_3192_PROCESSED



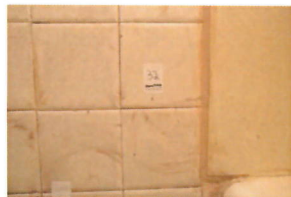
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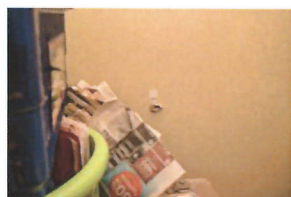
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CSH_3207_PROCESSED



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CSH_3209_PROCESSED



CSH_3210_PROCESSED



CSH_3211_PROCESSED



CSH_3212_PROCESSED



CSH_3213_PROCESSED



CSH_3214_PROCESSED



CSH_3215_PROCESSED



CSH_3216_PROCESSED



CSH_3217_PROCESSED



CSH_3218_PROCESSED



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CSH_3222_PROCESSED



CSH_3223_PROCESSED



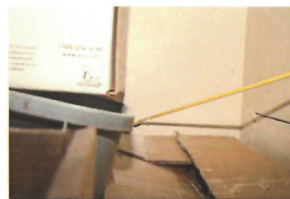
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CSH_3225_PROCESSED



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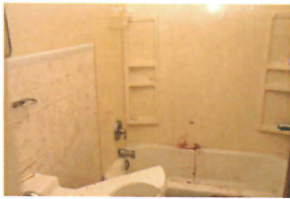
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CSH_3228_PROCESSED



CSH_3229_PROCESSED



CSH_3230_PROCESSED



CSH_3231_PROCESSED



CSH_3232_PROCESSED



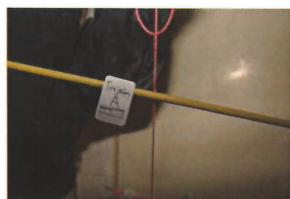
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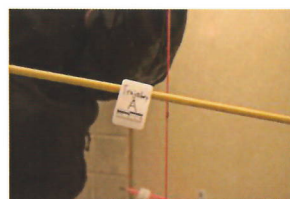
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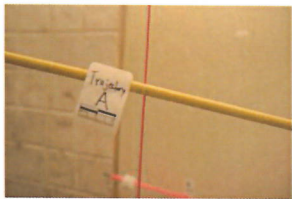
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CSH_3237_PROCESSED



CSH_3238_PROCESSED



CSH_3239_PROCESSED

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Evidence from Mpls PD Officers
Occurrence From: 04/04/2016 07:30
Occurrence To: 04/04/2016 14:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/08/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Minneapolis Police Department	16-116598
MN BCA Lab	S16-03518

Synopsis

On April 4th 2016, SA Phill met with several Mpls PD Officers at Mpls PD HQ. Several items of evidence acquired. 5.1 (Bag containing Ofc Malmberg's uniform and duty belt), 5.2 (Ofc Malberg's pistol), 5.3 (Bag containing clothing of Alan Coleman), 5.4 (Knife taken from the back of Coleman), 5.5 (Paper Bag containing Ofc Stewart's shirt and handcuffs), 5.6 (Paper Bag containing Ofc Oachs' shirt).

Address #1 - Occurred #1 - 350 S 5TH ST

Primary Information

Address: 350 S 5TH ST, Minneapolis, Minnesota 55415

Subject #1 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person
Bio: 59 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER
Glasses Type: OTHER

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Subject #1 - WITNESS #1 - HAIGLER, TERRY LEE - Continued

Scars, Marks, and Tattoos

<u>Description</u>	<u>Type</u>	<u>Body Part</u>	<u>Side</u>	<u>Location</u>
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #2 - WITNESS #2 - Wukotich, George Dan

Primary Information

Subject Name: Wukotich, George Dan
Record Type: Person
Bio: 68 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 600
Weight: 258
Eye Color: Brown

Subject #3 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Subject #4 - SUBJECT #2 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #5 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Bag Containing Ofc Malmberg's Uniform and Duty Belt

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Bag Containing Ofc Malmberg's Uniform and Duty Belt
Quantity: 1
Control Number: 2016-213/5.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Property #1 - Bag Containing Ofc Malmberg's Uniform and Duty Belt - Continued

Primary Information - Continued

Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #2 - Sig Sauer Pistol w/magazine and unspent rounds

Primary Information

Property Class: Evidence
Property Type: Weapon - Firearm
Description: Sig Sauer Pistol w/magazine and unspent rounds
Quantity: 1
Weapon Sub-Type: PISTOL-SEMIAUTOMATIC
Firearm Caliber: .45
Firearm Finish: BLUE/BLACK
Control Number: 2016-213/5.2
Serial No: 58A051928
UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #3 - Clothing taken off Alan Coleman at HCMC

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Clothing taken off Alan Coleman at HCMC
Quantity: 1
Control Number: 2016-213/5.3
UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #4 - 8-9 inch Knife retrieved from Alan Coleman's back by Medical Personnel

Primary Information

Property Class: Evidence
Property Type: KNIFE / SWORD
Description: 8-9 inch Knife retrieved from Alan Coleman's back by Medical Personnel
Quantity: 1
Control Number: 2016-213/5.4

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Property #4 - 8-9 inch Knife retrieved from Alan Coleman's back by Medical Personnel - Continued

Primary Information - Continued

UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #5 - Mpls PD Uniform Shirt and Handcuffs from Ofc Stewart

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Mpls PD Uniform Shirt and Handcuffs from Ofc Stewart
Quantity: 1
Control Number: 2016-213/5.5
UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #6 - Mpls PD Uniform Shirt and Gloves from Ofc Oachs

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Mpls PD Uniform Shirt and Gloves from Ofc Oachs
Quantity: 1
Control Number: 2016-213/5.6
UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 04/04/2016 00:00

Property #7 - Bag Containing \$5.10, 2 Bus Tokens and Key Ring from Coleman at HCMC

Primary Information

Property Class: Safe Keeping
Property Type: US Currency
Description: Bag Containing \$5.10, 2 Bus Tokens and Key Ring from Coleman at HCMC
Quantity: 1
Currency Type: U.S. DOLLARS
Control Number: 2016-213/5.7
Owner: Coleman, Alan Robert

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/5

Report Date: 04/04/2016

Property #7 - Bag Containing \$5.10, 2 Bus Tokens and Key Ring from Coleman at HCMC - Continued

Primary Information - Continued

Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/04/2016 00:00

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/04/2016 20:35
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/08/2016 08:59

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 4th 2016, Special Agent (SA) Phill received several items of evidence from members of the Minneapolis Police Department (Mpls PD). SA Phill was called to Mpls PD headquarters for an officer involved shooting that occurred at about 540 am on the 4th.

The officers that fired their weapons or witnessed the shooting were taken to Mpls PD headquarters room 108 where their Homicide Unit is located. Officers Malmberg, Oachs, and Stewart had blood on their uniforms and equipment so SA Phill retrieved them for evidence. SA Phill was not able to take photographs of the officers fully uniformed immediately after the incident as they had already removed their clothing and equipment.

The items received by SA Phill from the 3 Officers were the following:

- 5.1, Ofc Malmberg's clothing, boots and duty belt in a paper bag.
- 5.2, Ofc Malmberg's Sig Sauer .45 pistol in a gun box.
- 5.3, Alan Coleman's clothing from the hospital in a paper bag.
- 5.4, Silver 9 inch knife recovered from Coleman's back in the hospital; in a knife box.
- 5.5, Ofc Stewart's uniform shirt and handcuffs in a paper bag.
- 5.6, Ofc Oachs' uniform shirt in a paper bag.

SA Phill then transported the items to the Crime Scene Team (CST) and turned them over to Team Leader, Joe Cooksley. The CST was processing the crime scene at 2120 Minnehaha where the shooting incident occurred. Cooksley signed for and took possession of all 6 items of evidence and provided a receipt.

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVE. EAST, ST. PAUL, MINNESOTA 55106

EVIDENCE RECEIPT

Bureau No. 2016-213	Laboratory No. S16-03518	Evidence No.
------------------------	-----------------------------	--------------

Item No.	S.W. Item No.	Lab Item No.	Quantity	Name of Person From Whom Property is Obtained	Purpose For Which Obtained
				RAUL MARQUEZ HERALDES	MALUS PD DIS
DESCRIPTION OF ARTICLES					
1			1	BAG OF UNIFORM CLOTHING FROM OLC. MALMBERG W/ DUTY BELT	
2			1	GUN BOX W/ SIG SAUER .45 AUTO # 58A051928	
3			1	RED BAG OF BLOODY CLOTHING FROM ALAN COLMAN	
4			1	BAG OF DANTS, SOLES, MONEY, KNIFE FROM VER. KNIFE FROM 'HMC' FOR HMC	
5			1	PAPER BAG W/ UNIFORM SHIRT FROM OLC. STEWART W/ HANDCUFFS	
6			1	PAPER BAG W/ UNIFORM SHIRT FROM OLC. DAVIS	
7			2	HANDWRITTEN NOTES BY RAUL MARQUEZ HERALDES GIVEN TO	

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time 4/4/16	Signature 	Storage Site
---------------------	--	--------------

CHAIN OF CUSTODY

[illegible]



Bureau of Criminal Apprehension
1430 Maryland Avenue East, St. Paul, Minnesota 55106
Phone: 651-793-7000, Fax: 651-793-2901



023-CS

EVIDENCE RECEIPT

Laboratory Case No.

Requesting Agency No.

BCA Investigations No.

516-03518

BCA

2016 217

Person or Address/Location Evidence Obtained From

SA Mike Phill

Lab Item No.

DESCRIPTION OF ARTICLES

23

Bag of uniform clothing from Ofc. Malinberg w/ duty belt

24

Gun box w/ sig seven .45 AUTO # 58A051928

25

Bag of bloody clothing from Alan Coleman

26

Knife from HCM & EA

27

Paper bag w/ uniform shirt from Ofc. Stewart w/ handcuffs

28

Paper bag w/ uniform shirt from Ofc. Sachs

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date

4/4/16 @ 12:10

Signature

Joseph A. Caraballo

CHAIN OF CUSTODY

Item

Date

Relinquished By

Received By

Signature

Signature

23-78

4/4/16

Signature CAMB 121385

Signature Joseph A. Caraballo

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/6

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of George Wukotich
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/04/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/25/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 4th 2016, SA Phill interviewed George Wukotich at Mpls PD HQ about the OIS at 2120 Minnehaha Av earlier in the day. Evidence item 6.1, a CD containing the digital audio of the interview, acquired as evidence with this report.

Address #1 - Occurred #1 - 350 S 5TH ST

Primary Information

Address: 350 S 5TH ST, Minneapolis, Minnesota 55415

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - WITNESS #1 - Wukotich, George Dan

Primary Information

Subject Name: Wukotich, George Dan
Record Type: Person
Bio: 68 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 600
Weight: 258
Eye Color: Brown

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/6

Report Date: 04/04/2016

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED] - Continued

Primary Information - Continued

Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #3 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #4 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/6

Report Date: 04/04/2016

Subject #4 - SUBJECT #3 - Heraldes, Raul Salvador Marquez - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD Containing Digital Audio of Interview of Wukotich

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD Containing Digital Audio of Interview of Wukotich
Quantity:	1
Control Number:	2016-213/6.1
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	BCA-HQ
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	04/04/2016 00:00

Record Status Information

Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/04/2016 21:32
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/25/2016 10:11

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 4th 2016, Special Agent (SA) Phill interviewed George Wukotich at the Minneapolis Police Department homicide and major crimes division. Wukotich was a partial witness in the police shooting of Raul Heraldes by Officers Malmberg and Robins earlier on the 4th. The Officers shot Heraldes because he held Alan Coleman hostage in Coleman's apartment with a knife. Wukotich was in Coleman's apartment on the morning of the 4th and gave a statement to SA Phill of what he saw.

The following is only a summary of Wukotich's statement. Please refer to the attached transcript of interview for a full accounting of what was said. The digital recording of the interview was transferred to a CD and labeled ACISS evidence item 6.1; it was then stored as evidence.

Wukotich said that he is homeless but Alan is a friend of his and he sometimes lets him stay at his apartment. When he does, Wukotich said he sleeps in the living room.

Wukotich said that in the early morning of April 4th, he got up to use the bathroom and heard a commotion in the hallway. Alan got up to look in the hallway and though Wukotich told him not to open the door, he did. Then a man he did not recognize came in wielding a knife.

Wukotich said the man threatened to kill him and Alan. The man was repeating numbers and names and wasn't making any sense. Wukotich described the knife wielding man as having a dark complexion and looking Spanish or Mexican. The man grabbed Alan with one arm and gestured with the knife in the other.

Wukotich saw that Alan was being pulled into the bathroom which was by the front door. So he went to Alan's room to exit from the bedroom window. After a few tries, he made it through and with the help of an Officer, he was lowered to the ground.

Wukotich did not see the police shooting in the apartment, but he heard it. He also did not see the man stab Alan but the way he was holding the knife and gesturing, it looked like he was going to stab him. Wukotich felt bad about leaving Alan alone with the man but there wasn't anything he could do.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 4, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	George Dan Wukotich (GW)	INTERVIEWED BY:	SA Michael Phill (MP)
REVIEWED BY:			

MP Now, okay. Today is uh Monday, April 4th, 2016. Special Agent Michael Phill interviewing George how do I say your last name?

GW Wukotich.

MP Wukotich and how do you spell, W-U-K-O-T-I-C-H. We are at the Minneapolis um PD Headquarters and this is for case number 2016-213. George, you said your middle name is Dan?

GW Right.

MP And we already said Wukotich how to spell that. And your date of birth is [REDACTED] of [REDACTED]?

GW Correct.

MP Um you have a PO Box to get your mail of 50468 in Minneapolis 55405. Is that correct?

GW Yes.

MP Uh you say that you're currently homeless.

GW I've been homeless.

MP Been homeless and but you did stay with a friend, Alan Coleman.

GW Yeah.

MP From time to time...

GW Yeah...

MP ...he'll let you stay there.

GW ...yeah, yeah.

MP So you were there last night.

GW Yeah.

MP Can you tell us what happened with the, that you saw?

GW Alright. Best I remember I was laying down. I had to use the bathroom. I started getting up. I heard all this noise out in the hallway. Some women were screaming. And all of a sudden uh I saw Alan he was at the door and I said don't open the door. And he must have, I don't know why he opened it, he opened the door and this guy come in wielding a knife. Threatened to kill us both. And he was talking some real, crazy stuff I didn't under even understand he kept repeating a number and some names and some, something really, I didn't understand what he was trying to say but anyway...

MP Okay.

GW ...he grabbed Alan and he had the knife I saw it. I went in the other room he kinda forgot about me. And I was so damn, I was kind of, you know I was really out of it myself I was tired. I took a pill to sleep. I have a hard time sleeping sometimes.

MP Hm.

GW So I had to sit, I didn't know what was going on I saw him he had him in the bathroom he had...

MP So the guy took Alan into the bathroom?

GW Yeah he had his hand over him with the knife.

MP Okay.

GW And I said man forget it I just said get the hell 'outta here somehow.

MP Um-hm.

GW So I opened the bedroom window where Alan sleeps. I sleep out in the living room. And I crawled through the window it took me about five times before I could get through there. Anyway and so I did that

MP So you crawled through the window and this the second floor or first floor?

GW First floor but it's kind of a long drop an officer helped me. Finally came over I kept waving at him.

MP Okay.

GW He finally came over and gave me a hand but I did scrape my arm up.

MP Okay. So you got out and then you don't know what happened cuz the police then went in there?

GW I saw the police going in there. And I heard some shots fired. And I was, and I was in the squad car.

MP Okay. Now the guy who came in can you describe him?

GW Kind of a, best recollection he's kind of a not real tall not real short, stocky. Black hair. Maybe dark complected uh maybe looking a little Mexican or Spanish or some kind of...

MP Okay, some kind of Hispanic..

GW ...that, that kinda race.

MP Okay. Had you ever seen him before?

GW Never saw him before.

MP Did you ever, you just heard him say things like his name, what his name was?

GW He was rattling off some stuff but I didn't know what, it meant

MP Okay.

GW I don't know

MP Um describe the knife. What kind of knife? Are we talking about?

GW Looked like a, a hunting knife or a big ersized uh buck knife. Had a pretty good blade on it.

MP okay. About how many inches do you think?

GW I don't know maybe at least six maybe.

MP Was it a fixed blade? It wasn't a folding?

GW Well I couldn't tell you that cuz I...

MP Okay.

GW All I saw he had it there and that's all I, you know I just had a glimpse of it.

MP Um-hm. And you weren't gonna let him come grab you so you backed off...

GW No.

MP ...to one direction, Alan he grabbed?

GW He grabbed Alan, had him in the bathroom and had him, I don't know like hold, had him in a hold or something and had the knife on him. And I thought maybe someone was gonna open the door, he mighta got loose. I didn't know what to do.

MP Yeah that's a tough (inaudible)

GW So I just says well you better just get the hell out, save yourself, fuck it, I, I didn't know what to do.

MP Did you hear Alan say anything? Yell (inaudible)

GW No he didn't yell or nothing. You know.

MP And he didn't fight him?

GW Alan's a real skinny guy, he's not...

MP Peaceful guy?

GW He's not yeah he's not a fighter or...

MP Okay. Alright.

GW Yeah he's kind of he's got a couple, problems himself but not that kind.

MP Okay. So you didn't see the man stab Alan but you saw...

GW No I didn't see...

MP ... (inaudible) like he was going to the way he was...

GW Yeah.

MP ... (inaudible) held and...

GW Yes I did I, I saw him with a knife I didn't see him stab it looked like he was attempting to

MP Um-hm, okay.

GW And um and he kept saying I'll kill you both, I'll kill 'em both.

MP Okay. And do you know which apartment number this is?

GW That was apartment 2.

MP That's the (inaudible)

GW Yeah that's, that's Alan (inaudible)

MP Okay.

GW And he, he was threatening

MP And the things he were saying were such uh...

GW (inaudible)

MP ...gibberish you couldn't understand it?

GW It was like...

MP (inaudible)

GW ...absurd ab it was (inaudible) some numbers he kept rattling off some numbers. And maybe it was his name. Maybe it was his name and his birth or something. I really don't know but

MP Okay

GW He kept repeating the same thing over but real crazy.

MP It didn't make sense to you?

GW Uh-uh

MP Okay. Alrighty. Alright I think that's all I needed. Uh I'm gonna go ahead and stop the interview at 10:08.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/7

Report Date: 04/04/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Terry Haigler
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/04/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/25/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 4th 2016, SA Phill interviewed Terry Haigler about the Mpls PD OIS at 2120 Minnehaha Av S. Item 2016-213/7.1, (CD containing the audio of the interview) and 7.2 (2 handwritten notes from Heraldes given to Haigler) acquired with this report.

Address #1 - Occurred #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Address #2 - Occurred #2 - 350 S 5TH ST

Primary Information

Address: 350 S 5TH ST, Minneapolis, Minnesota 55415

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/7

Report Date: 04/04/2016

Subject #2 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person
Bio: 59 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER
Glasses Type: OTHER

Scars, Marks, and Tattoos

<u>Description</u>	<u>Type</u>	<u>Body Part</u>	<u>Side</u>	<u>Location</u>
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #3 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/7

Report Date: 04/04/2016

Subject #4 - SUBJECT #2 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #5 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD of Interview of Terry Haigler

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD of Interview of Terry Haigler
Quantity: 1
Control Number: 2016-213/7.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/7

Report Date: 04/04/2016

Property #1 - CD of Interview of Terry Haigler - Continued

Primary Information - Continued

Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/04/2016 00:00

Property #2 - 2 handwritten documents from Heraldes given to Haigler

Primary Information

Property Class: Evidence
Property Type: Documents
Description: 2 handwritten documents from Heraldes given to Haigler
Quantity: 1
Control Number: 2016-213/7.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/04/2016 00:00

Officers

LEO
Cape, Charles (0971 / Officer / Minneapolis Police Department)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/04/2016 22:03
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/25/2016 10:12

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 4th 2016, Special Agent (SA) Phill interviewed Terry Haigler at the Minneapolis Police Department homicide and major crimes division. Haigler was a partial witness in the police shooting of Raul Heraldes by Officers Malmberg and Robins earlier on the 4th. Haigler is the manager of the apartment complex at 2120 Minnehaha Av S. He lives in #3 and the stabbing of Coleman and shooting of Heraldes occurred in apartment #2.

The Officers shot Heraldes because he held Alan Coleman hostage in Coleman's apartment with a knife. Haigler was the first person to observe Heraldes' weird behavior and he called 911 for a police response at about 6am on April 4th 2016.

The following is only a summary of Heraldes statement. Please refer to the attached transcript of interview for a full accounting of what was said. The digital recording of the interview was transferred to a CD and labeled ACISS evidence item 7.1; it was then stored as evidence. Also acquired with the interview were two notes that Heraldes gave to Haigler when he asked him for help and claimed people were trying to kill him. The notes were labeled evidence item 7.2 in ACISS.

Haigler said that he heard a tenant in #1 next to his, named Manuel banging on his wall. They had prearranged that if Manuel ever needed help due to his advanced age and physical limitations, he could bang on their shared wall and Haigler would visit to see what he needed.

Haigler went out into the hallway and saw Raul exit Manuel's apartment and speak in a frantic broken Spanish and English. Raul gave him two handwritten notes and excitedly gestured and talked but Haigler could not understand him. Haigler thought that Raul wanted to fight him outside on the street but in fact, Raul was trying to show Haigler a van with some men with a gun that were trying to kill him. Once outside, Haigler could see that there was no such van with any threatening men; at this point he knew that Raul was having some sort of a mental or drunken episode.

A female tenant watching from the second floor told Haigler that Raul had a knife in his pocket and in fact, when Raul turned around, he saw it in his back pocket. Haigler called 911 and Raul went back into the apartment complex. The Police showed up and Haigler told them what happened earlier. They went to the main door of the complex and as they were

standing inside the main door, Raul suddenly came at them with the knife forcing them to shut the door and hold it closed; keeping Raul from getting at them with the knife.

Haigler then went around to the side entrance to his apartment, and entrance only he has as the manager. Once back inside, Haigler looked out his hallway door for Raul and saw he was slowly belly crawling like a soldier to his door. He quickly closed and locked it and told the police what he saw.

Earlier in the incident, Haigler saw Alan Coleman look out his hallway door to see what the commotion was that Raul was causing. Haigler told him to go back inside and stay there. However, once Haigler locked his own door, he later heard knocking and realized that Coleman had opened his door to Raul who quickly took him hostage with the knife.

The police then quickly started to talk to Raul through Coleman's door in an effort to get him to release Coleman and give up. He heard Raul ask the police to call his wife but they did not have the number. Haigler realized he had the number on the papers that Raul had given him earlier in the hallway. However, they did not immediately take the notes from him because they were so busy dealing with Raul.

Haigler then gave the officers a master key to avoid them kicking Coleman's door in but shortly after, they kicked the door open and Haigler heard 3 to 5 shots inside. Haigler did not see the shooting or the door being kicked in; he heard it all from his position just inside his apartment behind some Minneapolis officers.

Haigler next heard yelling from all parties involved. He heard things like "stop resisting" and "turn over." Haigler then heard the police dealing with Coleman and Raul and he never saw the inside of Coleman's apartment. He just stayed in his own. The police asked him to go outside but he refused because his dog was in his apartment and was afraid after the gunfire.

Haigler does not know why Raul did not attack him like he did Coleman and the police but he surmises that it was because he was a familiar face in the complex that always treated him with cordial respect. Even when he told Raul to take the noise level down, he never disrespected Raul. Finally,

Haigler verified for SA Phill that the two notes SA Phill had acquired were the two that Raul gave him in the complex hallway earlier in the day.

3816 AV PORTLAND AV

Family Marguerite wife and
children Need Help please

Rosy Cruz and Cristiana
LOUYERS METRO LOW GROUP

Kill my family

Please need Help

NUMBER WIFE

[REDACTED]

and HOP ACADEMY
WORMY WIFE IS
COMPLY CITY

Mr Greg Principal manager

3816 AV Portlan Av
Family Marguer wife an
children Need Help lease
Rosy cut an cristian
lovers metro low group
Kill my family

Please need Help
Number wife



and HOP ACade my
wor my wife is
comply SITY

Mr greg Principa/ manager

3816 Av Portland

Family Marquez wife and
children Need Help Please

Rosy Cruz an Christian
lawyers Metro Low group

Kill my Family

Please need Help

umber wife

[REDACTED]

and Hto Academy
work my wife is

COMPLY CITY

Mr Greg Brumfield

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 4, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Terry Lee Haigler (TH)	INTERVIEWED BY:	SA Michael Phill (MP)
REVIEWED BY:			

MP Alright it is presently 10:25 hours on the April 4th, 2016. Special Agent Michael Phill at the Minneapolis PD Headquarters to interview Mr. Terry Lee Haigler, H-A, H-A-G-L-E-R date of birth...

TH H-A-I

MP H-A-I-G-L-E-R. Date of birth [REDACTED]. Um Mr. Haigler your address you said was 2120 Minnehaha.

TH That is correct.

MP Uh apartment number 3 in Minneapolis, 55404.

TH That is correct.

MP Um office phone [REDACTED] and you have a cell phone which I, you gave to me which I'll keep for myself.

TH Yes sir that's correct.

MP Um what I wanted to talk to you about was the commotion that went on early this morning in your apartment building there on Minnehaha which you are the apartment manager. Manager for. Um can you tell me about what time you heard the commotion, what woke you up and what you see and hear after that?

TH Well I can't actually tell you the time because I was in my room it was only later on that I looked at after the police arrived.

MP Um-hm.

TH And I can only tell you that if you look at my 911 call that's the time that I woke up.

MP Okay.

TH Uh just prior to that I was awakened to uh one of the tenants; Manuel Sanchez banging on his bedroom door which uh we had agreed upon because he's an old man would be that he needed my assistance.

MP Okay.

TH So when I heard the banging I got up and went to his apartment to find out what was wrong.

MP Okay so you're in apartment number 3 uh Mr. Manuel Sanchez is next to you. His apartment number is?

TH Number 1.

MP Number 1, okay.

TH Uh when I got to his door I could hear uh his guest Mr. Raul uh was yelling. I knocked on the door uh and Raul answered the door and I started to tell him that he needed to take the volume down uh but he came out of the apartment and was trying to tell me he was saying things like uh I need your help, please help me. Uh they're trying to kill my wife. Uh he speaks very broken Spanish um and then he went back inside the apartment real quick uh and then shortly he came back out uh and he motioned me to go outside. I thought at the time that he wanted me, he wanted to fight.

MP Hm.

TH Uh what I realized later a few minutes later he was trying to tell me that there was two men in a van out in front of the building and another man with a rifle uh so I went to my apartment and got my flashlight. He went back into Manuel's apartment. I opened the door. He came back out. Uh and I flashed my, I had one of those big police flashlights, and I flashed it into the van which was a, a cab that was parked there and there was no, there was no other people around there. And I said uh amigo there's nobody here. He says no-no in the van see in the van and the man with the rifle but there was nobody there.

MP Nobody there, okay.

TH That's when I realized although I've spoken to him before I realized that there was a really serious problem because he for whatever, I don't know if he was just drinking whatever but I knew there was a problem because he was hallucinating and seeing people that was not there. And at that time I called 911.

MP Okay. So you called 911 and you went to your, back to your apartment or did you stay with Raul?

TH I stayed out in the front and uh 'til the police uh dispatcher said that they were gonna send somebody on the way. I said he's, he's here I think he wants to fight me. Uh but I'm not sure. Uh then they hung up and one of the other tenants came down from upstairs and was standing at the top of the landing bottom, bottom but the top of the landing. Uh and she said uh she came to me later uh and, when I went to go get my flashlight she said he has a knife in his back pocket. Well I had seen it.

MP Okay.

TH Uh but he hadn't, he hadn't uh brandished it towards me. In fact I think he saw me as somebody that, that cuz I've talked to him before.

MP Um-hm.

TH Cuz he was saying please help me I need help my wife and my children and uh so uh he wasn't threatening me at all (inaudible)

MP Why did you say that you thought he may want to fight you? What was (inaudible)

TH Well when the first time he came out of the door and we started talking uh he came towards me a little bit aggressively and he said come here, come, come here like and I thought well he wants me to go outside and fight.

MP Um-hm.

TH What he wanted me to do was open the door so he could point out these people that he thought he had seen.

MP Oh, got you, okay. Gotcha. Alright so even though you did know that you found out there was a knife and you even had seen the knife you didn't feel threatened with it at that point?

TH He was not brandishing it or being threatened he was asking for my help. He had written up a note saying this is where I live this is my house, this is my telephone number. Uh please help me get a lawyer. Call the police.

MP Um-hm.

TH Uh I need your help.

MP Okay. So then what happened?

TH Um, then uh she had told me about the knife. So I went back to my apartment for a brief period, called 911 and I said I need your guys to know that he's not acting right and he does have a knife on him. I didn't want them showing up (inaudible) or not being prepared.

MP Okay.

TH So then I went back out to the front of the building. The police showed up. I opened the front door, let them in. And they knocked on the door. Uh gave him a brief little explanation of what was going on. And this Raul opened the door and came out at them with the knife.

MP Wow. So you know when you say came at 'em did he have the knife in a position like this or at a kind of a dagger motion?

TH I, you know what I was busy looking at the police because I couldn't figure out they, as soon as they came, as soon as he came out started to come out the door they shut the main door. Uh they can't have access to that door unless I reopened it again and I was, I was actually trying to figure out why are they backing out.

MP Okay.

TH I was busy looking at them I, I wasn't paying a lot of attention to uh this Raul.

MP So they actually back out and shut the door?

TH Correct.

MP To keep from Raul coming at them with the knife.

TH Correct.

MP Okay. Wow I think...

TH And then they must have called for backup outside.

MP Okay. So then what did you see?

TH Uh, then I went back to my apartment. I have a side door on the other, the for my side of the building which gives me a separate entrance. I'm the only one that has two entrances.

MP Okay.

TH One of my entrances goes into the hallway which will take me to the front door. Or I have a side doorway which goes out to the side of the building. And, uh I went back into my apartment to figure out to, to see if I could see where the cops were. I couldn't figure out why they had backed out. I wasn't really sure why they had backed out. And so I went to my door, the side door and I yelled at them uh you know that they come in they could come in through my door if they wanted to. Uh and then I went back to my door the inside door to the hallway and when I did my door was slightly open and at that point I looked down and I could see this Raul doing a, a belly crawl like in the military uh towards my door.

MP Wow.

TH And that's when I...

MP That's gotta be a frightening sight.

TH Well I thought this is not right so I shut my door all the way. Actually, let me back up a little bit. I told Tricia who had come down and told me about the knife...

MP Yeah.

TH ...I told her go back to your apartment and lock the door and stay there. When I was on the way back to my apartment another resident uh Alan had come out because he heard the noise and commotion. I pushed him back into his apartment and I said go back to your apartment, shut the door and stay there.

MP Um-hm.

TH So then I went back in my apartment. I went to my back door to yell at the police they could come through this door because I can't get around to the front door again.

MP Yeah.

TH And that's when I saw Raul low crawling through the, literally on his belly crawling towards my door with a knife.

MP Knife in a hand?

TH Oh yes.

MP And low crawling, okay.

TH Yeah so then I shut my door and I locked it and I went back to the door, to the side door and I said he's here right by my door. And uh then I heard a knock (knocking)

MP Yeah.

TH And what I realized is Raul had knocked on Alan's door. Alan probably thought it was me.

MP Um-hm.

TH And opened the door and that's when Raul went in to his apartment and took him hostage.

MP Okay. So did you see anything from that point on once Raul got into Alan's apartment um we know now that he, he took him hostage and, and did something inside there.

TH Yeah.

MP What did you see if, if anything or did (inaudible)

TH I didn't see anything of what happened in I was standing in the front hallway. Uh I tried to explain to the police that he hadn't been threatened to me he didn't see me as a threat.

MP Um-hm.

TH Uh he was asking them to get his wife on the phone. And they didn't have the number. I said I have the number it's on the piece of paper that he gave me. If you'll let me go to my apartment I will give you the number. Uh they wouldn't let me go through the hallway.

MP Um-hm.

TH Uh so then I realized well I went out the front door and went around to my side uh entrance and went back in and got the paper. So that I could give them the paper cuz they, he wanted 'em on (inaudible) or uh Raul was asking for them to get his wife. He said uh if you'll get my wife on the phone and I can talk to her I'll come out.

MP Uh-huh, so they were negotiating, talking...

TH Trying to yes.

MP ...through the door.

TH Yes

MP Uh Alan's door?

TH Correct.

MP Okay. And you could hear or see this from your apartment?

TH I could hear and see all of it yes.

MP Okay. Uh so you gave one of the officers that note.

TH No they weren't interested they wouldn't let me, at that particular point..

MP At that time.

TH ...they were too busy.

MP Yeah.

TH Uh worried about what's happening in Alan's apartment.

MP Okay. Now what'd you hear next?

TH Uh my door was slightly cracked. Uh about uh sshhh what's the four or five inches.

MP Yeah about four or five inches.

TH Uh one of the officers who was, there was three officers standing inside my apartment to in that hallway

MP Yes.

TH And I gave them uh this master key because I told 'em I said this is a master key you don't need to kick any doors down you can open it with this master key. And uh the next thing I know they were kicking in the door. Uh they kicked in the door and uh two or three of 'em rushed in. There was a somewhere between three to four to maybe five shots. Uh and then they shut the door and told me that uh just stay where I was. They actually wanted me to leave the building uh and I said I'm not leaving. My dog was there and he was terrified of the gunfire.

MP Um-hm. Yeah I can imagine. Um so they did break the door, they kicked the door to get in.

TH Yes.

MP (inaudible), did you hear any screaming at all? Yelling inside there?

TH Everybody was yelling. The cops were yelling. Alan was yelling. Uh I'm pretty sure even Raul was yelling.

MP Um-hm.

TH Uh once the door was breached uh the commotion was uh hot and heavy.

MP Um-hm.

TH Uh like I said there was somewhere between I would say somewhere between three to five shots maybe.

MP Gotcha.

TH Uh and then uh I could hear them wrestling and yelling at him uh I could no longer see them cuz my door had been, they had pulled my door shut. Uh but they were yelling things like uh turn over, stop resisting those types of things and, and oh uh basically that type of stuff.

MP Okay and did you see uh them do any medical aid or the ambulance show up?

TH I didn't see any of that.

MP Okay.

TH Uh, I know they were still trying to help Alan I mean I could hear but I, I really wasn't aware of what was going on.

MP Okay did...

TH I didn't, actually I didn't know where they were trying to help Alan at the time or they were trying to help, I think they were mostly trying to help Raul at the time.

MP Okay.

TH Uh and uh the one officer had pulled the door shut so...

MP Okay.

TH ...I couldn't see anything anymore until a few minutes later uh I reopened my door and there was I could see that there was some blood on the floor and the ambulance had already been there and...

MP Okay. And Terry one of the things you mentioned was a low crawl. For people who have haven't been in the military what, describe what a low crawl is.

TH Well he was completely down on his belly uh inching uh forward uh it's, if you haven't been in the military you wouldn't even know what a military low crawl is. This is not on your hands and knees he was on his belly and he was inching forward coming towards my door with the knife in his hand.

MP Um-hm and that's and people do that to be uh quiet on their approach and...

TH Well my guess is I can only guess I shouldn't maybe guess but having been in the military uh he knew that the police were there. He had charged them. There's a window right there in the hallway at the end of the hallway my guess was he was low crawling because he didn't want somebody maybe thinking they were gonna take a potshot at him. And low crawling he could get all the way to my door at the far end of the hall without being seen.

MP Hm, yeah that, that's sound makes about, good sense.

TH Yeah.

MP Cuz he already charged the police. They retreated.

TH Yeah.

MP And this way he could safely for him, advance...

TH Yes.

MP ...real quietly without them seeing him.

TH Without him seeing them

MP Thank goodness you shut your door in time.

TH The window to the hallway there sits about uh somewhere between eight to ten feet up. So if you were standing on the sidewalk in front of the building you could see in that hallway. Uh once he dropped down into a belly crawl even if you were standing up next to the building you would still be three to four feet below that window, they wouldn't be able to see you.

MP Ah,

TH So once he belly crawled he wouldn't be able to, he wouldn't be seen by anyone on the outside of the building.

MP Okay. And Raul was familiar with this building he'd been there before many times to visit Manuel.

TH I don't know how familiar he is with the total building. He had been there many times and he had been in uh he'd been in Manuel's apartment. As far as I know he'd never been in any other part of the building.

MP Okay. Alright.

TH In fact when, when he was when I shut my door and locked it he might not have even have been aware that that was my apartment.

MP Um-hm.

TH And knocked on the very, uh at that point where he was he was directly next to Alan's apartment so he mighta, he knocked on that apartment he might have even thought that was my apartment. Uh he might have been looking for me. I don't think he, I personally don't think he was coming to harm me.

MP Um-hm.

TH I think he, you know he'd already given me two notes about please help me.

MP Um-hm.

TH Um...

MP And why do you think he charged the police if he didn't, he didn't feel you were a threat

TH Right.

MP Yet he charged the police.

TH Well I've talked to him two or three times before. We've never had anything other than a you know por favor amigo please let's take the noise down. There'd never been any aggression from me towards him there was no reason I think for him to think that I would suddenly become aggressive to him. He had handed me these notes. I have never, I had been uh reading them he was explaining to me uh and although he did ask me to call he said please call the police.

MP Um-hm.

TH Uh why when they showed up he charged 'em, I don't know. I really can't, I have no idea with the exception of having spoken to him two or three times and found him to be congenial.

MP Um-hm.

TH Uh com, com, to comply when I have asked him to take his vocals down. Uh...

MP So you think your past interactions because you were respectful to him actually today he remembered that and...

TH I'm sure he did. I'm positive that he did and I think uh you know when uh, uh when he came out like I said I'd known him enough talked with him enough times I became concerned when he said there's two men out there in a van and that, there's another one over there with a rifle and when I looked out there, there was nobody there. So I'm gonna make a, a educated guess that he was not just drinking this time he was on some other drug.

MP Um-hm. And as far as you know Mr. Manuel he doesn't do any drugs and that?

TH He does not do any drugs at all.

MP Okay.

TH No he's a very nice old man. He occasionally has to, he has a you know a couple of drinks but he's never caused any problems.

MP Okay.

TH He's never been a problem to anybody in the building. He's never been a problem to me.

MP Okay. And is that a policy for the management if you do find that people are doing drugs or heavy drinking

TH If you find, if we, if we catch you in, if we catch you doing drugs or you know for instance uh we just evicted a guy because a we, he had been smoking pot in the building.

MP Um-hm

TH My personal opinion is eh it shouldn't be your, it shouldn't be a criminal act. But it is a criminal act and you're not gonna do it in our building so if you get caught doing any of those types of things you will be handed an eviction notice to get out to vacate the premises.

MP Okay.

TH We won't tolerate it. Uh although we do it differently, the main reason we do that is uh where we live is called "Make Old Things New" and eh at one time it was solely a men's Christian sober house.

MP Oh okay.

TH So we didn't tolerate use of any kind.

MP (inaudible) because you want to keep, the men on their sobriety

TH Right and we don't want one guy coming in being drunk because that could jeopardize another guy's sobriety so...

MP Absolutely.

TH ...if you got caught using you were outta there.

MP Absolutely. Okay. Alright um I think that covers pretty much everything we wanted to cover from uh early this morning. Uh, the note that you had I believe I have here. I just want to show it to you and make sure this is the same one that you had.

TH There should be two of 'em.

MP Yeah two yellow pieces of paper.

TH Yes those are both the notes uh at two different times that Raul uh gave to me. He said this is my address.

MP Um-hm.

TH Uh this is the tele, this is my wife Rosie Cruz uh they're trying to kill my family. Uh help me get a lawyer. Please help me, help me, help me.

MP Okay. Alright well thank you for verifying those are the notes. Alright is there anything else you can think of that's uh really vital to, that we didn't cover already?

TH No.

MP Okay. I'm gonna go ahead and stop the interview. It is now 10:43 hours.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/8

Report Date: 04/04/2016

Primary Information

Description: Interview of Tricia Ann Kapaun
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Swanson, Gary (BCA 1326 / Special Agent / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/04/2016 at 0737 Hrs, Senior Special Agent Gary Swanson and Special Agent Michelle Frascone interviewed Tricia Kapaun at her residence. Kapaun provided details of her observations and contact with Heraldes prior to his death. As a result of this activity exhibit 2016-213/8.1 was obtained.

Address #1 - RESIDENTIAL #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Subject #1 - WITNESS #1 - Kapaun, Tricia Ann

Primary Information

Subject Name: Kapaun, Tricia Ann
Record Type: Person
Bio: 43 yr. old, White, Female
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S APARTMENT #8, Minneapolis, Minnesota 55404 , United States

Subject #2 - WITNESS #2 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/8

Report Date: 04/04/2016

Subject #3 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD Containing Downloaded Interview of Tricia Ann Kapaun

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing Downloaded Interview of Tricia Ann Kapaun
Quantity: 1
Submitted To PES: Property & Evidence
Collected Date/Time: 04/04/2016 07:37

Officers

LEO
Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator:	Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/05/2016 07:19
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/13/2016 11:48

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On 4/4/16, at approximately 0737 hrs, Senior Special Agent Gary Swanson and Special Agent Michelle Frascone spoke with Tricia Ann Kapaun [REDACTED] in her apartment. Kapaun lives in a single bedroom apartment (unit 8) located on the second floor of the apartment complex. There were no other persons in the home at the time of the interview. The statement was audio recorded, transcribed and a copy of the transcription was attached to this report. As a result of this activity, exhibit 2016-213/8.1 was obtained.

SA Frascone asked Kapaun to describe her observations of the events surrounding the shooting. Kapaun stated around 3:30am (4/4/16) this morning, she heard pounding coming from the front door of her apartment complex located on the 1st floor. Kapaun said she got out of bed to find out what was going on and met her caretaker "Terry" in the hallway. Kapaun said they determined the pounding was coming from "Manuel's" apartment that is located on the first floor, unit #1 next to the front door. "Manuel" was later determined to be Manuel Sanchez [REDACTED]

Kapaun stated when she got downstairs, she observed a male exit Sanchez's apartment. Kapaun said the male was talking about someone wanting to kill his family and a van with people in it. The male was later identified as Raul Marquez Heraldes (9/13/1965). Kapaun said she observed a knife sticking out of Heraldes' back left pocket with what she was believed was a wooden handle. Kapaun notified "Terry" (the caretaker) of her observations.

Kapaun said she was told to return to her apartment by "Terry." Kapaun stated she did return to her apartment, but then heard commotion downstairs and witnessed Heraldes' holding a knife and "somehow" getting into "Al's apartment." Kapaun said she also witnessed Heraldes crawling on the floor towards the caretaker prior to entering "Al's" apartment.

Kapaun then described the police arriving and Heraldes having a knife. Kapaun was not a witness to the shooting, but stated she heard it. For exact words and verbiage, please refer to the audio recording and/or transcript. Kapaun stated SSA Swanson and SA Frascone could return to speak with her if there were any additional questions.

Nothing further to report at this time.

SA Frascone/

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 4, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Tricia Ann Kapaun (TK)	INTERVIEWED BY:	SA Michelle Frascone (MF) SSA Gary Swanson (GS)
REVIEWED BY:			

MF Well Tricia today is April 4th at 7:39 A.M. And I'm Special Agent Michelle Frascone. I'm here with Senior Special Agent Gary Swanson. And I'm gonna read your name in and you're gonna make sure I read it correctly okay. And I'm sitting here with Tricia, T-R-I-C-I-A?

TK Yes.

MF Middle name of Ann, A-N-N last name Kaupaun, K-A-P-A-U-N. Date of birth [REDACTED] of [REDACTED] We're at 2120 Minnehaha Avenue, Apartment 8 and this is where you live?

TK Yes.

MF And that's in Minneapolis, Minnesota 55404. With a current phone number of [REDACTED]

TK Yes.

MF And we're here today because you witnessed an incident.

TK Some of it.

MF Okay. Can you tell me what you saw?

TK Um well first I thought somebody was pounding on the blue door outside. The, the main door. And um so I was irritated I went down I was uh what, what the hell are you doing, you know. But the caretaker as I got to the (inaudible) the caretaker got out there too and he went right to manual is the door that first door down there. And um there was a guy, they wouldn't open it you could just hear things banging around and them screaming and he's yelling they're gonna kill my family and um then the caretaker went back to his apartment to, to get a shirt. And when he came back the guy showed us a yellow paper that had uh his address on the top of it and some kinda, information about killing his family and then there was some number on the bottom of the paper.

GS Who had this?

TK Um, Raul the one that the what do you, criminal what, what do you call him? The one they came here for the one that had the knife.

GS Does he live here?

TK No he...

GS Okay.

TK ...doesn't live here he was in the apartment below me at that guys house.

GS Okay.

MF But you know him?

TK No.

MF Oh

TK No I just he had told us his name when he was showing us the paper me and the caretaker were down there.

MF Oh I, understand.

TK And so that's how I found out who he was. And um he said his name was Ra, Raul Marquis or Marcus or something like that. But with a Q not a C or something like that. Anyway the caretaker told me to come back upstairs. So I came up, halfway and then Al the, the hostage guy.

GS Where does Al live?

TK He, he's the apartment that you guys were inside of...

GS Okay so the...

TK ...downstairs.

GS ...the scene.

TK Yep he's the see, he it was his apartment. Al came out and I was sitting on the stairs and I was just shooting the breeze with him a little bit telling, he's like you know telling him you know about my husband being in the hospital and then that, that...

GS Go ahead.

TK That Raul came out of the apartment, this bottom apartment and said to Al help me, help me. And Al said I don't know nothing, I don't know nothing talk to the caretaker. And then Al went back to his apartment and shut the door. I don't, and then...

(knocking)

TK Come in.

?M Hi.

GS Hi.

?M Say I'm sorry to interrupt are, are you doing a recorded statement? I'm Sergeant McClane.

GS Yeah we are.

?M Minneapolis.

GS Yeah.

?M Okay.

GS Okay.

?M Um we're here from internal affairs we just wanted to make...

GS Okay.

?M ...contact with you.

GS Yeah.

?M And...

GS Okay.

?M ...find out if we can help or what you'd like us to do. So...

?? (inaudible)

?M ...we'll wait 'til your interview is done.

GS Okay.

?M In the meantime do you need any um Spanish interpreter?

GS Yeah I guess we do the person downstairs doesn't speak English so

?M Okay we'll get that started...

TK Not very good.

?M ...for you. Was Sergeant Gators out at the scene?

GS Um...

?M Chris Gators?

TK It's okay Cooper.

GS I'm not sure who was...

TK It's okay.

GS (inaudible) I know Lieutenant uh their Lieutenant was downstairs.

?M Lieutenant Zimmerman?

GS Yeah, no um...

?M Fossum?

GS Fossum...

?M Okay...

GS ...yeah.

?M ...yeah we spoke with him but my understanding was that Sergeant Gators was out here as well...

GS Yeah (inaudible)

?M ...from homicide so...

GS ...well I haven't seen him so..

?M Okay

GS ...yeah.

?M Okay is, are you the only uh one that's here from the BCA or are there others?

?? (inaudible)

GS Her and I right now and...

?M Okay.

GS ...and uh we have people at the hospital. We have people downtown and our crime scene team...

?M Okay.

GS ...is on the way so...

?M Okay we'll, we'll get the Spanish interpreter started for you.

GS Okay.

?F (inaudible) get that.

?M And then when you're done with the interview we can (inaudible)

GS Yeah, yeah absolutely.

?M (inaudible) get in your way or...

GS No, absolutely no, no problem.

?M (inaudible) sir, thank you.

GS Thank you.

?F Hello.

TK I couldn't get it if I wanted to get it.

MF That's okay.

TK I keep thinking my husband's gonna call to say he's getting released from the hospital so

MF Oh which hospital is he at?

TK He's at Abbott.

MF Okay. If you want to just...

TK Okay

MF ...we can just, so you were saying that the last that I heard is you were talking about the caretaker said to go back upstairs.

TK Yeah he told me to come back upstairs and then um when, when I, when I first I kinda jumped ahead a little bit with the AI thing.

MF Um-hm.

TK When he first told me to come back upstairs the caretaker was going to his house to get a shirt on cuz he was in his shorts only. And that was after that Raul was yelling help, help, help. When I saw that Raul go back into Mi, Miguel's I noticed a handle like this long sticking out of his back pocket. Right here so I, I went down the hall and I told, I told Terry the caretaker I said hey he's got a knife in his pocket. So that Terry knew.

GS And that was Raul?

TK Raul had the knife.

GS Okay.

TK I think that's how you say his name.

GS Okay.

TK But he had the knife in his back pocket and Terry said just go back up to, to your apartment blah-blah-blah. So I, like I said then, then that was when I was sitting in the hall, on the stairs a little bit you guys, nobody'd been on scene yet and Raul was not being um, like um anything to me and Terry he was being me and the caretaker he was just talking say I need help, I need help they're gonna kill they're outside with a shotgun they're in that van. He was saying stuff like that to me and him. And so I uh you know its crack of the wee hours of the morning and I just got woke up I'm kinda curious so I'm listening to things that's going on I figure if I'm up in the you know I'm outta the way. And then that's when AI came checked his mailbox and told that guy no I'm not a caretaker I can't help you. So he went back to his house.

(phone ringing)

TK And then I was up here and then um, I, I wa my brain trying to think of how it was all in order. Wow.

MF What's the next thing you remember?

TK That's what I'm trying (inaudible)

MF After you were upstairs and they're having this conversation.

TK Well they, they weren't no nobody was having a conversation yet. The cops weren't here yet and Raul went back in to Terry, into Emanuel's and when he did he got on his hands and knees and he crawled. And Al went back home. And then I came up the stairs and then I as I was coming back down the stairs I heard noise and I looked down the hallway this way and that's when I saw Raul holding the knife and somehow getting into Al's apartment. But I don't know how he got into the apartment. And um, um then, then I, I stayed up this way obviously but then I heard pounding so I went down to open the door thinking cuz the cops had already tried to get in. And so they were standing against the door cuz he had the knife I guess, I heard this part I did not see this part but he had the knife like this at them I suppo, I heard. And so they were holding the door shut so when I went down I'm hitting on that little window trying to say no-no he's not in this you know they didn't know who I was.

MF Um-hm.

TK Trying to tell 'em he's not in there he went this way. And so to come into the hallway he, you know and that was pretty much the end of what I did, what I saw but I feel like I'm forgetting some of the stuff in the middle but I told that first guy about it but it was just he, his demeanor was okay I saw him crawling he kept saying that they were trying to kill him and they had rifles and they were in the van and they were gonna kill his family. But then he kept telling me and the caretaker that his wife was dead. But, the note you know it was just...

MF Um-hm

TK ...kind of all really confusing and he didn't seem quite there like um, I've had more than my share of uh interactions with people on drugs or alcoholics or whatever. And I, I didn't feel that he was drunk but I felt he was like on something that he was like hallucinating or something. In my opinion I'm not saying that's fact but, but I can't figure out what cuz I've never seen nobody kinda like in that state of mind. But he just, something wasn't right with him. He, I don't know what it was I don't want to assume what he was thinking or whatever cuz I've never met the guy. So,

MF Can, can I ask you a couple questions? What time do you think it was that you heard the knocking?

TK About 3:30 I want to guess.

MF About 3:30 in the morning?

TK 3:30, 4 o'clock right in there.

MF Okay. And when you came out of the your apartment, the caretaker was already out?

TK Nope I got to the bottom of the stairs on the platform.

MF yeah.

TK And we pretty much met cuz he lives back here.

MF Okay.

TK And the, on the bottom floor and through the back hallway of where the crime scene, to the left.

MF Okay.

TK And uh, and yeah he we, we kind of met up and I went to the door right away cuz I (inaudible) I'm gonna bitch somebody out you know.

MF Sure.

TK And then I was like nobody's out here and that's when we started hearing the boom-boom-boom-boom-boom in Manuel's apartment and he pounded on that door and nobody would open it.

MF Okay. So, the person who came to the door you believe his name to be?

TK (inaudible)

MF What's the name of the guy who was pounding on the door?

TK That was the caretaker, Terry.

MF I'm sorry, who, who came to um the first door that you were, you thought it was the wrong door?

TK Nobody was at that door. I thought that somebody was pounding on the entrance door to come in.

MF Right.

TK But the, it was really banging around inside Manuel's apartment and the and...

MF They were already in there?

TK ... (inaudible), he was already in there.

MF Gotcha.

TK So I don't know if Manuel knows him very well or what but him and Manuel were in there and you could hear them you know so he...

MF Got it.

TK ...he was in there with him.

MF And then you saw him come out of Emanuel's apartment?

TK Yeah because Terry, Terry the caretaker went...

MF Yeah.

TK ...to get a shirt on and when he did that cuz he pounded and he kept saying open the door this is the caretaker. And nobody was opening the door. And then when he went back to the apartment now I'm on that platform coming up the steps.

MF Yeah.

TK Then the guy opened the door and right about that time Terry came back down the hallway and right where the radiator is down there they kinda met and that's where like he was like they're trying to kill I need help I need help and we're looking out the door and we're like there's nobody out there. And by that time Terry was already on the phone calling the cops.

MF So Raul is saying they're trying to kill me?

TK Yeah they're trying to kill him and his family.

MF Got it.

TK And he's the one that got, that had the knife. He, I don't know the criminal or whatever you want to call him, not the hostage, Al was the hostage.

MF The suspect.

GS Do you know what Al's...

TK The suspect (inaudible)

GS Do you know what Al's last name is?

TK I don't but you can get it off the mailbox.

GS Right.

TK They show 'em all the last names I don't remember.

GS Have you ever seen this Raul here before?

TK No. Not me. I've only been here since February 1st.

GS Okay.

TK So I'm not real familiar with a lot of the faces that come...

GS Um-hm.

TK ...and go.

MF And you mentioned you saw a knife in his pocket?

TK Yep I saw it in his back left pocket right here. The handle of it sticking I couldn't see the blade but and that's why I was like you know...

GS Was it like a butcher knife or was it like a hunting knife or?

TK I could just see the wooden handle like...

GS Okay...

TK ...the handle.

GS ...it had a wooden handle?

TK I believe it looked wooden to me.

GS Okay.

TK And I pay attention for knives on people cuz I carry a pocket knife myself all the time you know

GS Um-hm

TK On a clip on and so that, that's when I told Terry be careful because Terry he's the caretaker he, you know...

MF Um-hm

TK ...if he can settle something he settle's it before calling but he, he ended up calling but I wanted to let him know I see a knife cuz I don't know that he saw it at that time cuz the guys backside was always to, away from Terry where I saw his backside and I didn't know if Terry saw it. So that's, that's when I saw the knife.

GS Okay. What's Terry's last name do you know?

TK Haigler, H-A-I-G-L-E-R

GS Okay.

TK And he's (sigh) I think his apartment is 3. What apartment was the crime scene?

GS I'm not sure.

TK I think that one was, cuz my, my husband lives in 4 and Terry lives across from him so I think it's number 3. So...

MF Okay

TK ...the caretaker he's got this, the whole back corner right here under me.

MF Okay.

TK Just so you guys know.

MF Is there anything else you think I should know?

TK That's all I can pretty much remember. I mean I was trying in the car to think about if there was anything else that I heard or saw that wasn't anything to do with the police or anything that, cuz I watch the justice channel I don't want to...

GS So, so...

TK ... (inaudible)

GS ...you um you didn't see the actual stabbing is that right?

TK No there wa no I saw I when, when um I was up here that's when he had the knife out but that's what made the cops shut the door. I never saw the knife...

GS Okay.

TK ...out of his pocket until he was already at Al's door the um victim's door and he was pushing his way in. And then I came back up the steps so

GS Did you hear the shots?

TK I did I heard the shots. I didn't...

GS What'd you, what'd you hear before the shots?

TK They were down the police were down there telling the him uh lets, let's call your wife come on put, put down the knife come out let's call your wife. Hey Al can you come out they were doing their um basic like that. And then I came back in my apartment to grab a cigarette and then um I heard the shots and I looked out the window and that's when I saw them taking Al down the street and um Raul was still in the apartment but I, and when they took me out they told me don't look that way they just took me that way so I...

GS Um-hm.

TK ...I didn't see anything or...

GS So when they took Al down the street where'd they put him in an ambulance?

TK I couldn't see that far I just saw them, I saw cops holding Al's arms cuz um you know I don't know, they were taking him I think they were taking him to the ambulance cuz see then I'm thinking I'm guessing I'm trying not to give you no guess-tures

GS Yeah, yeah

TK I'm trying to give you factual

GS Did you, did you what did you hear the police say before the shots?

TK That was I, I, I came in my apartment for about thirty seconds. I came in, I went into that room grabbed a cigarette and I went back out and then it, it all happened that quick but before I came in the apartment that was when they were just like okay we'll dial the number and they're dialing the number, what's your wife's name. And then they were like what she's dead, how are we gonna call her if she's dead. And, and, and uh when did she die. They, it was a lot of that, that was all that was going on. And then I came in the apartment, cat's coming out the door um I came in the apartment and um the, the shooting happened that quick.

GS How many shots did you hear?

TK I just heard one.

GS Just one?

TK I just heard like I didn't even really hear like a gunshot it sounded more like a, like a, a bang a slam you know.

GS Uh-huh.

TK I mean I never heard a gunshot real close to me so...

GS Okay

TK ...I always imagined it would be a louder sound but

GS Did you hear anybody saying anything just before you heard the shots?

TK I didn't I was in the room.

GS (inaudible) the room, okay.

TK So I didn't hear that. And I didn't, until I was in the cop car I didn't even know, how Al got out of the apartment. And it was after I was in the cop car when I was sitting there waiting that I realized that he jumped out the window. But I thought the co, you know I didn't know if the cops had like finally got him to you know I, I, I didn't know how he, they got Al out but then I heard that Al jumped the window.

GS Okay.

TK But that, you know that's why I was like why am I down here I don't know that much. I mean I'm not, that, that inquisitive about it or that, that words aren't coming to my mind, I'm not that um knowledgeable on too much of it cuz I sat up here. I just, I just know that the guy wasn't all the way there and...

GS Okay.

MF Well we appreciate your time. If I have additional questions would it be okay if I called you or stopped back over?

TK Yeah you might want to give, me to give you a, a backup number. I can give you my husband's phone number it's a cell phone. It's...

MF Sure.

TK ... [REDACTED] sorry [REDACTED]. But that's just cuz I'm having problems with my phone right now and I don't know if they're gonna try and disconnect me cuz I'm disputing things. So I just want you to have a real number in case...

MF I appreciate that.

TK ...that one doesn't work.

MF And what's his name?

TK Terrance Kapaun.

MF Terrance.

TK And he lives here in apartment 4.

MF And you're in apartment 3?

TK 8.

MF Or 8.

TK I'm in 8. He's...

MF Okay.

TK ...in 4. And I thank you guys for getting me outta that cop car.

GS Yeah no problem

MF yeah.

TK I sat in it for two hours that's a long time.

MF It is a long time. Let me add a case number to this. Let's see we're case number 2016-213.

TK They kept wondering I, I think the cop was wondering why I wanted the window open. I'm like you don't understand it, it's hot (inaudible) cuz this heater's not even on and it feels like a, you know (inaudible) I'm calm now. Just happy I'm not, I had to go pee and then they're like well we'll take you to the precinct. Oh no I don't want to go to the precinct. I didn't do nothing wrong. You take me there when I mess up. I'm a good girl I get to stay home.

MF Well thank you again for your time and then, we're gonna be here for a while. Um so I guess, are you, you're okay just staying in here and...

TK Yeah, yeah and I, I'll keep my cat locked up until I see all the cop cars gone so that, that...

GS Well we're gonna be here for a while so

TK Yeah, no that's fine he you know when I got company I gotta lock him up too. I mean he's in a big bedroom so he's okay but if you guys need something else that way then you know that it's okay to tap on the door.

GS Okay.

TK But otherwise if somebody knocks and he's free he'll attack me.

MF Oh

TK I got my leg tore up from here down it took me three months to heal one time.

MF Alright Tricia.

GS And you still have him huh?

MF I'm gonna end um our interview at 7:57.

TK He's my big baby I...

RECORDING ENDS.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/8

Case Agent: Frascone, Michelle

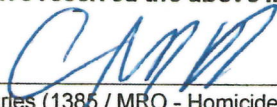
Item	Quantity	Description
1	1.00	CD Containing Downloaded Interview of Tricia Ann Kapaun

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

Name

Phill, Charles (1386 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Telephone

Released By Frascone, Michelle (1381 / M

Verified By

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/9

Report Date: 04/04/2016

Primary Information

Description: Interview of Gloria Reyes-Marquez
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Swanson, Gary (BCA 1326 / Special Agent / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/04/2016 at 1023 Hrs, Senior Special Agent Gary Swanson and Special Agent Michelle Frascone spoke to Gloria Reyes-Marquez at her home regarding her husband, Raul Marquez Heraldes. Reyes-Marquez provided a timeline of events that lead up to his death. As a result of this activity exhibit 2016-213/9.1 was obtained.

Address #1 - Occurred #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Subject #1 - WITNESS #1 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Subject #2 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/9

Report Date: 04/04/2016

Subject #2 - SUBJECT #1 - Heraldes, Raul Salvador Marquez - Continued

Personal Information - Continued

Hair Style: Bald

Addresses

Relationship

Address

HOME ADDRESS 3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #3 - SPOUSE #1 - Reyes-Marquez, Gloria Mestizo

Primary Information

Subject Name: Reyes-Marquez, Gloria Mestizo

Record Type: Person

Bio: 43 yr. old, Hispanic, Female

Birth Date: [REDACTED]

Juvenile: NO

Addresses

Relationship

Address

HOME ADDRESS 3816 PORTLAND AVE S APARTMENT #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD Containing Downloaded Interview of Gloria Reyes-Marquez

Primary Information

Property Class: Evidence

Property Type: CD, DVD, DISC, TAPE

Description: CD Containing Downloaded Interview of Gloria Reyes-Marquez

Quantity: 1

Submitted To PES: Property & Evidence

Collected Date/Time: 04/04/2016 10:23

Officers

LEO

Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

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

Record Origination Date: 04/05/2016 13:55

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

Last Update Date: 04/13/2016 11:53

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

MINNESOTA BUREAU OF CRIMINAL APPREHENSION - Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

05/13/2016 10:59

On 4/4/2016, at approximately 1023hrs, Senior Special Agent Gary Swanson and Special Agent Michelle Frascone met with Gloria Mestizo Reyes- Marquez [REDACTED] in her apartment (Apartment 2). Reyes-Marquez's two adult sons were in the home, but not present during the interview. The interview was audio recorded and later transcribed. A copy of the transcription is attached to this report. As a result of this activity exhibit 2016-213/9.1 was obtained. For exact words and verbiage, please refer to the recording and/or transcript.

Reyes-Marquez began the interview by saying her husband, Raul Marquez Heraldes (09/13/1965) had been acting tense and nervous for the past couple of days as he believed people were following him. Reyes-Marquez said she brought her husband to his friend's house so he would feel safe. Reyes-Marquez knew the friend to be named "Gato" and live in the Minnehaha area of Minneapolis. "Gato" was later determined to be Manuel Sanchez [REDACTED]. Reyes-Marquez said Heraldes told her he needed help and as a result she made an appointment for Heraldes at the hospital for 8am on Monday (4/4/16).

Reyes-Marquez stated the last call she received from Heraldes was at approximately 1:30am (4/4/16). Heraldes wanted to speak to his children, but Reyes-Marquez advised they were sleeping. Reyes-Marquez said Heraldes was talking about people inside of the house at the time of the last cell phone call. Reyes-Marquez said she told Heraldes that she was not going to answer the phone anymore and was going to sleep.

Reyes-Marquez then described a situation that Heraldes was involved in 2014. Reyes-Marquez believed the time frame to be around November or December. Reyes-Marquez stated that Heraldes sister, Rosie Cruz works for a law firm by the name Metro Law Firm. According to Reyes-Marquez Metro Law Firm was representing a drug dealer and asked Heraldes to assist in moving vehicles belonging to the drug dealers prior to a search warrant by the police. Reyes-Marquez said since Heraldes assisted in the moving of drug dealer's vehicles he has been threatened by un-named people. Reyes-Marquez said she has also been followed by vehicles and it was reported to the police department.

Reyes-Marquez went on to explain that Heraldes has been hospitalized two times in the past for medication overdoses. Reyes-Marquez explained that Heraldes had a shoulder injury that occurred during a car accident and as a result was provided prescription pain medications. Reyes-Marquez said Heraldes has attended a recovery center in the past, but stopped going because he said he was okay. Reyes-Marquez said Heraldes was on medication, but did not know the names and the medication. SA Frascone asked Reyes-Marquez if she still had Heraldes medication and she stated that Heraldes took the medications with him when he went to Sanchez's apartment.

Reyes-Marquez denied Heraldes uses alcohol, but did not know about street drugs. Reyes-Marquez said around 5am this morning (4/4/16) she received a call from a Minneapolis Police Officer who left her a message saying something about Heraldes trying to hurt himself. Reyes-Marquez was advised that Heraldes was dead. Reyes-Marquez was very emotional and SSA Swanson and SA Frascone offered to call someone to assist the family and they declined. Reyes-Marquez was provide SSA Swanson's business card and SSA Swanson and SA Frascone departed the apartment.

Nothing further to report at this time.

SA Frascone/

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 4, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Gloria Reyes-Marquez (GM)	INTERVIEWED BY:	SA Michelle Frascone (MF) SSA Gary Swanson (GS)
REVIEWED BY:			

MF Okay Gloria today is April 4th, 2016 at 10:23 hours. And I'm Special Agent Michelle Frascone. This is Senior Special Agent Gary Swanson. And Gloria um your first name is spelled G-L-O-R-I-A?

GM Yes.

MF Middle name is M-E-S-T-I-Z-O?

GM Yes.

MF Last name is a hyphenation of Reyes, R-E-Y-E-S and hyphen M-A-R-Q-U-E-Z.

GM

MF Okay. And a date of birth of [REDACTED] of [REDACTED]?

MF Yes.

MF January. And you currently live at 3816 Portland Avenue South in apartment 2?

GM Yes.

MF And that's Minneapolis, 55407.

GM Yes.

MF And a cell of [REDACTED].

GM Yes.

MF Okay. And Gary and I are here to talk to you kind of about um what you know regarding something that happened today but you might have information on something that happened yesterday?

GM The only thing that I know is that he was um not his own (inaudible), was very nervous. And he told me to drop him off in a friend house because he was afraid about something happen to us and something happen to him.

GS Well you, you said he wasn't acting normal?

GM No.

GS And how, how can you, describe that how...

GM Well he was very nervous.

GS Nervous?

GM He was very tense and he was saying that um, there once again um their car was following him and they wanted to try to uh kill us, everyone. So he was panic and but this is, (inaudible) started since Friday. And then I told him to try to calm him down that nothing is going on to happen to us. Everything is okay. I even tried to call his mom and tried to relax him. Um but he kept saying the same things so I told him that I can try to find a, to his friend and he can be over there more peaceful and not to be at home he didn't want to be here.

GS Does he live here?

GM Yes. And, and I say you know for the sake of the kids you know you need to go in a place that you feel safe. So I took him over there with the kids and dropped him off and then I just came back home. And he said yes I will be there in the morning he say I need help. I say okay I will find help for you. And I say I will pick you up today supposed to be at 8 o'clock in the morning. But then um the last call I received was like at 1:30 in the morning I say everyone is sleeping, he wanted to talk to the kids I say everyone is asleep. I cannot, and he was very upset and he was saying that um there were guys here inside the house and they was trying to, say things they're not you know. And, and I say I'm not gonna answer anymore because you need to go to sleep and we are tired, we're exhausted this is not the first time that it happened this is the third time.

MF This is the third time this had happened?

GM (sigh) yeah.

MF Okay.

GM Um and I know that it's a situation that is very, um serious and is very uh in maybe uh I understand that he, he cares for us but I don't know where or who contact um about this information but what happens is that last year I don't know exactly what month um but last year (sigh) they call him and um my...

MF Who, who called him?

GM My sister works in a, law office.

MF In a law office? Okay.

GM And she call him to help him because it says the lawyer need to, confiscate some drug dealer's cars from their house. They're, they're the drug dealer (inaudible) lived there, leaving at that time but the police got them. And they wanted to take it all, all the cars that the police did not confiscate. So he call him to get him help to get all the cars over there.

GS To get the cars out of there before the police could get 'em?

GM Um-hm. So he...

GS This was your sis, his sister?

GM His, this is the law office the, the law office the, the lawyer called.

GS Uh-huh.

GM The lawyer call (inaudible)

MF Called Roel? Ro, Raul?

GM Call uh no my sister

MF Okay

GM To find people of their confidence to go over there in their house and remove all the cars that was over there. It was very, large amount of cars. He went...

GS Ca, cars?

GM Cars.

GS Yeah.

GM Cars, it was very expensive cars.

MF Um-hm.

GM So he...

MF When was this?

GM Uh, it was uh last year (inaudible) the other year two thousand, I can say 14, the last months of 2014 something like that.

MF So November or December of 14?

GM Something like that I cannot remember exactly the month but it was this okay so then after that it was a lady over there they, they sold them. They sold him and uh then later on I think so she called some other people, other people I don't know what other people but they removed the cars and they dropped her off far away I don't know where he, he didn't know where was it. So then after that, couple months later like uh we can say two months later they follow him. He was on a bicycle they follow him so the car, he has came like a (inaudible)

GS Who is they?

GM Well the, the people that took the cars.

GS Okay.

GM And, and they just like uh he was driving the bicycle and I mean riding the bicycle and the, they came and stopped him and say you are the guy that, they, that take the cars and we want information or we're gonna kill you or so, we're gonna kill you (inaudible)

GS But weren't they being represented by these attorneys? So wasn't he doing them a favor by taking those cars outta there?

GM No it was another family member I think so because they say, my brother is in jail they're not gonna uh I think so they sentence him. So they came over there and I don't know what else they talk to him and then (inaudible), cars was (inaudible) I call the police nobody uh kinda more ignore me. I give the plates of the car that was following me. And they was looking on the cards when I was (inaudible) the old address on 29. And that's why I move and then after that I tried to tell them you know this is, this is something serious what you did (inaudible) and my husband is, is scared about (inaudible)

GS Do you know who these people are?

GM I don't know those people but I know the lawyer who (inaudible)

MF What's the law firm's name?

GM Um the law firm is uh Metro Law Firm.

GS Metro Law?

GM Um-hm.

MF And do you know the attorney's name?

GM Christian um oh last name I cannot remember.

GS Christian?

GM Christian first name

MF Kristen?

GM Christian

MF Okay.

GM And, and Rosie (inaudible) my sister that works with them.

GS Rosie?

GM Rosie Cruz.

GS Rosie Cruz?

GM C-R-U-Z, C as in cat (inaudible)

GS Got it, yeah.

GM So...

GS So is that when Raul started acting, kinda paranoid?

GM Panic because and then more because how the car that was following me and I, I give the plate to the official nobody called me back.

GS Do you have the plate?

GM (sigh) I have to try to find it.

GS Okay.

GM But I, I give the report.

GS Okay.

GM So then I start like um you know (inaudible) said well I was always looking in the back and see if nothing happens you know and since then you know it scared me and it scared us because I don't know if this is what (inaudible) because they're gonna get, they're gonna try to get onto him because maybe they thought that they worked together the lawyers and I don't know, what else. I don't know what is the case. So, he's been afraid since then.

MF Um-hm.

GM And all of this stuff (inaudible) they're gonna get us and, and every time uh they know that car because we have the same car so it's, whatever (inaudible) follow and try to, do something.

MF Okay.

GM But then, the medication that he's been taking is for his shoulder he has a car accident. Um but then he's been um overdosed the medication and that's why he start to, to have this panic attack and nervous he's been hospitalized two times because some of the medications and uh the overdose. And since our, our lives has been, it has changed a lot. My kids are in therapy right now in school because this is too much for us.

GS Did uh, was Raul was he seeing any uh any kind of doctor for any, any kind of mental issues or anything?

GM He was, he was going to a recovery center. But he stopped going because then he say I'm okay right now.

GS Was he on any medication for any psych uh psychiatric medication?

GM No right now no because the doctor (inaudible) medication because they're being, I think so he is (inaudible) to uh a afe, afederin

GS But,

GM Uh it was something that he was allergic that he not supposed to take and (inaudible) taking but not for the doctor it's from somewhere else.

GS Okay so he, he was on medication for psych, psych medication?

GM He no he was uh on medication uh for um for his leave and for the um, uh what is the other one um for nervous and um a sedative that was the medication (inaudible) his pain medication.

GS So pain medication and for nerves?

GM Um-hm.

GS But he, he wasn't on any kind of psych, psychiatric medication?

GM No, no the doctors they when we went over there because the second time we have a group of doctors and trying to find that he was something crazy you know he say he's not he is, is between uh something that happens and that make him panic and he try to take the medication for him to feel like a um calm down but he's getting worse.

MF So for anxiety.

GM Um-hm.

MF Do you have the medications here?

GM No.

MF They went with him?

GM Um-hm.

MF When you dropped him off?

GM Yes.

MF Okay.

GM He will have them. Yeah.

MF And you said he was hospitalized two times?

GM Yeah the...

MF Do you...

GM ...first time was for breakdown body, you know they said that it was shut down, his body it, so um...

MF When was that?

GM Oh dear that was in November 2014.

MF Okay. And when was...

GM And then the second time was in March, the last week on March before Easter, last year.

GS 15?

GM Yes.

MF And nothing since then?

GM Nothing since that day he was going to the treatment.

MF And what was his treatment for?

GM And that was for um they (inaudible) him because he was abusing of the, of the medications (inaudible) so they (inaudible) treatment for it.

MF Okay.

GS For the pain meds?

GM (inaudible)

GS The pain meds?

GM Yeah. So he was going over there. He was okay. He was in a house over there leaving. Um, then after May he, he said that he was uh okay and he was continuing go to classes. Then uh middle of June he stopped going. Then he came back home. So from there everything was okay. Until (inaudible) did he start again.

MF And what, do you remember the pain med that he was abusing? What the name of it was?

GM I think uh, you know I, I don't know.

GS Oxy...

GM (inaudible)

GS Oxycodone?

GM Yes that is the (inaudible)

GS That's what he was taking?

GM Yeah. Yeah

GS So just this past several days he's been acting strange again?

GM Yeah they said that he said that um he was in the garage cleaning up and two guys came in a van. And they started asking questions.

GS Out here?

GM Yes.

GS This is where he told you?

GM Yes. And, and say you know uh he say to me (inaudible) so they find us, they find me. So since then uh, he's been like that.

GS Did you see the two guys in the van?

GM I saw people there was walking when I was coming to the like but they, they left. I don't know who out there, I thought it was people that are, they thought that he was having a garage sale I don't know but

GS So it wasn't some, you don't think it was somebody that was in there really threatening him? You think he was imagining it?

GM I don't know. (inaudible) the time they left I was coming so I don't know exactly. Um,

GS How about uh street drugs and alcohol does Raul use any street drugs or alcohol?

GM Alcohol, no. Street drugs I don't, (inaudible) I've never seen him using drugs.

GS He doesn't use any uh alcohol?

(phone ringing)

GM (inaudible)

GS And street drugs you don't know?

GM No he...

GS He doesn't or you don't know?

GM Right now I don't, I don't know (inaudible) but so far since his being here he's been a good father, working. He, he lost his job after the accident two years ago and from there he is uh, uh self-esteem going down and all this things started happening.

GS Okay.

GM So far he's been, working all the years with the kids but now this is something (inaudible) the kids are, asking questions why did this happen, what, what happened.

GS When did he, when did he lose his job?

GM Two years ago.

GS And do you know why?

GM Because of the accident. He is a painter and he cannot use it anymore his shoulder he needs to have a surgery.

GS Okay.

GM The doctor was already having the (inaudible) but he never want to do it he was afraid to do it.

GS Okay. Did he, did he know anybody at this house he was at last night do you know? Or you don't know where he was at last night?

GM This, this is (inaudible) I don't know the name of the person he says that it was a friend.

GS Uh-huh.

GM But so far,

GS Okay

GM I don't know who's they are.

GS Okay well he was over on Minnehaha last night at a house.

GM So that was the house I suppose.

GS That was the house he was staying at?

GM Yeah it's like apartment buildings.

GS Yeah do you know what the people, the guys name he was staying with?

GM No I don't know what is his name.

GS Okay.

GM I know the nickname they call him Gotto but um...

GS What do they call him?

GM Gotto

GS Gotto?

GM Yeah. But so far I don't know who they are I haven't seen his face, nothing.

MF What time did you drop him off yesterday?

GM Like 7 o'clock.

GS And where did you drop him off?

GM What do you mean where
GS Where, what area.
GM In the, in that apartment building uh outside the apartment building in the parking.
GS On, on Minnehaha?
GM On Minnehaha.
GS Okay.
GM That's where I dropped him off. And he went inside with I saw he went inside.
GS How far south of Franklin was it on Minnehaha do you remember?
GM A couple blocks from Franklin.
GS Couple blocks south?
GM Yeah. Like um maybe we can say, what is one block from Franklin.
GS One block? So and uh was it on the west side of the street or the east side?
GM Uh, no it cant it had to be if I'm coming from uh (inaudible) ...
GS Franklin?
GM ...and Franklin it would be on the right side.
GS Right side?
GM And it's a stop sign over there in that building.
GS Says what?
GM It's a ss, a bus stop over there so the building's in the corner of something (inaudible) street.
GS Okay.
GM (inaudible) this is Minnehaha.
GS Uh-huh.
GM So walking one block in the corner that probably like a brick building.
GS Brick building?
GM Yeah.
GS And you said there's a bus stop out front?
GM Um-hm.
GS Okay. Do you know if Raul had any kind of weapons when you dropped him off? Do you know if he was carrying any kinda weapon? Would that be unusual for him?
GM Yeah that would be unusual for him. We don't have weapons here (inaudible)
GS Well a, a knife?
GM Knife? No.
GS No?
GM No. I don't know (inaudible) I don't know if he could get it over there I don't know.
GS Okay.
GM (inaudible)

GS Okay.

MF So you said something about last night when I first got here, did someone call you last night about something?

GM Uh last no I said there was a phone call there was (inaudible) and he thought that it was somebody well he said it's wrong number that's it.

MF Oh okay.

GM That's it

MF And what was the reason for bringing him over to his friend's house?

GM Because um on that they on Friday uh couldn't control him. He was walking and watching outside the windows. And I was here alone with my two girls, my boys was in a friend's house the three of them I have five kids and um I was trying to calm him down. And I was, I was afraid if something happened.

GS And this was Friday?

GM This is Friday.

GS Okay.

GM So I (inaudible) through, I was talking to her and overnight I then I went to sleep, talking and calm him down and tried to, to do something that he control his, his self. So on Saturday morning um I'm sorry, Friday was that. Saturday decided to go to Monday it was Saturday and (inaudible) on Monday. (inaudible)

GS So you dropped him off on Saturday?

GM Sunday, on Sunday. I'm sorry.

GS You dropped him off on Saturday?

GM Sunday, yesterday. Sunday.

GS Sunday?

GM Yeah, Sunday. But this happened Friday, I couldn't control him and then Saturday I say okay (inaudible) one more chance and if not (inaudible) hospital go to the hospital and take you over there. Oh no I'm okay, we're okay. So then after that, once again he was doing and I'd say you know what you cannot be here like this. The kids, it's, it's kinda hard for me. So he said okay I gonna go someplace safe with a friend you're gonna drop me off. (inaudible) gonna be okay and then you pick me up Monday morning. I say okay I will do that.

GS And, and you, all you know about the friend is that his name is Gotto?

GM That's what he call him.

GS Okay.

GM But I don't know...

MF You've never met him?

GM No.

MF Or seen him or

GM No. No.

MF So you didn't take him to the hospital?

GM No he say, he say I promise you that I will be okay and then you pick me up on Monday and take me over there. I say okay we'll do that.

MF Okay.

GM And that was the (inaudible)

MF And that was for the 8:00 A.M. plan today?

GM Um-hm.

MF It was supposed to go to the hospital.

GM Yeah.

MF Do you know what he had with him when he left here, when you dropped him off?

GM It was having that black jacket that I've never seen him wear.

MF Okay.

GM And a black pants with a black jersey (inaudible) think he was like a letter across the um shirt.

MF But black in color?

GM Um-hm.

MF Okay. Anything else, wallet, cell phone?

GM (inaudible) yeah, he has his cell phone, he was calling me.

MF Okay. And what is his number?

GM Um, (inaudible) [REDACTED].

MF Um-hm.

GM [REDACTED].

MF Okay.

GS So he called you after you dropped him off several times, right?

GM Well he calling me a lot of times because stuff for that, I dropped him off. He asked me for money so I had to go to the ATM machine at Cub Food's and get money to him.

GS So you brought him over, brought him money over there, same place?

GM Um-hm, yeah and, and then after that he start, he started calling me saying where are you at, well I have to go to the laundry. I'm here with my kids doing laundry and so what time are you coming home, I say I'm gonna come soon so he started calling me since I left and since 7:48, 8 o'clock, 8, 8, so a couple minutes and 10, 10, 11, 12 midnight, 12, 1 o'clock.

GS So he's blowing up your phone?

GM And then the last one I didn't answer because I was already asleep. It was 2:54 almost 3 in the morning. I didn't answer.

GS Uh-huh.

GM And that was the last call that, that I received from him.

GS Okay.

GM That's it.

MF How much money did you bring him over? Do you know?

GM I didn't want to bring, he wanted me to bring \$100 but I didn't want to and say no, I say the machine only gave me 20 bucks and that's it, I just give change dollar bills and ten and that's it and I have to try to come down like (inaudible) and try to think that it's gonna be okay. He just want to be in a place of safety and everything was okay but he was continue calling. He make me more nervous and I just hope it doesn't, nothing happens, you know.

MF Okay.

GM Because the second time when he was here I was having my son, my youngest son and I started to asking (inaudible) because what happened to me instead, I don't know. How, I don't know how he ended up in that room and um and then was bleeding coming out until I called 911, got first aid and said um something cut him, he has a cut.

GS A cut on his wrist?

GM Yeah.

GS And when was that?

GM That was on March when he was hospital, when the police came...

GS (inaudible) when they hospitalized him.

GM And um... that's it. And (inaudible) afraid.

MF Um-hm.

GM Everyone is afraid. I don't know what happened. You know or I don't know, I don't know what to do, really, I don't know what to do about this situation that happened with him and that, the stupidity of holding him to do that certain job because we don't know (inaudible) we don't know (inaudible) I don't know really and ...

GS Do you know, I mean other than what he's told you, and other than you, you said you saw somebody following you. Has anybody ever threatened you about that?

GM In the past, but this is what's (inaudible)

GS Okay.

GM And I report her and then I follow uh with a lawyer um to do a, a letter of uh to stop threatening, that was going to my job when I was working over there.

GS Who was, who was doing it? Do you know?

GM It was uh his sister.

GS His sister?

GM Um-hm.

MF Rosie.

GS Rosie from the law firm?

GM No, it was another one.

GS Okay.

GM She, I don't know what kind of mess that she was in uh she came from California and she said that she's, she gonna get Raul, either way or she's gonna try to kill me and um she was here for a moment so I called the police and they finally running around in my house and (inaudible) and I told the lawyer to (inaudible) order.

GS What's Raul's sister's name, the one that was threatening ya'?

GM Um, here name is uh (inaudible) Daniela,

GS Danieolla?

GM Uh-huh.

GS How do you spell it?

GM D-A-N-I-A-L, I'm sorry, D-A, (inaudible)

MF I have a piece of paper. Do you just need a piece of paper? Sorry. Here you are... Daniela.

GS So D-A-N-I-E-L-A, Marquez, M-A-R-Q-U-E-Z.

GM She may (inaudible).

GS When's the last time you heard from her?

GM It was a long time ago, about 4 or 5 years.

GS So is she connected with the other sister, Rosie that works for that other law firm? And this whole deal with the cars is that was Daniela connect, connected...

GM No.

GS ...with that. So this is something totally different?

GM Something totally different.

GS Okay.

GM Yeah.

GS Okay.

GM Yeah.

GS Anything else that you can think of that might help us understand what happened here today as far as Raul's concerned?

GM Well the thing is uh the problem with the cars and (sigh) this is very serious and I just hope that I get so many (inaudible). I don't know. I don't have proof but this is so many things that are happening and I find out with another person that knows my sister but um that's why I'm not in contact with her because um I told her what happened and she say, I don't want to talk to you no more. You are dead for me.

GS This was, this was Rosa?

GM Um-hm. She told me that and (inaudible) (ring tone) um and she say no he's (inaudible) he's not crazy. Is this true? And I find out that her husband is seeing, having relation with other people.

GS Her husband?

GM (inaudible) with drugs (inaudible) Chicago (inaudible).

GS Rose, Rose works for the Metro Law, Metro Law?

GM Yeah.

GS And Christine or Christian, that's the attorney?

GM Yes, the attorney.

GS Where's Metro Law at? Where's that located?

GM It's on um Lake and Bloomington. You know where is uh, that little clinic, on the second floor.

GS Okay.

MF So you found out that Rosie's husband is having some type of affair with people who are moving drugs from Chicago to Minneapolis?

GM Um-hm.

MF Okay.

GM And that's what he found out and that's (inaudible) he feels that because he found out that that he (inaudible) because he find out all those things.

GS Okay.

GM I think he's (inaudible)

MF Okay.

GM To get hurt might get so, everything he says is true but we don't have a proof.

GS And you haven't had anybody come here to your house?

GM Not that I know. I try very precautious when I go out and...

GS Okay. Have you had anybody call you on the phone and threaten you?

GM Um, not in this one. In the other ones, they're being, the old ones (inaudible)

GS Okay.

GM But the other ones, when we live on 29th, 18, I mean 29 (inaudible) yeah (inaudible) in Minneapolis.

GS Okay. But Raul, you, you had 'em leave here because you were, you were afraid of the way, 'cuz the way he was acting?

GM I, no I, yeah I ask him to go...

GS Okay.

GM ...to a place of safety...

GS Okay.

GM ...for us because it will affect us a lot and I don't know what to do or where to get help.

GS Uh-huh.

GM ...with this situation.

GS Okay. Alright. Well what do you know about as far as what happened last night or early this morning?

GM No, I don't know nothing. Only, the officer called me around 5 o'clock in the morning, left me a message and he say only at this number and the only thing that I, I ask is he told me in the morning that Raul (inaudible) and station 3, can you come and I say, what happened and he say, he try to hurt himself, that's it. He didn't give me information.

GS Okay.

GM And then I say, well is it possible he can be transferred to a hospital and go see him over there because it's gonna be worse if I go over there and he say, well we'll have somebody call you. So far I don't know if he's in the hospital. I don't know where he is.

GS Well we're trying to find out if this, this apartment building he was at was the one that he was staying at but it, it doesn't sound like it because there's nobody in there that know, knew him and what happened is he went into this apartment on Minneha—, or yeah Minnehaha there.

GM Um-hm.

GS And he went one gentlemen's apartment. He didn't know who he was and that gentleman called the caretaker and then the caretaker came down and talked to Raul and then he went into another gentleman's apartment who didn't know who he was and the police showed up and Raul had a knife and he got into a fight with the second guy who's apartment he went into and he stabbed the second guy in the back and the police had to shoot 'em.

GM No.

GS Yeah, I'm sorry to tell you that.

GM (inaudible)

GS Yeah, I'm sorry to tell you that he did.

GM (inaudible) and since that guy was living over there... and said everything was okay.

GS The man he stabbed in the back we're, we, we don't believe that Raul knew who that was and he broke into his apartment and uh he's in the hospital right now but he's in really bad shape. We don't know if he's gonna make it.

GM Raul or this guy?

GS Raul did die. I'm sorry.

GM No, please don't tell me that.

GS I'm sorry he did.

GM Please don't tell me (inaudible) (crying).

GS I'm sorry.

GM Please don't say that. (crying) (inaudible)

GS Is there someone we can call for you, for you?

GM (inaudible) (crying)

GS What...

GM (inaudible) (crying)

?? (inaudible)

GS How you doin'?

MF (inaudible)

GM (crying)

MF Is there anybody else home with you guys?

?? No, I'm not...

MF Oh, you're not Alex.

GM (inaudible)

MF Okay.

GM (crying)

MF You're, I'm sorry who else?

?? Sisters.

MF Sisters are here as well?

?? (inaudible)

MF You're Alex.

GM (inaudible)

GS You guys could be twins.

MF I know I'm sorry to confuse you.

?? That's alright.

MF I apologize.

GS Is Raul your guy's father?

?? Yes sir.

GS I'm sorry to have to inform you. He passed away.

GM (cry) (scream)

?? What? When?

GS Early this morning.

?? What happened?

?? What happened?

GS He uh broke into a guy's apartment over on Minnehaha and...

?? (inaudible)

GS ...stabbed a guy with a knife and the police had to shoot 'em.

?? Oh my god.

GM (crying)

MF Is there someone we can call, a chaplain, a, someone?

GM (crying)

MF Alex do you wanna come sit down? I can move.

?? That's alright.

MF Okay.

GM (crying)

?? So he was uh (inaudible) apartment.

GS Yeah, he went into an apartment building and he broke into one guy's apartment first.

GM He went last night (inaudible) you saw the guy (inaudible).

GS ...so he went into this first apartment and the guy called the caretaker of the building and the caretaker came down, got 'em out of that apartment. He went into a second apartment and the police got there and he was, had a knife and he, the police tried to get him to put the knife down and he wouldn't do it and then he got in a fight with this guy in the apartment and he stabbed the guy in the back with the knife and then the police had to shoot 'em.

?? They couldn't tase 'em or what?

GS They didn't, they didn't have a taser.

?? (inaudible)

GS What we're doing, we, we investigate um we're investigating the police shooting. So basically our role in this whole thing, we investigate the shooting to make sure that the police were proper and followed state law in the use of deadly force. That's our main goal here.

?? Alright.

GS So we're inves—, basically were investigating the police.

?? Alright.

GS Okay.

?? Yeah, because all the mess with like Jamar whatever?

GS Yep.

MF Yeah.

?? It's gonna be a...

MF Well.

?? ...I don't know.

MF And that could be, we're the state...

GS We're the state police.

?? (inaudible)

GS We're not Minneapolis.

MF That's why we're here.

GS That's why they called us in, so.

MF I'm sorry we have to come with this news. We're really just trying to understand the (inaudible).

GM (crying)

MF ...before the...

GS Here's, here's business cards for you as far as how to get a hold of us. Um, your dad's being taken to the Hennepin County Medical Examiner's Office so I would recommend that you guys contact them as far as arrangements. Um...

?? Is that, is this their number or?

GS No, uh.

MF I can get it.

GS We can give you their number.

MF I just gotta look it up real quick here.

GS Okay.

GM (crying) (inaudible)

MF Uh, 612-215-6300, 215-6300.

GS Okay.

GM (crying)

GS Is there anybody we can call for you guys?

?? Like what do you mean?

GS Like uh, a minister or another family member or?

?? She probably has like, she goes to church so I don't know is she wants everybody (inaudible)

GM (crying)

GS Okay.

?? (inaudible) hard for you to come and tell us though.

GS Yeah, this is not something that we....

GM (inaudible) we can go and see him (inaudible) really him. (crying)

MF Gloria, the best way to is to contact the Hennepin County Medical Examiner. That's the number, okay.

GM (crying)

MF And you have Gary's contact information and um you, the boys do as well.

GM (inaudible) (crying)

MF And that's what we're trying to figure out. That's why we're here.

GM (inaudible) go to that stupid house to get those drugs (inaudible) Why'd they do that to him. (crying) (ring tone) Oh my god (inaudible). Hello?

MF Is there anybody you want us to call?

GM I'll call mommy. Are you okay? Okay. I'll call mama.

?? (inaudible)

MF Sorry I'm trying to respond to one of these.

GM (inaudible) school and see you, okay? Okay, bye-bye.

GS This is gonna take some time for us to complete this investigation but once we're done.

GM (inaudible) you can do something about that?

GS Do something about what? The, the lawyer and the car (inaudible)?

GM Yeah.

GS Yeah, we'll definitely look into it.

GM (crying) (inaudible) why they did that. Why (inaudible)

GS Yeah...let, let we'll, we'll work through our investigation and once it's done you guys will be able to see everything as far as what we found out, okay?

GM (inaudible) (crying) a lot to take.

GS I know.

GM (inaudible) everything is (inaudible) (crying)

MF I'm so sorry you have to go through this.

GS We're, we're very sorry for your loss and if there's (inaudible) if there's someone we can call for you let us know. Um, and I know you want answers and we can't give 'em to you right now but we will once we find out.

GM (crying) (inaudible)

GS Okay, very sorry for your loss.
?? Promise me that you will help us.
GS We will, okay.
MF Can I give you a hug? Alright, I'm so sorry.
GM (crying)
?? Thank you.
MF Alex, is there anything we can do for you? Is there someone we can call? You'll take care of him? Okay.
GM (inaudible)
MF (inaudible)
GS Right here.
MF Right here.
GS Thank you.
?? Yeah.

END OF TAPE

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/9

Case Agent: Frascone, Michelle

Item	Quantity	Description
1	1.00	CD Containing Downloaded Interview of Gloria Reyes-Marquez

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

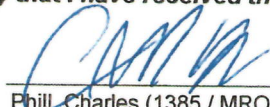
Signature

Name

Address

City/State

Telephone



Phill Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

Owner/For Owner

Released By Frascone, Michelle (1381 / M

Verified By

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/10

Report Date: 04/04/2016

Primary Information

Description: Acquisition of Evidence from Manuel Sanchez
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Swanson, Gary (BCA 1326 / Special Agent / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/03/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/04/2016, Manuel Sanchez was interviewed by Special Agent Jake May. During this interview Special Agent Michelle Frascone acquired several items of evidence with written permission from Sanchez. As a result of that activity exhibits 2016-213/10.1-2016-213/10.6 were obtained. See SA May's report for details of the interview.

Address #1 - Occurred #1 - 2120 Minnehaha Ave S

Primary Information

Address: 2120 Minnehaha Ave S #1, Minnesota , United States

Subject #1 - WITNESS #1 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Property #1 - Black Shoes

Primary Information

Property Class: Evidence
Property Type: CLOTHING ACCESSORY
Description: Black Shoes
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/04/2016 00:00

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/10

Report Date: 04/04/2016

Property #2 - Minnesota Twins Baseball Hat

Primary Information

Property Class: Evidence
Property Type: CLOTHING ACCESSORY
Description: Minnesota Twins Baseball Hat
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 00:00

Property #3 - Stripped Sweater

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Stripped Sweater
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 00:00

Property #4 - Army colored wallet

Primary Information

Property Class: Evidence
Property Type: WALLET
Description: Army colored wallet
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 00:00

Property #5 - Black Coat

Primary Information

Property Class: Evidence
Property Type: Clothing
Description: Black Coat
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 00:00

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/10

Report Date: 04/04/2016

Property #6 - White LG Phone

Primary Information

Property Class: Evidence
Property Type: CELLULAR PHONE
Description: White LG Phone
Quantity: 1
Make: LG
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 00:00

Property #7 - CD Containing Audio Recording of Consent to Search- Sanchez

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing Audio Recording of Consent to Search- Sanchez
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/04/2016 08:54

Officers

LEO

May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 15:40
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 05/03/2016 13:25

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

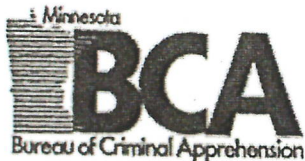
On 4/4/16, Special Agent Michelle Frascone collected the following items of evidence with the written permission of Manuel Sanchez. The items are as follows;

- 2016-213/10.1- Black shoes belonging to Heraldes. This item was recovered on Sanchez's table by SA Frascone and later logged into evidence.
- 2016-213/10.2- A Minnesota Twins Baseball hat belonging to Heraldes. This item was recovered on Sanchez's table by SA Frascone and later logged into evidence.
- 2016-213/10.3- A stripped sweater belonging to Heraldes. This item was recovered on Sanchez's table by SA Frascone and then logged into evidence.
- 2016-213/10.4- An army colored (camo) wallet belonging to Heraldes located on Sanchez's table by SA Frascone and later logged into evidence.
- 2016-213/10.5- A black coat belonging to Heraldes located on Sanchez's table by SA Frascone and later logged into evidence.
- 2016-213/10.6- A white LG Cell phone belonging to Heraldes located on Sanchez's table by SA Frascone and later logged into evidence.

For specific information regarding Manuel Sanchez's interview, see Special Agent Jake report. A copy of the Consent to Search as well as the Inventory Receipt are attached to this report.

2016-213

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue, St. Paul, Minnesota 55106

Phone: 651.793.7000 FAX: 651.793.7001 TTY: 651.282.6555

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

CONSENTIMIENTO DE REGISTRO

YO (I) MANUEL SANCHEZ, HABIENDO SIDO INFORMADO DE MIS
DERECHOS CONSTITUCIONALES DE NO PERMITIR EL REGISTRO DE MI EDIFICIO, PREMISAS,
Y/O AUTOMIVIL (ES) CONSIENTO AL MENCIONADO REGISTRO, POR MEDIO DE LA PRESENTE,
DANDO LE LA AUTORIDAD AL (HEREBY AUTHORIZE) MN BCA

Y (AND) _____, QUIENES SON OFICIALES DE LA POLICIA DE
MINNESOTA, Y OTROS OFICIALES POLICIAS QUE PUDIERAN ASISTIR EN EL REGISTRO, PARA
CONducir UN REGISTRO COMPLETO DE LOS SIGUIENTES EDIFICIOS, PREMISAS Y/O
AUTOMOVIL (ES) DESCRITOS:

LUGAR (LOCATION): 2021 M. Sanchez Av. S. MPUS #7
DESCRIPCION (DESCRIBED AS): Ropa & telefonos

ESTOS OFICIALES ESTAN AUTORIZADOS POR MI, PARA LLEVARSE PAPELES, MATERIALES O
CUALQUIER OTRA PROPIEDAD QUE DESEEN, DANDOME UN RECIBO. ESTE PERMISO ESCRITO
ES DADO POR MI, A LOS OFICIALES MENCIONADOS ANTERIORMENTE VOLUNTARIAMENTE Y
SIN NINGUNA AMENAZA O PROMESA DE NINGUN TIPO.

XMANUEL SANCHEZ
FIRMA (SIGNED)

Apr. 4, 2016
FECHA (DATE)

TESTIGOS (WITNESSES):

FIRMA (SIGNED)

FIRMA (SIGNED)

FIRMA (SIGNED)

FECHA (DATE)

2016-213/16

RECEIPT, INVENTORY AND RETURN 3-1

STATE OF MINNESOTA, COUNTY OF HENW COURT

RECEIPT, INVENTORY AND RETURN

I, _____, received the attached search warrant issued by the Honorable _____, on _____, _____ (yr) and have executed it as follows:

Pursuant to said warrant, on _____ (yr) at _____ o'clock _____ m., I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant (with) (in) (at) 2021 Minnesota

I took into custody the property and things listed below: (attach and identify additional sheet if necessary)

Misc Clothing & cell phone pursuant to
consent search form.

- Take tag # 1334
4-4-16

Strike when appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant were found.
- I shall (retain) or (deliver) custody of said property as directed by Court order.

I, _____, being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Subscribed and sworn to before me this _____ day of _____, _____ (yr)

Notary Public _____ County, MN
My commission expires _____

Signature

COURT - WHITE COPY • PROS. ATTY - YELLOW COPY • PEACE OFFICER - PINK COPY • PREMISES/PERSON - GOLD COPY

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Digitally Recorded Interview of Jesse [REDACTED] Trebesch at MPD on 04052016
Occurrence From: 04/05/2016 10:38
Occurrence To: 04/05/2016 11:16
Reporting LEO: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/12/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

Agency	Case/File Number
Minnesota Bureau of Criminal Apprehension	S16-03518
Minneapolis Police Department	16-116598

Synopsis

On April 5, 2016 at 1038 Hrs, MN BCA SSA Gary Swanson and SSA Luke Hanegraaf conducted a digitally recorded interview of Minneapolis Police Officer Jesse [REDACTED] Trebesch DOB [REDACTED] at the Minneapolis Police Department Third Precinct. Also present was attorney Robert Sicoli representing Officer Trebesch. As a result of this activity exhibits 2016-213/11.1 and 11.2 were acquired.

Address #1 - Occurred #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Address #2 - Occurred #2 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Subject #1 - VICTIM #1 - Coleman, Alan Robert - Continued

Personal Information - Continued

Height: 511
Weight: 166
Eye Color: Brown

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #2 - WITNESS #1 - Graupner, Brian [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Graupner, Brian [REDACTED]
Record Type: Law Enforcement Official
Bio: 26 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Subject #3 - WITNESS #2 - Oachs, Lucas [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Oachs, Lucas [REDACTED]
Record Type: Law Enforcement Official
Bio: 26 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Patrol Officer
Juvenile: NO
LEO ID: 22813

Subject #4 - WITNESS #3 - Perkins, Jeffrey

Primary Information

Exempt From Disclosure: YES
Subject Name: Perkins, Jeffrey
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Officer
Juvenile: NO
LEO ID: 5554

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Subject #5 - WITNESS #4 - Stewart, Joshua

Primary Information

Exempt From Disclosure: YES
Subject Name: Stewart, Joshua
Record Type: Law Enforcement Official
Bio: 31 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO
LEO ID: 6824

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #6 - WITNESS #5 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person
Bio: 59 yr. old, White, Male
Birth Date:
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER
Glasses Type: OTHER

Scars, Marks, and Tattoos

<u>Description</u>	<u>Type</u>	<u>Body Part</u>	<u>Side</u>	<u>Location</u>
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Subject #7 - WITNESS #6 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Subject #8 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #9 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #10 - SUBJECT #3 - Trebesch, Jesse [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Subject #10 - SUBJECT #3 - Trebesch, Jesse [REDACTED] - Continued

Primary Information - Continued

Subject Name: Trebesch, Jesse [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Patrol Officer
Juvenile: NO
LEO ID: 20487

Subject #11 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #12 - ATTORNEY #1 - Sicoli, Robert

Primary Information

Subject Name: Sicoli, Robert
Record Type: Person
Bio: White, Male
Juvenile: NO

Subject #13 - MENTION IN REPORT #1 - Cruz, Rosa

Primary Information

Subject Name: Cruz, Rosa
Record Type: Person
Bio: Hispanic, Female
Juvenile: NO

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Subject #14 - SPOUSE #1 - Reyez-Marquez, Gloria Mestizo

Primary Information

Subject Name: Reyez-Marquez, Gloria Mestizo
Record Type: Person
Bio: 43 yr. old, Hispanic, Female
Birth Date: [REDACTED]
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3816 PORTLAND AVE S APARTMENT #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD containing dss file of the interview

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD containing dss file of the interview
Quantity: 1
UCRDamaged: YES
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 16:37

Property #2 - hand drawn diagram of the shooting scene

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: hand drawn diagram of the shooting scene
Quantity: 1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 16:37

Officers

LEO

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

Record Status Information

Record Origination Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 16:37

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/11

Report Date: 04/05/2016

Record Status Information - Continued
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Last Update Operator:	Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/12/2016 13:41

Reporting LEO	Date	Supervisor	Date
Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 5th, 2016 at 10:38 hours, Minnesota BCA SSA Gary Swanson and SSA Luke Hanegraaf conducted a digitally recorded interview of Officer Jessie Trebesch, which occurred at the Minneapolis Police Department's 3rd precinct. The interview was conducted in a conference room at that location. Also present was Legal Defense Fund Attorney Robert Sicoli.

Officer Trebesch was provided with a copy of the Minnesota BCA Criminal Investigations warning and after reviewing the form with his attorney signed it and agreed to speak with Officers.

Officer Trebesch stated that he is a patrol Officer employed by the Minneapolis Police Department and is currently assigned and working out of the 3rd precinct in south Minneapolis. Trebesch stated that his post number is 20487 and that he has been with the Minneapolis Police Department since October of 2010 assigned to the dog watch or overnight watch. Trebesch stated that he has no prior police experience and that the Minneapolis Police Department is the first agency that he has worked for.

Officer Trebesch stated that when he is on duty, and on April 4, 2015, he wears a full uniform and drives a fully marked Minneapolis Police squad car.

Officer Trebesch stated that he is up to date on both his range qualification training and his use of force training and that the last time he had both was late in 2015 or early 2016.

On the morning of April 4th, 2016 At approximately 5:00 AM Officer Trebesch stated that he and his partner were at the 3rd precinct doing reports. Officer Trebesch stated that they monitored a radio broadcast to squad 311 to go to 2120 Minnehaha Avenue South regarding an unwanted person. While monitoring the radio Officer Trebesch stated that shortly after the broadcast was put out to squad 311, the call changed to a person with a weapon call. Officer Trebesch stated that squad 311 aired on the radio that they had a male in a hallway armed with a knife and they were asking for more assistance. Officer Trebesch stated that he and his partner Officer Stewart responded from the 3rd precinct and arrived minutes later. Trebesch stated that when he arrived at the address on Minnehaha Ave., he spoke with Officer Perkins who stated that there was a male inside the building with a large knife that looked like a butcher knife and the male appeared to be either emotionally disturbed, high on narcotics or both. Trebesch stated that officers had remained outside the building due to the

fact that when they initially approached the interior, the subject came at them with a knife, and that they closed the door and held it shut, in an attempt to keep him from getting at them. They had also learned that this individual had since gotten into another apartment in the building. Trebesch stated that the apartment manager was getting information about the suspect and about the apartment that the subject had gone into.

Trebesch stated that he and his partner, Officer's Stewart, Perkins, Malmberg and Robbins entered the building. Upon entering the building Trebesch heard yelling coming from apartment number 2. Trebesch stated that he un-holstered his Taser and accompanied Malmberg and Robbins who had their handguns out, down the hallway to where the yelling was coming from. Trebesch stated that he stood in the hallway from the front door and that other officers were at the apartment doorway, attempting to speak with the individuals inside the apartment. During the conversation with the individuals in the apartment, one of the individuals identified himself as Raul. Trebesch stated that Raul seemed distressed and was telling officers that he was going to kill the people in the apartment. The other individual in the apartment, who the manager had identified as the renter, was Al. Officers asked Al if he could come out or if he was free to leave and Al said "no he could not come out".

According to Officer Trebesch, Officer Malmberg continued to try to negotiate with Raul and at some point Raul asked them to contact his wife, Gloria. Raul gave officers a phone number for Gloria and they attempted to contact her with negative results. Trebesch stated that Raul kept saying he wasn't going to come out and eventually stated that a Rosa Cruz was his wife but that she was dead and he seemed disturbed about that.

Trebesch stated that the first name that Raul had given for his wife was Gloria and that the second name Rosa Cruz. Trebesch remembered and recognized the name Rosa Cruz as being connected to another call earlier that night of a fight at 3816 Portland Avenue where a male had called police and said there was a female named Rosa Cruz at that location with his family and that she was a part of the Mexican Mafia. Trebesch stated that he and his partner had responded to this call at 3816 Portland Avenue earlier in the evening and when they arrived they didn't locate a fight, nobody answered the door, the apartment was dark and when the dispatcher attempted to call the reporting party back but no one answered. Trebesch stated that call occurred somewhere between 2:00 AM and 4:00 AM.

Officer Malmberg continued to negotiate with Raul through the door and at some point they heard Al screaming in the apartment. At this point Officer Trebesch was located down the hall from the apartment and Officers Malmberg, Robbins and Stewart were at the door. When Al started to scream for help, Officer Stewart kicked in the door and Officers Stewart, Malmberg and Robbins entered the apartment. Trebesch stated that as soon as Malmberg and Robbins entered the door he saw them firing their duty handguns into the apartment. Trebesch stated that his Taser was still out however he did not have a clear line of sight into the apartment to use the Taser. Trebesch estimated that officers fired 5-6 shots into the apartment upon entering. Trebesch stated that as he was entering the doorway he saw a male walking out towards him with a knife sticking out of his back. Trebesch stated that he did not identify the individual with the knife sticking out of his back and he walked by Trebesch towards other officers who were behind him, who then escorted this individual out of the apartment to EMS.

Trebesch stated that he entered the bathroom and saw an individual lying in the tub with blood on him. Trebesch stated that he did not see any more weapons but was cautious due to the fact that individual had been armed. Trebesch stated that when he grabbed ahold of this individual in the tub's right arm, the individual, (later identified as Raul) rose out of the bath tub and started growling and swinging his arms in a fighting stance. Trebesch stated that a scuffle began as they tried to detain Raul. Trebesch stated that Officers Stewart, Malmberg, and Robbins had all they could do to get the individual on the floor and secured in handcuffs. Trebesch stated that during the fight the toilet got knocked off the mounting on the floor and that he and his other partners continued to struggle with Raul until they were successful in securing him. After Raul was handcuffed and secured, paramedics were brought in, who then attempt to administer first aid. Trebesch stated that the handcuffs were removed during the first aid attempt.

Trebesch stated that Raul was eventually transported to HCMC. Trebesch later learned that Raul had died as a result of the gunshot wounds.

Trebesch stated that his partner, Officer Stewart sustained injuries and had blood all over his face. Officer Trebesch stated that Officer Stewart receive medical attention for injuries and blood exposure.

Trebesch stated that at no time did he fire his duty weapon in this incident and was unable to use his Taser due to his positioning.

See type written transcript with Officer Trebesch for further information.

As a result of this interview exhibits #2016-213/11.1 and 11.2 were acquired. These items will remain in SSA Swanson's care, custody, and control until such time as they are signed over to SA Phil who is the case agent in this investigation.

End of report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:	Homicide	EXHIBIT #:	213/11.1
INTERVIEW OF:	Officer Jesse Trebesch (JT)	INTERVIEWED BY:	SSA Gary Swanson (GS)
	Attorney Robert Sicoli (RS)		SSA Lucas Hanegraaf (LH)
REVIEWED BY:	SSA Swanson		

GS This is gonna be a digitally recorded interview. The date today is April 5th, 2016. The time right now is 10:38. Being interviewed today is first name Jesse, J-E-S-S-E middle name [REDACTED], [REDACTED] last name Trebesch, T-R-E-B-E-S-C-H. Date of birth [REDACTED] of [REDACTED]. Address is 3000 Minnehaha Avenue South, Minneapolis, Minnesota 55407. Phone number is 612-673-5703. This interview is being conducted in a conference room at the Minneapolis Police Department's 3rd precinct at the above address. Present for the interview are Minnesota BCA SSA Gary Swanson and SSA Luke Hanegraaf uh and law, attorney Robert Sicoli, S-I-C-O-L-I representing uh Jesse Trebesch. Is everything I've read into the record correct uh Jesse?

JT Yes.

GS Okay. Um, can you tell us where you're employed?

JT I'm employed by Minneapolis Police Department. More specifically out of 3rd precinct here.

GS And, and what's your position with the Minneapolis Police Department?

JT I am a patrol officer. So licensed peace officer through Minnesota.

GS Okay and what's your POST license number?

JT 20487.

GS Okay. And what shift do you work?

JT Dog watch.

GS And how long have you been a Minneapolis Police Officer?

JT Since October of 2010.

GS Okay. Did you work anywhere as a police officer prior to coming to Minneapolis?

JT No.

GS Okay. And as a police officer um describe what you wear when you come to work.

JT I wear a full uniform. I'll have a light blue uniform uh with Minneapolis Police patches on each shoulder. I'll have a badge on my left chest with a nametag on the right. And then I have a full duty belt starting from the right side is where I have my duty handgun it's a sig sauer P220. In front of that going towards the left would be my mace holder.

GS Okay.

JT Where I have mace and then a pair of handcuffs. I have my handcuff holders allows me to hold two sets of handcuffs.

GS Okay.

JT Next to that would be my keychain where I have squad keys and keys to the building here. After that would be my magazine pouch. I have three magazines for my duty handgun.

GS Okay.

JT Next to that would be my taser. And then my portable radio, that's issued by the department here. And then my flashlight.

GS Okay.

JT And then below my duty belt I have 511 duty pants and then a, work boots, black work boots.

GS Okay. And um do you work alone or with a partner?

JT I usually work with a partner.

GS Okay uh on uh the early morning hours of April 4th, 2016 were you working with a partner?

JT Yes. With Officer Stewart.

GS Okay and what uh when you guys are out on patrol what do you, what do you drive?

JT We are driving a Ford Explorer. It's fully marked with Minneapolis Police, the lights and the siren. And all the other equipment they've, put on the squad.

GS Okay. Prior to uh turning on the tape recorder I provided you with a, a form a the, is commonly called the Minnesota BCA Criminal Investigation Warning. Were you able to um go over that form with your attorney?

JT Yes.

GS And prior to giving this statement did you sign the attorney uh signifying that or sign the form signifying that you were uh willing to speak with us today?

JT Yes.

GS Okay. Um, so you started as a police officer in October of 2010. When was the last time you qualified on the range?

JT Earlier this year.

GS Okay so early 2016?

JT Correct.

GS How about use of force training do you, do you have any idea when was the last time you qualified uh had your use of force training?

JT I believe it was towards the end of 2015.

GS Okay. Calling your attention to yesterday morning, April 4th, 2016 at approximately 5:00 A.M. do you remember where you were?

JT Yes.

GS Okay.

JT I was at the precinct here.

GS Okay.

JT Around that time.

GS Okay and what happened?

JT I was on one of the computers when I heard um by portable radio that squad 311 was going to an (inaudible) call at 2120 Minnehaha Avenue South.

GS Okay and what's an on want call?

JT It can be it's usually when the person who's calling police doesn't want somebody either in their apartment, in their house, on their property.

GS Okay.

JT There's an unwanted person.

GS Okay. And after you heard that call what did you do?

JT I was, still continued uh using the computer.

GS Okay.

JT And that call uh shortly after that changed to a person with a weapon call.

GS Okay.

JT Cuz the caller said the male had a knife in his back pocket I believe.

GS Um-hm.

JT And 311 was already in route to that call so (inaudible)

GS And that's one of the other squads from the precinct here?

JT Correct.

GS Okay. So did you uh then eventually did you respond to that location?

JT Yes. Even, a short time after that I heard squad 311 uh air on the radio that they had the male in the hallway with a knife and 311 was asking for more squads.

GS Okay.

JT So I responded to that call with my partner Officer Stewart.

GS Okay. And when you got there what did you, what did you see?

JT I pulled up to the front of the address. We were facing northbound on Minnehaha. And I saw Officer Perkins from squad 311 holding the door to the apartment building shut.

GS Okay. Did you, could you see into the apartment?

JT I couldn't.

GS Okay.

JT When I walked up to Officer Perkins he had a worried look in his face and he told me that a male was inside the building with a large knife looked like a butcher knife.

GS Okay.

JT Ofic, I don't remember exactly what Officer Perkins told me but he made me believe that this male with the knife was either emotionally disturbed person, high on narcotics or both.

GS Okay. So at that point nobody had entered the building yet?

JT I don't know if anyone had entered the building at that point.

GS Okay but Officer Perkins was outside?

JT Correct.

GS Were there any other MPD officers in the building?

JT I don't believe so.

GS Okay. So what happened then?

JT Uh I believe Officer Perkins had asked for a CIT officer. That's a crisis intervention team officer.

GS Um-hm.

JT And, while I was standing out front with Perkins the front door of the building started to come open like somebody was trying to get out. And I saw Officer Perkins press his body up against the door to hold it shut and he said that he thinks this, that was the male with the knife.

GS Okay.

JT Uh, I learned that, that was actually another resident.

GS Um-hm.

JT From a different apartment. I believe that might have been the caller who was at the door.

GS Do you know what apartment the caller was from?

JT I don't.

GS Okay.

JT So we opened the door and that male was right inside said that the suspect with the knife got into someone else's apartment.

GS Okay.

JT And he pointed to what apartment that was.

GS Can you describe that individual that gave you that information?

JT I believe he's a white male, 50 to 60 years old. Stocky to heavy build. Uh, bald on top with longer greasy hair.

GS Okay. So after you got that information then did you and other officers at that point enter?

JT Yes.

GS Okay. Who, who went into the building besides you?

JT My partner and I, Officer Stewart. Uh Officer Perkins, Officer Malmberg and Officer Robbins entered the building.

GS Okay. And what happened from there?

JT I heard yelling in the first apartment to the right once I entered the building. I believe that was apartment 2. And we stayed in the hallway. I was behind Officer Stewart, Officer Robbins and Officer Malmberg.

GS Um-hm.

JT I pulled out my taser. My partner also had his taser out and I saw Officer Malmberg and Officer Robbins with their handguns out. I pulled out my taser because I saw two officers had handguns out and my partner had the taser out.

GS Um-hm.

JT So it's common practice to have lethal coverage and nonlethal coverage. That's why I pulled out my taser.

GS Okay.

JT And we posted up in the hallway and started trying to make contact with the people inside that apartment.

GS Okay. And do you remember which apartment number this was?

JT I believe 2.

GS 2? Okay. Um so you guys were stacked up at the door um the officers that had their weapons drawn were they in front of you or were they behind you?

JT In front of me.

GS Okay so the lethal force was in front and you and your partner with the tasers were directly behind them?

JT My partner was next to the, Officer Robbins and Malmberg.

GS Okay.

JT I was behind all three of them.

GS Okay. And then what happened after that?

JT We, Officer Malmberg started trying to make contact with the people inside that apartment.

GS Um-hm.

JT And I remained behind them with my taser for nonlethal coverage. I could hear two voices from inside the apartment. One of the voices he identified himself as Raul I believe.

GS Um-hm.

JT He seemed distressed. He said, I heard him say several times that I'm gonna kill him, I'm gonna kill him. And I could hear another male inside who the male originally who let us into the building said was his name was Al I believe.

GS Okay.

JT An Al who lives in that apartment.

GS Um-hm.

JT And Officer Malmberg asked Al if he could come out if he was free to come out and Al said no he can't come out.

GS Okay. So what happened next?

JT Uh Officer Malmberg continued to try and talk to Raul who seemed very upset and disturbed said that he wasn't gonna come out. And Raul started saying he wanted us to call his wife who he said was I believe Gloria.

GS Okay.

JT Raul gave us a phone number to call Gloria. I believe that Raul said if we called his wife he would come out. He just wants us to call his wife. So another officer I don't know who I believe attempted to call Gloria with the number uh Raul gave us...

GS Um-hm.

JT ...through the wall. And I heard that, that number didn't work I believe it was either inactive so Officer Malmberg asked for the number again. And we got the correct number there was one number that was incorrect...

GS Um-hm.

JT ...at the end. Once uh we had the correct phone number I heard that it was a voicemail. So a voicemail was left for Gloria I believe.

GS Okay.

JT Uh the male inside the room Raul kept saying he wasn't gonna come out. Uh he eventually said a name of Rosita Cruz was his wife but that she was dead and he seemed disturbed I thought he was...

GS So he gave you two names for two different women as far as who their, who his wife was?

JT yeah.

GS Gloria and Rosita Cruz?

JT From what I understood he said that, at first Gloria was his wife. Then, when he gave the second name as Rosita Cruz I believe he was speaking about her like she was his wife too.

GS Okay.

JT And I recognize that name Rosita Cruz because we had a call earlier in the night at 3816 Portland where a male called police and said there was a female named Rosita Cruz uh in a fight with his family. And she was apparently a part of the Mexican mafia

GS Um-hm.

JT When we responded to that call earlier in the night at 3816 Portland

GS Um-hm. Did you respond to that call on Portland?

JT Yes.

GS Okay.

JT We didn't locate any fight. The address 3816 Portland was all dark. Nobody answered the door. And when dispatch called that caller back uh it went to a voicemail.

GS What time of the night was that that you got that call to 3816 Portland?

JT I don't remember the time.

GS Was it midnight? After midnight? Before midnight?

JT After midnight.

GS Okay. 1:00 or 2:00 or 3:00?

JT I would estimate between 2:00 and 4:00...

GS Okay.

JT ...in the morning.

GS Okay. And you were initially called from that address by someone there?

JT Yes someone called, gave the address and the call was uh dispatched as a fight call.

GS Okay.

JT And the suspects name was Rosita Cruz supposed to be fighting...

GS Okay

JT ...in front of the address.

GS And uh and the caller on that call you never got a name?

JT Hm I don't remember...

GS Okay

JT ...the name on that call.

GS Okay.

JT But I recognized the name Rosita Cruz...

GS Um-hm.

JT ...when, at 2120 Minnehaha...

GS Um-hm

JT ...when Raul was saying Rosita Cruz was dead.

GS Um-hm. Do you know if the caller that uh regarding the call at, at Portland Avenue was it did you know if it was a male or a female?

JT I didn't.

GS Okay. Is it possible it could have been Raul?

JT It is possible.

GS Okay. So let's get back to, to the doorway. Uh on uh Minnehaha. So you're stacked up. You're negotiating between the, the closed door with Raul in the build, in the apartment.

JT Yes.

GS Was the indi, the officer that you guys called that has a specific training for dealing with emotionally disturbed people was that officer there?

JT Yes we have CIT officers.

GS Okay.

JT That stands for crisis intervention team.

GS Um-hm.

JT And Officer Malmberg who was speaking with the male...

GS Okay.

JT ...is a CIT officer.

GS Okay.

JT Uh my Sergeant, uh Sergeant Grieves had asked for if there was a negotiator, hostage negotiator available through dispatch.

GS Okay.

JT While we were in the hallway there.

GS Okay. So you weren't able to get the wife on the phone. Was there any other demands that Raul was making from inside the apartment?

JT I can't remember.

GS Okay. And at one, at some point you guys breached the door is that right?

JT Yes.

GS And when did that take place?

JT As we were standing in the hallway.

GS Um-hm.

JT The voice I recognized as Al...

GS Um-hm.

JT ...begins screaming and I believe that he was being attacked and I feared for his life at that point.

GS Okay. So who breached the door?

JT I was behind Officer Stewart, Malmberg, Robbins and I followed them to the door. And my partner Officer Stewart started kicking the door.

GS Okay.

JT And I believe I saw Officer Robbins kicking the door as well when Stewart was kicking it and it wasn't breaking.

GS Okay.

JT At that point the door broke open and I was still behind my partner, Officer Stewart uh Officer Robbins and Malmberg and as soon as Officer Malmberg and Robbins uh made entry right in the doorway I saw them firing their duty handguns into the apartment.

GS Okay and they were both armed with, with duty weapons not tasers correct?

JT Correct.

GS Okay and were you, you were behind them at that point along with your partner?

JT Correct.

GS And did you still have your taser out?

JT I had my taser out still yes.

GS Okay.

JT Once they started firing their weapons I holstered my taser because at that point it was now a deadly force situation.

GS Uh-huh. At any point when that once that door came open were you in a position to, that you could have fired your taser?

JT No I couldn't see into the apartment when the door broke open.

GS Okay.

JT I was right outside of the door.

GS Um-hm.

JT And just down the hallway.

GS So you, you couldn't have fired your taser even if you wanted to?

JT No I didn't see where they were shooting into the apartment or what they were shooting at.

GS Okay. So at, after the shots were fired do you know how many shots?

JT I would estimate five to six.

GS Five...

JT What I heard.

GS Okay and who were the officers that shot?

JT Officer Robbins and Officer Malmberg.

GS Okay and no other officers fired their weapons?

JT No.

GS Okay. Once the, shooting stopped were you able to get in and see what was going on in the apartment?

JT Once the, once the shots stopped I made my way right into the doorway.

GS Um-hm.

JT And I saw a male walking out towards me who had a knife sticking out of his back.

GS Okay. And did you subsequently identify that male?

JT I didn't myself but he was as far as I know identified as the male who lives in that apartment.

GS Okay. Was there any other individuals in that apartment at that time?

JT I didn't see any (inaudible) in that apartment.

GS Okay did you clear the apartment? After the shooting.

JT Yes and other than the male with the knife there was the suspect who was shot in the apartment.

GS Okay.

JT Other than those two I didn't see anyone else...

GS Okay.

JT ...in the apartment.

GS And the, the whole incident basically took place in the bathroom?

JT Correct.

GS Okay. And the individual that was shot what happened after um the shots were fired and Al came out the door?

JT When I walked into the door and Al was walking out towards me I saw the knife in his back and his face was shocked but he was still walking.

GS Um-hm.

JT So I, helped him out into the hallway where the other officers were.

GS Um-hm.

JT And I could see the suspect uh laying in the tub of the bathroom.

GS Um-hm.

JT Right inside the apartment. And I saw some blood on looked like on the tub.

GS Um-hm.

JT Behind him.

GS Okay.

JT I didn't know if he had more weapons. If he had been shot.

GS Um-hm.

JT If he had been stabbed. I was still behind Officer Stewart, Officer Malmberg and Officer Robbins.

GS Um-hm

JT As the four of us entered the bathroom.

GS Um-hm.

JT And when I went to go try and detain uh the suspect in case he had more weapons or knives uh I grabbed a hold of his right arm and that's when he, he was still when I entered the bathroom. As we got closer to him he, he rose out, he started growling swinging his arms like a fighting stance.

GS Okay.

JT And a scuffle began as we tried to detain him and he was starting to fight with us.

GS Okay. And who, who was in there besides you after the shots were fired and after you went hands on with him?

JT It was me, my partner Officer Stewart, Officer Malmberg and Robbins and Officer Oachs.

GS Okay and where was Al at this point?

JT Al had left the apartment and I believe walked down the hallway to an ambulance that was posted outside.

GS Okay did anybody go with him? Or was he just basically walked out by himself?

JT I don't know if any...

GS Okay.

JT ...(inaudible) him.

GS Okay. So the fights on in the bathroom with Raul. Um how did you finally get him um so that he was secured?

JT So Raul was in the tub when I entered. He started, he rolls out of the tub and he started throwing punches. And I tried to grab his right arm as his back was facing towards the ground. And he was, I was holding his right arm with both my hands. He had blood on his right arm. I didn't see any bullet wounds. And I was holding with both my hands as hard as I could and he was still able to move and I couldn't, control his right arm.

GS Um-hm.

JT As other officers were trying to control his body.

GS Um-hm

JT And his other arm. At one point he was pulled out of the tub and he was still had movement of both of his arms as I was trying to secure his arm. Eventually how we were able to get him into handcuffs is we pulled him closer towards out of the bathroom onto his stomach.

GS Okay.

JT To get him in handcuffs.

GS Was the, was the fight pretty violent?

JT It was, incredibly violent.

GS Did any, anything happen in the bathroom with regards to the, the toilet and the sink and did anything...

JT After...

GS ...get broke or...

JT ...after the suspect was in handcuffs I saw that the toilet had come off the ground completely and was shifted to other places in the bathroom.

GS Okay. Did the, did Raul say anything during this fight?

JT No I didn't hear any words from him only growls.

GS Okay.

LH When you were in the bathroom and you had both your hands on his right arm do you remember where the knife was at that point? Do you remember seeing it?

JT I didn't see, the only knife I saw was in the victims back.

LH Okay.

JT When he walked out of the bathroom a knife was sticking out of his back.

LH Can you describe that knife?

JT It looked like the handle of a butcher knife but I only saw the handle so it appeared that the blade was completely in his back.

LH Okay. And being in law enforcement I would assume you've seen a multitude or of different sizes and styles of knives.

JT Yes.

LH In your opinion is this a knife that is a large knife or is this a small pocket knife that you would keep in your, um on yourself every day?

JT It looked like a large butcher knife to me.

LH Okay. So when you entered the bathroom and you went hands on with Raul at that point did you see any weapons on him?

JT I couldn't see his hands when I entered the bathroom because he was in the tub. Once I got a hold of his right arm I couldn't fully see his body because there was four other officers in there. But I didn't see any weapons on him.

LH Okay. So at that point when you went hands on it didn't appear to you in your mindset at that point that he had any deadly weapons that could harm you at that point?

JT Not that I could see.

LH Okay. And is that a reason why you would not use deadly force again at that point or you would see it?

JT Correct.

LH Okay. Once you pulled him out and you were able did you put handcuffs on him?

JT No.

LH No? Okay when you were inside the struggle with him trying to get him on his stomach after that point did he say, did he make any indication that he was hurting that he had been shot anything like that?

JT No. Immediately after he was handcuffed uh my partner started checking his body for wounds and I started checking his lower body for wounds.

LH Okay. And was medical attention then provided for Raul at that point?

JT Yes. I located what I believed to be a bullet hole on his leg. And my partner located a bullet hole uh on his chest. And my partner cut off his shirt and applied a chest seal to that wound and we notified dispatch so that paramedics could come further apply medical assistance to him.

GS Were the para, the paramedics were, were stationed outside at that point right?

JT Correct we already had paramedics there yeah.

GS Who, who put the handcuffs on him do you know?

JT I'm, not sure.

GS Okay but it was after the fight was over in the bathroom? You got control of him and that's when he was cuffed?

JT Correct once we were able to get him onto his stomach just outside the bathroom and I was able to secure his right hand behind his back while someone else got his left hand behind his back.

GS And once he was handcuffed did he kinda settle down then as far as resisting?

JT Yes.

GS Okay.

JT So, before we started checking for wounds on the suspect and uh his handcuffs were taken off because he had appeared to calm down.

GS Okay. So then he was eventually loaded onto ambulance gurney and transported?

JT Correct.

GS And do you know where they transported him to?

JT I believe HCMC.

GS Okay. And after he was transported did you remain at the scene?

JT I remained at the scene until uh other officers from day watch came to secure the scene and at which point I drove myself to city hall room 108.

GS Okay. How about your partner?

JT My partner sustained injuries. He had blood all over his face which would require him to have medical treatment for the blood exposure.

GS Okay.

JT And his, uniform was fully bloodied too.

GS So did he, was he transported by paramedics or by another officer or?

JT By paramedics I believe.

GS To HCMC?

JT Correct.

GS Okay. Do you know what the extent of his injuries were other than the blood exposure did he have any other injuries?

JT I'm not sure.

GS Okay.

LH Alright uh Jesse I'm gonna back you up a little bit here. I just have a few follow up questions. You said you work dog watch.

JT Correct.

LH What is the hours of dog watch?

JT It's...

LH What's your shift?

JT ...8:30 pm to 6:30 am.

LH Okay so 2030 to 0630?

JT Correct.

LH Okay and what is your um shift schedule? How many on, how many off?

JT It is a...

LH Rotation?

JT ...a consistent schedule.

LH Okay.

JT Every four weeks and that's a pay period.

LH Um-hm.

JT We have off days that could, could be placed randomly just as long as we're working on the average of forty hours a week.

LH Okay. So this day was this your first day back? Was it your second day on? Can you recall?

JT I believe this was my first day back after two days off.

LH Okay. So you were fairly well rested when you started this shift?

JT Correct.

LH Okay. Uh when you described your duty belt um do you carry a baton?

JT I don't.

LH Okay. And when you were describing your firearm the sig P220 what caliber is that?

JT .45 caliber.

LH Okay and what's the capacity of the uh handgun?

JT I have in my handgun ten rounds in the magazine and one round in the chamber. And then I have three magazines each holding eight rounds.

LH Okay. Alright and when you described your use of force um do you typically have use of force once a year?

JT Correct.

LH Okay. And have you ever missed a use of force like you said you went last year which would have been 2015?

JT Correct.

LH And you just have not had it yet in 2016?

JT Correct.

LH Okay so as far as you're aware you're up to speed and you're qualified for use of force and firearms at this point, today?

JT Yes.

LH Alright. When you, can you describe this apartment building? Is it a one, two, three level?

JT I believe it's two or three level.

LH Okay.

JT I know there's stairs that go up I don't know if there's another level up from there.

LH Okay. But it's a multi-level?

JT Yes.

LH Building, okay and when you arrived in there you said that you believed that it was apartment 2?

JT Correct.

LH Okay. And, you described hearing Raul say or the suspect say I'm gonna kill him?

JT Correct.

LH Alright and then you had, you heard Al say something to the fact that said no I can't come out. Did it sound like Al couldn't come out because he was physically being restrained or he just didn't want to come out?

JT Like he was being restrained in there.

LH Okay

JT By the suspect

LH Alright so he couldn't come out on his own free will?

JT Correct.

LH Alright. And, when he did come out when the door was breached um you said that he had a knife sticking out of his back.

JT Correct.

LH Did you see any other injuries on him?

JT My attention was drawn to the knife so I didn't get to look fully at his body but I didn't see any, any other injuries.

LH Okay. And when the door was breached or when the door was kicked in it sounded like Al was in jeopardy or his, his safety was in jeopardy?

JT Yes I still heard Al screaming like his life was in danger and I believed his life was.

LH Okay. And as a police officer you take an oath to protect the innocent people of the public?

JT Correct.

LH Okay so hearing Al say that, that'd make you feel that you needed to get in and save him?

JT Yes.

LH Okay. Go ahead.

GS Um, Jesse anything else that we didn't ask you that you want to add here?

JT Not that I can think of no.

GS Okay.

LH I just have one more question for you Jesse. Is there any video um that was taken at this incident that you're aware of either by you or your uh your partners?

JT Not that I'm aware of no.

LH Okay.

GS Uh before we end the interview here I'm gonna give you a piece of paper. And it doesn't have to be to scale but can you just draw a uh diagram of the, you know the hallway, the front door where the front door is, the hallway and basically where the apartment is and where you were.

(pause/drawing)

JT This would have been the front door of the building. This would face east. This as soon as you enter the building you have an apartment to the left here. I believe apartment 1.

GS Okay.

JT So you can enter and go to the right in this hallway or go to the left into this apartment 1. The hallway goes down this way to apartment 2. Which is where we breached, this apartment number 4 I knocked on after the scene was safe and nobody was there. And then this I believe is apartment 3.

GS Okay.

JT When we were, when contact was made with Raul I was stationed at the bottom of this staircase behind the other officers who would have been right here.

GS Okay.

JT I was behind them. As soon as we heard the victim screaming we made our way down the hallway and I was just outside the doorway here when the door was kicked in and...

GS Okay.

JT ...I saw Officer Malmberg and Robbins shooting into the bathroom here.

GS Where were they?

JT I believe they were right...

GS (inaudible)

JT ...right at the door (inaudible)

GS Right at the door?

JT (inaudible)

GS Were they stacked up or were they side by side or?

JT I don't remember.

GS Okay.

JT Inside this apartment it's the first right is this bathroom here.

GS Okay.

JT There's a tub, the toilet here and a sink. It's, first right inside this apartment as soon as the shots stopped and they moved into the bathroom I followed my partner into the bathroom and I saw Raul in the tub. I believe his legs were hanging outside the tub. And I saw some

blood on the back side of the tub. That's when I went to go try and secure him and he rose out of the tub swinging and growling.

GS Okay. Did uh have you ever had contact with Raul before this incident?

JT I don't believe so no.

GS So you, you never, never saw him before to the best of your knowledge you don't know him?

JT No.

GS Okay. Anybody else, have you ever been to a call at that address before? Do you know anybody else that lives in that apartment building?

JT I don't know anyone in that apartment building. I've been working at 3rd precinct here for, since the beginning of 2011 so it is possible that I've been to this apartment building but I don't remember.

GS Okay. So you're not familiar with the building or who lives there or if it's you know a halfway house or anything like that you, you're not familiar with that?

JT No.

GS Okay. Okay.

LH Can you sign and date that for us please.

(pause)

GS Okay nothing else you want to add, Jesse?

JT Not that I can think of.

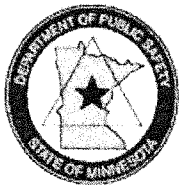
GS Okay. Robert?

RS No (inaudible)

GS Okay we're gonna end the interview and it is 11:16.

END OF RECORDING.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802

Phone: 651/793-7000 FAX: 651/793-7001 TTY: 651-282-6555

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CRIMINAL INVESTIGATION WARNING

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

ACKNOWLEDGMENT

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

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

Signature

A handwritten signature in cursive script, appearing to read "John Turner", written over a horizontal line.

Date

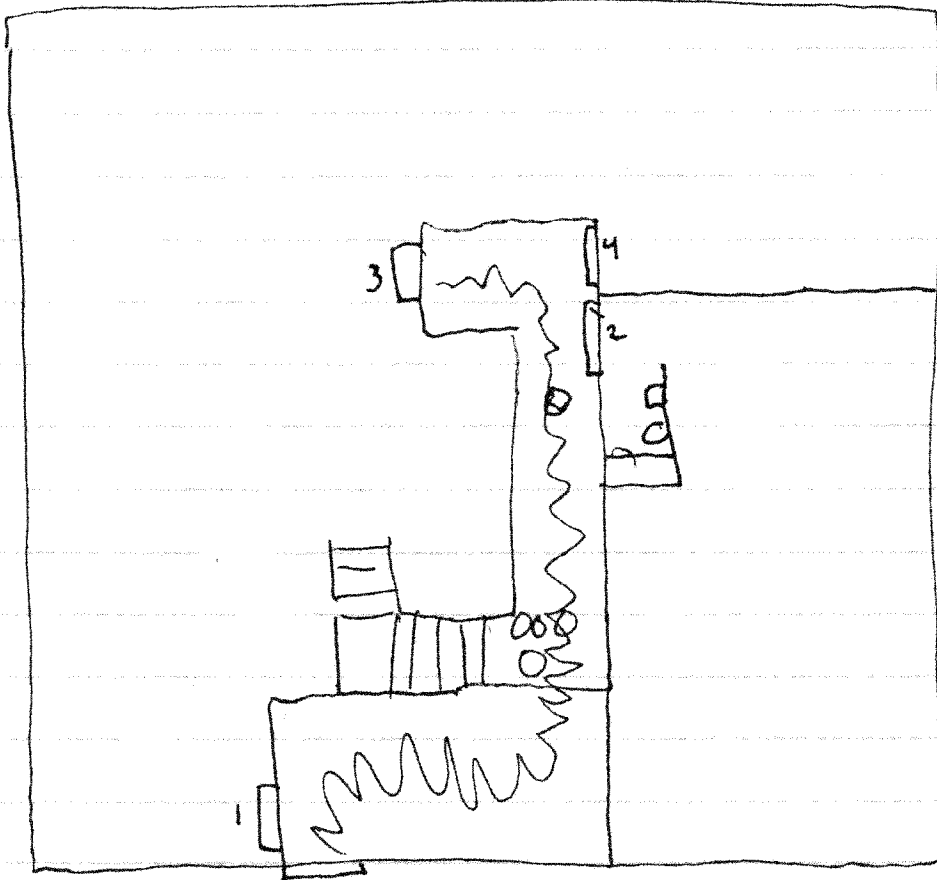
04/05/16

Witness

A handwritten signature in cursive script, appearing to read "Robert J. Smith", written over a horizontal line.

Date

04/05/16



Jean Tabeau

04/05/2016

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/12

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Digitally Recorded Interview of Lucas [REDACTED] Oachs at MPD on 04052016
Occurrence From: 04/05/2016 12:19
Occurrence To: 04/05/2016 12:55
Reporting LEO: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/15/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 5, 2016 at 1219 Hrs, MN BCA SSA Gary Swanson and SSA Luke Hanegraaf conducted a digitally recorded interview of Officer Lucas [REDACTED] Oachs at the Minneapolis Police Department 3Rd Pct. Also present was attorney Robert Sicoli representing Officer Oachs. As a result of this activity, exhibits 2016-213/12.1 and 12.2 were acquired.

Address #1 - Occurred #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Address #2 - Occurred #2 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Subject #1 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person
Bio: 59 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER

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Subject #1 - WITNESS #1 - HAIGLER, TERRY LEE - Continued

Personal Information - Continued

Glasses Type: OTHER

Scars, Marks, and Tattoos

<u>Description</u>	<u>Type</u>	<u>Body Part</u>	<u>Side</u>	<u>Location</u>
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #2 - WITNESS #2 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Subject #3 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
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Minnesota Bureau of Criminal Apprehension
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Report Date: 04/05/2016

Subject #3 - SUSPECT #1 - Heraldes, Raul Salvador Marquez - Continued

Addresses - Continued

Relationship	Address
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #4 - LAW ENFORCEMENT OFFICER #1 - Cape, Charles [REDACTED]

Primary Information

Exempt From Disclosure:	YES
Subject Name:	Cape, Charles [REDACTED]
Record Type:	Law Enforcement Official
Bio:	33 yr. old, White, Male
Birth Date:	[REDACTED]
Rank/Position:	Officer
Juvenile:	NO
LEO ID:	0971

Subject #5 - LAW ENFORCEMENT OFFICER #2 - Oachs, Lucas [REDACTED]

Primary Information

Exempt From Disclosure:	YES
Subject Name:	Oachs, Lucas [REDACTED]
Record Type:	Law Enforcement Official
Bio:	26 yr. old, White, Male
Birth Date:	[REDACTED]
Rank/Position:	Patrol Officer
Juvenile:	NO
LEO ID:	22813

Subject #6 - ATTORNEY #1 - Sicoli, Robert

Primary Information

Subject Name:	Sicoli, Robert
Record Type:	Person
Bio:	White, Male
Juvenile:	NO

Property #1 - CD containing dss file of the interview

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD containing dss file of the interview
Quantity:	1

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/12

Report Date: 04/05/2016

Property #1 - CD containing dss file of the interview - Continued

Primary Information - Continued

UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 16:41

Property #2 - Hand Drawn Diagram of the scene

Primary Information

Property Class: Evidence
Property Type: Documents
Description: Hand Drawn Diagram of the scene
Quantity: 1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/05/2016 16:41

Officers

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

Record Status Information

Record Origination Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 16:41
Last Update Operator: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/15/2016 09:11

Reporting LEO	Date	Supervisor	Date
Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 5th, 2016, at 12:19 hours, Minnesota BCA SSA Gary Swanson and SSA Luke Hanegraaf conducted a digitally recorded interview of Officer Lucas Oachs at the Minneapolis Police Department's Third Precinct in south Minneapolis. Also present during the interview was attorney Robert Sicoli representing Officer Oachs from the Legal Defense Fund.

Officer Oachs, along with his attorney were provided with a copy of the Minnesota BCA Criminal Investigations Warning Form and after they had an opportunity to go over the form, signed it and agreed to speak with agents regarding this incident.

Lucas [REDACTED] Oachs is employed by the Minneapolis Police Department as a patrol officer and has worked for Minneapolis for about a year and a half, starting November 3rd, 2014. Officer Oachs stated that he is assigned to the Minneapolis Police Third Precinct and works the "B Team" on Franklin and Chicago avenues. He described the "B Team" as being a team that works a certain area where he does not answer 9-1-1 calls but is in the area as a community policing officer to attend community meetings and have regular contact with residents and businesses in the area he is assigned to. He states he patrols both on foot and in a car.

Officer Oachs stated that he is up-to-date and qualified on his firearms and use of force training.

On April 4th, 2016, he was working an overtime shift on the dog watch or overnight shift. Officer Oachs stated that he had been partnered up with Officer Charles Cape and assigned to Squad 321.

While assigned to the overtime shift Officer Oachs stated that he was wearing a full Minneapolis Police uniform and driving a fully marked Minneapolis Police squad car. The squad he was assigned to on the night this incident took place is equipped with a video camera but there was some technical malfunction and it did not activate when he and his partner responded code 3 to the address, 2120 Minnehaha Avenue South, where this incident took place.

Officer Oachs stated that they were responding to a call of an officer needs help at 2120 Minnehaha Avenue South and were advised that there was a male there with a large knife. Upon arrival Officer Oachs stated that he saw Officer Perkins at the front door of the apartment building, and that he appeared to be holding the door shut. Oachs stated that he and his partner went around the back of the building and entered into the building through an entryway leading into Apartment # 3. They entered into Apartment # 3 through this outside exit and went over and took up a position at the doorway leading into the hallway. Officer Oachs had already been advised that Officer Perkins had seen the suspect crawling up the hallway. As Officer Oachs opened the door leading into the hallway he did not see anyone in the hallway and maintained a position at that location until other officers entered the building. Officer Oachs was eventually able to determine that the suspect had entered into Apartment # 2 and the door was closed. Oachs stated that he could see Taser lights on Apartment # 2 so he knew that other officers had entered the building through the front door. He advised other officers that he was located directly across the hallway from Apartment # 2 in the doorway of Apartment # 3.

Oachs stated that other officers entered the hallway and eventually made voice contact through the doorway with a suspect and the victim inside of the apartment. Oachs stated that Officer Malmberg started talking with the suspect and that he and Malmberg are both CIT certified. Oachs stated that protocol is to let one officer do the negotiating with the person, so he let Malmberg take the lead. Oachs stated that the suspect, later identified as Raul, advised officers through the door that he was going to kill the victim in the apartment who was later identified as Al. Negotiations continued with Raul. Al was asked if he was free to leave and come out and he said that he was not.

Raul gave officers a phone number for an individual he identified as his wife and gave several different names for his wife. Oachs stated that officers attempted to contact Raul's wife but were unsuccessful in getting her on the phone. At one point Raul even said his wife was dead and was told her name was Gloria. Oachs stated that during the conversations between Raul and officers in the hallway, Raul's voice sounded very stressed.

Oachs stated that the building manager came back into Apartment 3 through the outside exit and handed him and his partner some notes, saying that they were from the suspect. The notes stated that the suspect believed people were standing outside in a van with a rifle and they were trying to kill him. At that point Oachs believed that what they were dealing with was an emotionally disturbed person.

Several minutes later Oachs stated that he heard screams coming from the victim inside the apartment. He stated there were no discernable words, just screaming, and at that point officers decided that they needed to make entry into the apartment and believed that the victim Al was in danger.

Oachs stated that other officers started kicking the door and eventually entry was gained. Oachs stated that as the door was kicked open he looked across the hall into Apartment # 2 into the bathroom and saw the victim in a seated or crouched position with the suspect on top of him. Oachs stated he saw the suspect plunge a large knife into the victim's back. Oachs then stated he heard shots go off and he remembered seeing cartridge casings flying in front of his eyes.

Oachs stated that he was probably the fourth or fifth person into the bathroom and that the shots were fired by officers in front of him. Oachs stated that after the shots were fired he entered the bathroom along with the other officers and eventually got into the bathtub and grabbed the victim's left hand. Oachs stated that Raul then fought with officers. Oachs stated the fighting between officers and Raul was so intense that they unintentionally knocked the toilet off the mounting on the floor. Oachs stated that officers were eventually able to get Raul under control and get him handcuffed. Oachs stated that Raul was then brought out into the hallway. Once in the hallway Raul was assessed for medical needs and EMS was requested into the building. Officer Oachs stated that the suspect was still moving but was taking very deep and shallow breaths. At that point officers un-handcuffed him and EMS took over and transported him to HCMC.

Oachs stated that at no time did he fire his weapon due to the fact he was behind other officers and did not have a clear shot.

See typewritten transcript for further information on the incident at 2120 Minnehaha Avenue South, Apartment # 2.

As a result of this activity, Exhibits # 2016-213/12.1 and 12.2 were acquired. These items will remain in SSA Swanson's care, custody and control until such time as they are turned over to SA Phill who is the case agent.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:	Homicide	EXHIBIT #:	2016-213/12.1
INTERVIEW OF:	Lucas Oachs (LO)	INTERVIEWED BY:	SSA Gary Swanson (GS) SSA Luke Hanegraaf (LH)
REVIEWED BY:	SSA Gary Swanson		

GS The date is April 5th, 2016. The time is 1219 hours. This is gonna be a digitally recorded interview. Uh, being interviewed today is Lucas, L-U-, or L-U-C-A-S, [REDACTED], [REDACTED] Oachs, O-A-C-H-S. Date of birth is [REDACTED] of [REDACTED]. Interview is taking place at 3000 Minnehaha Avenue South, Minneapolis, Minnesota 55406. The phone number is 612-673-5703 and this is the 3rd precinct to the Minneapolis Police Department. Present for the interview is Minnesota Senior Special Agents Gary Swanson and Luke Hanegraaf along with uh Mister Oachs' council Robert Sicoli, S-I-C-O-L-I. Um, this is in relation to Minnesota BCA Case Number 2016-213, which is an officer involved shooting that took place on April 4th, 2016 at 2120 Minnehaha Avenue South, city of Minneapolis. Luc is everything I read into the record there as far as your contact information, is that correct?

LO Yes.

GS Okay. Um, where are you employed?

LO Minneapolis Police Department.

GS Okay and how long have you been employed as a Minneapolis Police Officer?

LO Uh, roughly a year and a half, started November 3rd.

GS Okay. Prior to turning on the tape I had you uh, um look at a BCA form that is uh called the Criminal Investigation Warning. Uh do you recall that?

LO Yes.

GS And you reviewed that form with your attorney. Is that correct?

LO Yes.

GS And you signed that form agreeing to give us this statement today. Is that correct?

LO Yes.

GS Okay. Um, in your capacity as a Minneapolis Police Officer what, what'd you, where are you assigned? What do you do?

LO I'm assigned currently 3rd precinct. I'm assigned to the, the B Team. Um, I work Franklin-Chicago area.

LH Can you describe the B Team?

LO B Team I uh my main job is I, I patrol. I got just a certain area, work Chicago-Franklin Avenue. Um, and my, kinda my duties of my job is um I don't answer prior-, or 911 calls. Um, I go to businesses, check in there. Keep it the surrounding area. Um go to community meetings. Um, and then kind a yeah anything else, just community meetings, meetin' with

residence, meet the businesses. I do take priority calls that come in my area you know if I get dispatched anywhere but.

GS Are you on foot or in a car?

LO Both.

GS Okay.

LO Both, mainly in a car and then we'll get out and walk around.

GS And what shift do you normally work?

LO 2:00 to 10:00, Monday through Friday.

GS 2:00 a, uh, 2:00 p.m.

LO Yep, 2:00 p.m., so 1400 to 2200.

GS Okay. So on uh April 4th, 2016 were you working the B Team?

LO I was not I was uh filling in for dog watch. They were short. So I was filling in for an overtime shift for them.

GS Okay. Were you working with a partner or working by yourself?

LO I was working with a partner. I was, I was assigned to squad 321 and my partner was Officer Charles Cape.

LH Can you spell that?

LO Cape?

LH Yep.

LO C-A-P-E.

LH Okay.

GS Okay. Um, when's the last time you qualified on the range?

LO I believe it was a month or two ago, (inaudible) recent.

GS So January, or February - March?

LO Yes, I believe so.

GS Okay. How bout your use of force training?

LO Um, I believe it was sometime last year. I don't remember exact month.

So sometime late 2015?

LO Yes.

GS So you're up to date on your range training and your use of force training?

LO Yes.

GS Okay. Um, calling your attention to, well first of all let's talk about your uniform. Um, describe the uniform that you wear when you are on duty.

LO Yes. So I have a, you know a standard issue boots, Under Armor boots, um polished toe, um authorized duty pant, cargo pants, um in my cargo pants, on my right side I have a chest patch that I keep in my pocket in a tourniquet. Um, my left side cargo pants I have a pocket. I have blue cards um and I believe that's it, just blue cards and then um my authorized I had a long sleeve shirt on, MPD shirt on and then underneath it was a MPD um turtle neck.

GS Okay.

LO Um, I wear an outer carrier vest so I'm, an authorized outer carrier vest with then my, my badge on the vest and my nametag, badge on the left side and nametag on the right side.

GS Okay.

LO Um, then I had my duty belt on. Um, in the front of my duty belt I have I have my mags on west side of the belt and then uh in front then I have one pair of handcuffs on the right side. Then my, my uh my duty weapon on the right, right side of my hip, right behind my duty weapon is another pair of handcuffs then go around to the left side after the mags I have my (inaudible) right next to my mag holder on the left and then had my radio a little further on my back and then mace.

GS Okay.

LO Mace on back, lower back.

GS What do you carry for a duty weapon?

LO I carry the Smith and Wesson MMP, 9 mm.

GS And how many rounds does that hold?

LO Each mag holds 17.

GS Okay.

LO And I have also one in the chamber so I have 18 in the, in the gun.

GS Okay. How many magazines do you carry?

LO I carry three.

GS Three, okay. Um do you carry a Taser?

LO I do not.

GS Okay, alright. And then describe the squad car that you were in on uh April 4th, 2016.

LO Yep. Uh the squad car I was driving was a Ford Explorer. Um, I was riding passenger at the time so we have our computer in the, in the center console and goes um lights, you got like your light controls and then you got the radio. That's all we got, side by side seats you know there's uh the back is a caged area so.

GS Does it have a video camera?

LO It does.

GS Okay. Okay. Um, calling your attention to uh early morning hours of April 4th, 2016, about 5 a.m. Where were you?

LO 5 a.m. I believe I was in, I was at the precinct.

GS Okay. And did you subsequently hear a call for service uh to go to uh 2120 Minnehaha Avenue?

LO Yes I did.

GS Okay. And who took that call?

LO Uh, I believe it was 311 and 341.

GS Okay.

LO Went on that call.

GS Okay. At some point did you have on occasion to also go to that call?

LO Yeah, I went to that call when I heard um an officer needed help. Um, actually got toned which means that they wanted us responding code 3 to the area 'cuz they need assistance. I heard one of the officers say suspect had a very large knife or something like that.

GS Okay.

LO Something about uh, big, big knife.

GS Okay.

LO So at that time, me and my partner we ran up to the address driving code 3 with sirens on and squad video.

GS Okay. When you arrive what did you find?

LO When I arrived I saw Officer Perkins at the front door of the apartment building. Um appeared he was holding on to the door. Um, and I went with his partner um around back. There was a couple officers that I can't recall who were I saw some a couple people running to the front of the building so I figured I'd go around back with Officer Perkins's partner um we went around back to apartment 3.

GS Okay.

LO Cuz there's a door that comes out to southeast side of the apartment.

GS Okay.

LO So.

GS And what happened when you got back there?

LO When I got back there I, the door was open. Um, I went, or looked in and called to see if anybody was in there. 'Cuz I could see the front door to the apartment was cracked open going into the hallway in the building. I could see it was cracked open a little bit so and I already kind a heard from Officer um Officer Perkin's partner, don't know his name right now, that the suspect was in the hallway crawling. So I was I could see that we gotta, had a better advantage to see what's was going on if we got into the apartment, so I called, the screen door was the only thing that was closed, but the front, the door to the outside was open. Um, called to see you know who lived in the apartment and uh there's nobody in there so at that time we just proceeded to go in just for safety reasons to see, see the suspect still on foot. Got in there and um checked the apartment make sure nobody, the suspect was in the apartment since the door was cracked open um checked the apartment. Nobody was in there um except for the owner's dog.

GS Okay.

LO And then um I just held that door at the hallway while we kinda got everything under control. I figure (inaudible)

GS Okay. So you're at the door, you're inside the door of apartment...

LO 3.

GS ...3?

LO Yes.

GS And the apartment that this incident took place was directly across the hall. Is that correct?

LO Yes.

GS And what apartment number was that?

LO That was apartment 2.

GS Okay. Did you maintain that position inside the doorway to apartment number 3 for a period of time?

LO I did.

GS Okay. And while you were at the position of inside the door at apartment number 3, did you have the door open or was it closed?

LO I had the door cracked open.

GS Okay.

LO I had it kinda I had my duty weapon out at the time just 'cuz of the severity of the having the guy have a knife. I believe my partner; I, he had his Taser out just kinda had both lethal and non-lethal weapons

GS Okay. From your position there what did you see? Did you see the suspect?

LO I did not see the suspect. He, I think at that time he was already in, locked in apartment 2.

GS Okay. And did you see other MP, MPD Officers there?

LO I did not. They had, I believe at that time they took cover down the hallway.

GS Okay.

LO I could see the Taser lights on the door.

GS Um-hm.

LO From other officers and I could hear them talking.

GS Okay.

LO So.

GS What happened next?

LO Next um we kind a all um trying to figure out, trying to make contact with the suspect and the family victim inside the apartment. Um, I tried to, except at that close of range I could hear but um other officers started a rapport with him already so I just keep everything nice and simple 'cuz you should have just one person talking so it doesn't create, you know chaos. Um, I just let, I believe it was Officer Malmberg start talking to him. Um, 'cuz him, Officer Malmberg and I are both CIT certified so I figured one of us should be talking to the...

GS Where was Malmberg at that point?

LO He was down the hall.

GS Okay. Was he communicating with the guy inside?

LO He was.

GS And what was being said?

LO I'm not exactly s--, remember but I'm pret--, he was asking you know he, I think he asked started asking if the victim was o--, if the victim was okay. Um, and he started trying to a dialogue to get the suspect out of the apartment, trying to you know come out with your hands up, you know drop the knife, come out here. We're gonna help you. I could hear the suspect saying multiple times that he's gonna kill, kill the victim. He said I'm gonna kill 'em, I'm gonna kill 'em. Um, and I could tell by his tone of voice that something just wasn't right with this guy. He just, just a eerie feeling with his tone of voice that you know something was, he wasn't, I don't know correct words but he just wasn't, something was going on with him that...

GS Did he sound like he was uh, emotionally disturbed person?

LO He did.

GS Okay.

LO He did, yep.

GS How, what, did you hear any other voices in the apartment?

LO At first um I believe it was Al, who's the victim. He, one of the officers like I don't know if it was Officer Malmberg or one of the officers down the hall, they asked him if he was okay. If he could come out and I believe he, he said that I couldn't come out he was holding me, something that (inaudible).

GS Okay. Did uh, did the negotiations continue then?

LO We did, yep at that time um at that time I think the officers were talk—, Officer Malmberg was talking to the suspect then. We started trying talking to him. Get, get him to come out you know peacefully and so everybody doesn't get hurt. Um, he at that time yeah he kept asking you know what's going on. Why are we, you know what's the situation here. Why are you doing this and stuff like that um and that's, I kept, right away he kept saying I'm gonna kill 'em, gonna kill 'em, um he also uh said he wanted to talk to his wife. He said a couple different names. The name that stuck out to me was Gloria. He said his wife's name was Gloria but he did mumble a couple other, it was hard to hear 'em 'cuz you know he had the door closed...

GS Um-hm.

LO I believe he was in that, in the back, (inaudible) bathroom later but um so it's kinda hard to hear 'em at first but he kept saying he wanted to talk to his wife, talk to his wife and um the officers tried to uh try to get a phone number for the wife. They tried to say you know we're gonna help you out if you come out we'll, we'll try to get a hold of your wife and make this work.

GS Um-hm.

LO I believe it was something like that um so I could hear the suspect. He gave the phone number to his wife twice. He gave, I think he, he gave one phone number and I don't know what happened with that because other officers down the hall were trying to call the wife I believe um and then they asked him to repeat the number again and he repeated the number again and that time I don't know, some, they didn't get a hold of her so at that time they started talking to the suspect again.

GS Okay.

LO And um at that time he even said that he believed his wife was dead at that time so then...

GS He ever mention his wife's name?

LO I heard Gloria. He did say a couple different, couple names and I heard, I heard him say Gloria but he was kinda, he would mumble at first, it would be hard to hear 'em and then the other, you know you'd have to ask him again what's your wife's name. I heard asked a couple times then he would get loud and say it more clearly.

GS Um-hm.

LO Um, kind a sounds like he was you know he was under stress at that point. So yeah so we finally got, tried calling his wife, you know he gave us numbers um and yeah and that after that um just started do a dialogue again and you know he'd say that his wife was dead, stuff like that which you know we thought was, I thought was very odd.

GS Um-hm.

LO 'Cuz you know I don't know the whole situation at this point and you know you want us to call your wife that's dead, you know so now I'm really thinking okay something really going on with this, this guy and you know he's telling somebody. The hostage, I could tell by his voice, very stressed, um and then now he wants us to call his supposedly dead wife.

GS Um-hm.

LO And so things weren't just adding up to us um so yeah we still tried just the other officer that was doing the initial contact, we just let him keep trying just keep the guy calm and hopefully we can this guy out. Um, I also had the landlord come back into the apartment building behind me and um 'cuz it was, it turned out that I believe the landlord's name is Terry.

GS Um-hm.

LO That lived in apartment 3 and he was the initial, he actually initially talked to the suspect first.

GS Um-hm.

LO And he handed my partner some notes saying that um you know he, he believed he saw people standing out, that guy standing outside the apartment building before we got there with a rifle, somebody, some mafia was after his wife. So now with hearing that kind of bit pieces, that was like clear this is kinda all over the place and this guy, you know clearly somethings not right with this guy. So I was thinking yeah emotionally disturbed person for sure um especially after just going through CIT training two weeks ago um and then shortly after that that's when we started hearing, we could just, I could hear this, this scream from the victim. It wasn't like a high pitch scream but it was you could tell that he was starting to get something, he was starting to get stabbed.

GS Was he saying anything or just screaming?

LO He was just screaming. I, I can, I didn't, I didn't pick up anything he was saying.

GS And this was, this was the victim?

LO This is the victim, yep. The victim you could just hear like a death scream coming out of him.

GS Okay.

LO And uh at that point I started going down to the door so did the other officers. Um the other officers, I waited 'cuz they were at the door already and they started kicking in the door. Um...

GS Who was kicking the door?

LO I believe Robins was and I only saw Robins so I don't know who else was kicking the door.

S Okay.

LO But Robins was (inaudible) kicking the door standing out front kicking the door and uh I did see Officer Malmberg and Robins go in there and then another officer went in front of me, kinda all just rushed in there and the minute we got in the door you could see right away in the bathroom right next door, the bathroom was literally right to the right of the apartment. I saw the victim was sitting or he was at least crouched and I could see the suspect on top of him and he put the knife in his back, right, right like it was around his left side or right around his back area. Um, at that time I heard the shots go off. Um, you know I, the sounds of the shots I could, you know I could it was very faint to me but I do remember seeing just the casings going in front of my eyes because probably like the fourth, forth or fifth person in the bathroom but I do remember yeah seeing the suspect with the knife and stabbing the victim in the back.

GS So the shots, the shots were fired as the officers were going in?

LO Yes.

GS So as you went into the bathroom, how, how many guys were in front of you?

LO At least two or three.

GS Okay, and the officers that were firing they were in front of you?

LO Yes, I was behind and at that point I had 'cuz I knew there were officers in front of me. I remember the one of the big things in my mind what if I shoot one of my partners in the back so I, I started dropping my weapon already and I kind a put it in my holster I believe at that time 'cuz there's so many officers in front of me and this you know the bathroom was so narrow.

GS When the shots were fired where was the, where was the stabbing victim at?

LO I believe he was I couldn't see where he was exactly sitting but he was sitting against um not the wall like that goes to the hallway but the opposite wall.

GS Okay.

LO I, and now kind a looking back and seeing the layout after I got in there um I think he was sitting on the toilet.

GS Okay.

LO 'Cuz he looked like he was crouched 'cuz I could tell the suspect was humped over 'em, standing over 'em.

GS Okay.

LO And I could see him with the knife in his back.

GS Okay. Did you see him actually stab the guy?

LO Yep.

GS Okay.

LO Um, and then co—, and then right after the shots I, I couldn't at that time it kinda became more chaotic. The, I believe the suspect fell down and then I saw the victim actually run out. We let the victim, got the victim out of there quick and I could see that he had the knife in his back still when he ran out.

GS Okay.

LO Um, and then he uh um so at that point suspect was down and um so the other officers started moving in, the three that were in there before me and then the victim somehow came you know not knowing if he got shot of not you know at that point I just know shots are fired and the suspects down and I'm assuming he was shot and the victim ran out with the knife in his back. Um, at that time he, the suspect came back and started fighting us. He came right at one of the officers, a couple of the officers started fighting, so at that time I came, I made my way in and got into the, the bathtub and I grabbed, I believe it was the victims left hand and at that time they were fighting so much that they knocked toilet out off the hinges.

GS So it's a pretty violent fight?

'LO Yes, 'cuz they were going, they were going at it 'cuz I believe the s—, you know the suspect was in the bathtub when he fell the initial time and he got up and started just going back at it and they were wrestling around in between the tub and the toilet, knocked the toilet clean off. Um, and that's when I got in there, when I knew he was still going at it and I got in there and I grabbed his left arm, get control of his left arm and I grabbed 'em at the wrist and I kinda remember if I'm not quite sure but I'm pretty sure it was a bullet hole right in his wrist and I remember grabbing it and he started you know pulling away with his arm with me already. I grabbed him. I remember just kinda did a wrist lock to get kinda control on him and I remember something happened to his left wrist, I believe it was a bullet shot and I

remember his hand started tearing and he's still fighting me. Um, and so but after a couple it must've been like seconds it felt longer than that but it um we finally, I heard Officer Stewart start giving us commands like he's gonna pull 'em towards officer, he's gonna pull 'em towards a, or himself to get him over so we can get this guy handcuffed at least. 'Cuz we don't know if he has another weapon you know we had he had the initial knife.

GS Right.

LO You know and so we don't know if he has other weapons on him still so we um just trying to get him under control and then you know so you can go from there and see if he has other weapons. You know I'm guessing he needs medical attention at that point. Um, so finally Officer Stewart came out, his voice came out and I heard that and you know he, he started giving commands. We get him pulled over onto his side 'cuz where he was handcuffed he had his back against the toilet and the wall so he was handcuffed on the front um 'cuz he would still be able to fight us.

GS Um-hm.

LO 'Cuz he was handcuffed in front. So we started pulling him over onto his stomach so we can get him handcuffed. Um, at that point we were able to get him handcuffed. Me and Officer Stewart, I believe it was, we ended up pulling him out of the bathroom 'cuz we knew we have to give this guy some kind of medical treatment. So we wanted him out of the bathroom into the hallway and just assess the situation at that time. Um, so I, we pull, me and Officer Stewart pull him out of the bathroom and that's when um we started kinda just looking him over, seeing if he did get shot or (inaudible)...

GS At that point he's already handcuffed, correct?

LO At that point he's handcuffed, yep.

GS Okay.

LO So we finally got him handcuffed and get him out. We pull 'em out of the bathroom...

GS Um-hm.

LO ...into the hallway so, so we can assess him for medical needs and uh check him for more weapons. And I remember I started searching 'em, just searching for bullets wounds or you know any other injuries and then I uh for weapons too and what I remember I actually found he a, a knife holder or like a...

GS Sheath.

LO ...sheath, yeah, he had that in the front of his pocket or it's tucked in the front of his pants and I actually just, I just grabbed that and set it down on the floor right there. Um, (inaudible) there's something else I mean I just took that out. Um, set that on the ground, pat searched 'em for the rest of it, no other, at that time um Officer Stewart was trying to see if he was breathing. I actually noticed his trachea was still moving but it was kinda deep, deep, very shallow breaths.

GS Was he saying anything at that time?

LO He was not. Um, he was still kinda moving around though. He was still kinda fighting us.

GS Um-hm.

LO So that's why we didn't un-handcuff him right away 'cuz he still, he was still fighting and he's still struggling. So we finally, we kinda realized that, with that (inaudible) little short shallow breaths that we, he needs more medical treatment and that's when we started looking for bullet wounds and Officer Stewart found one in his chest so at that point um we took the handcuffs off of 'em. I took the handcuffs off of 'em. Um, I handed the handcuffs to somebody or threw 'em, I, somebody took the handcuffs from me. Um, at that point Officer

Stewart started ripping, tearing off his shirt with his knife and that's when we found one of the bullet wounds in his chest. Um, I grab my chest patch seal and I started ripping that open and we, Officer, handed to Officer Stewart where he put it, put it on him and then we started assessing more of him and by that time I think EMS and Rescue came in to the apartment building.

GS Okay and then they took over

LO They took over yeah he started getting care to him so

GS Between the time that you got to the door in apartment 3 and the shots were fired how long of a timespan do you think that was?

LO You know probably like a minute or two. It wasn't very long um we, we did take several time trying you know trying to talk to him as much as we could um but he was just so agitated and you know just like I said before (inaudible) his voice.

GS Um-hm.

LO I just I fig I was I figured that he was either gonna start stabbing the vic, killing the victim or he was gonna (inaudible) at us and me being so close you know I was not in, yeah I don't know. Or the hallways but it was, I was, well in striking distance if he started running...

GS Um-hm.

LO ...at us so, I, I just had that (inaudible) when, when I was just listening to him talking. He's, he was gonna do something more than just kinda come out peacefully.

GS Um-hm.

LO And so but it was yeah, they had a decent dialogue goin' (inaudible) I think it was, it wasn't super long but it was probably couple minutes and then um, and then yeah, we just started, we could just hear that you know, that screaming from the victim.

GS And that's when you guys went in right?

LO That's, yeah, we, we tried to hold off as long, you know we tried, (inaudible) think (inaudible) I heard somebody ask for a nego-, negotiator to come in. Um, I know we all had pulled out our taser you know we always had our lethal and non-lethal coverage. At least on my end too and I could see the taser lights at some point at the door. Um, from the other side, but I don't who, who, had their taser out (inaudible).

GS Um-hm.

LO Um yeah, so we, yeah, I know somebody asked for a negosh, negotiator, um, I believe one of, Sergeant (inaudible) came in to the, to uh, apartment 3, at one point just to kinda see the layout while we were talking and then she left, talked to the other officers so.

GS Okay. Um, have you ever been called to this apartment before?

LO I believe I have. It's been awhile, but I, I believe I have been there.

GS Have you ever had previous contact with either the suspect in this case or the victim?

LO No.

GS Any previous contact with any of the other people that were there?

LO I, I talk, I know I've talked to the landlord before (inaudible).

GS Where was he, where was, where was the, the manager uh, you were in his apartment. Where was he when all this was goin' down?

LO He left, but he wasn't in there when I first got (inaudible) like I said I we were tryin', I, I before I went in I asked who, if anybody was in here. And he wasn't in there at first, but uh, after we

cleared that apartment building I was holding that doorway for the, in the hallway, he did come in, like I said, he came in and he started talking to my partner and um, and (inaudible) and um, Officer Perkins' partner behind me. And that's when I kinda heard that (inaudible) right away, 'cuz apparently the landlord talked to the suspect before we even got there. He was tryin' ta get him out of the apartment and that's when he (inaudible) he handed, I believe he handed my partner or one of the other, the other officer, uh, those notes that he wrote down.

GS The notes that the suspect wrote down.

LO Yes.

GS Who, who, who called 9-1-1? Did you ever find out?

LO I believe the landlord said he did.

GS The landlord?

LO Yup.

GS Okay.

LO 'Cuz I think after he uh, initially, 'cuz I went back and talked to him after everything was kinda uh, you know while everyone's goin' (inaudible) the situation was under control, went back to him (inaudible) and he yeah, he said he called 9-1-1 uh, when he, he went initially (inaudible) get the guy out of the apartment, 'cuz he, he couldn't be for some reason, I don't know why but um, went back in he, that's when he heard uh, the suspect tell 'em that somebody's outside with a rifle and somebody's in a car watchin' 'em, (inaudible) somethin' about the Mafia killin' his family um, (inaudible) he said at that time he realized somethin's not right with this guy.

GS Um-hm.

LO And that's when he called.

GS Okay. Um, anything that we didn't ask ya that you think is important here?

LO Well, I don't think so, I, you know I just you know just I could hear 'em say like he wanted to kill this guy. And then...

GS What do you, what do you think woulda happened if you guys wouldn't a went in there?

LO I think he would've killed the victim.

GS Okay.

LO He, he was clearly startin' ta, you know when I went in there, I saw him stabbin' him already.

GS Um-hm.

LO You know the victim would...

GS How many times did he stab 'em that you saw?

LO (inaudible) I think it was like just one or two.

GS Okay.

LO (inaudible)

GS How far was, uh, can you describe that knife?

LO You know I, I believe it, it's just (inaudible) I could tell it was just long, a big knife. Um, I, yeah I can't really tell the handle really 'cuz I, I just remember seeing the shininess you know. And I don't know how long, how, how deep he stabbed him either and, so I'm guessin' it was...

GS But it was stickin' in his back...

LO Yeah.

GS ...right?

LO Yup. And I remember pullin' that sheath out of his pocket, and you know it was pretty, couple inches.

GS Um-hm.

LO You know it would've been a pretty decent knife that would be stickin' in there so.

LH So compared to a like, folding knife that you'd carry in your pocket for everyday use is this knife considerably larger?

LO I believe so.

LH Okay.

LO I believe it was.

LH All right. And you described that the Ford Explorer that you arrived in had video. Was that video on or off?

LO I believe it was 'cuz you know usually we, by policy we gotta turn it (inaudible) when we got the lights and sirens on. Not a hundred percent sure 'cuz at that point we, I mean one of our officers needed help so we just went.

LH Okay.

LO Um, and I wasn't driving so I don't know. I don't control the lights at that point. I believe the video was on but...

LH What unit number is that, that squad then?

LO I believe it's 321, um, and I believe the P number's 7-6-7-5-6

LH 76 what?

LO 7-6-7-5-6.

LH Okay.

LO I believe that's...

GS So this video camera whether it was rolling or not rolling, when you arrived at the apartment building, would that show any of the incident?

LO I do not believe so.

GS How about audio? Would it record the audio?

LO I don't think so. Unless (inaudible)
(inaudible, speaking over each other)

LO I don't know if my partner had it on him or not.

LH Okay. All right. And when you heard the interaction between Malmberg and the parties inside Apartment 2, could you distinguish if there were, there were two different parties?

LO I did, yup. Uh, 'cuz I believe he was talkin' to (inaudible) 'cuz I remember him saying Al are you okay? And that's I could hear yeah it was a definitely different voice. Um, and that's when yeah, Al said something that he was holdin' him down, or holdin' him in there. He couldn't, couldn't come out 'cuz I think, it was some kinda question (inaudible) can you come out Al, (inaudible) you know and he said he couldn't come out 'cuz he was being held there.

LH Okay. And you described the landlord when you were in his apartment, number 3?
LO Yeah, um...
LH That he at some point was inside that apartment with you.
LO (inaudible)

LH Did he come through the hallway or did...

LO No.

LH ...he come through the window?

LO He, he came (inaudible) that outside door that we came in.

LH Okay.

LO (inaudible) apartment has an, an outside door to, up (inaudible) outside the, the apartment.

LH Okay.

LO So he came in, he came back into his apartment.

LH All right.

LO On the outside.

LH And just so I'm clear, about these notes, did the landlord write this note or...?

LO No, this (inaudible) the landlord told us that the suspect gave him these notes.

LH Okay. And do you know where those notes went?

LO I believe they, they got property inventoried. I think my partner had it.

LH They on yellow paper?

LO Yes.

LH Okay.

LO Yup.

LH All right. Is there any video that you are aware of Luke, that was taken of this?

LO I do not believe so.

LH Okay.

LO Unless he had cameras or somethin' in the hallway but I (inaudible).

GS But none of the MPD guys...

LO No.

GS ...had any video?

LO I don't, I don't think so.

GS Nobody recorded it with their cell phone or?

LO No. No.

LH I'm gonna give you a piece of paper here, um, can you just draw us a, it doesn't have to be a scale, just a diagram of the apartment, the hallway, where you were in the building and just kinda so we can get an idea of...

LO Yeah. So (inaudible) the front door. Um, Officer Perkins was at the front of the door. This, this is (inaudible) Apartment 3. From the outside. So Apartment 3's right here. Um, so I believe I can see (inaudible) afterwards but there's a hallway here, and this is where Apartment 2, I believe was Apartment 4, is right here. This would be Apartment 2. Um, and (inaudible) that's kinda, (inaudible). I was directly, (inaudible) take that out, I was directly, this would be the door right here for Apartment 3. So I was directly straight across.

GS Okay. So from you, where you were at, you could see right at, into the door if it would've been open.

LO Yes.

GS Okay.

LO The door was definitely closed.

GS Okay.

LO Um, and then, (inaudible)

GS Yeah, if you can.

LO So I remember yup, we came in, the bathroom was literally right here. And there, I believe there's, it looked like it opened up...

GS (inaudible)

LO ...as you go back there, (inaudible) it opened up ta some other living room or (inaudible) so. Tub was right here, I believe it was the toilet and then the vanity.

GS Okay.

LO So.

GS Okay. Can you date that and, and sign it?

LO Yeah.

GS And maybe put uh, where north is or somethin' so.

LO Okay. Want me to draw ya a better one now?

GS No, that's good.

LO Um, north and.

GS Okay. Anything uh, anything you wanna add that we didn't ask ya?

LO No, I think it's pretty good.

GS Okay. Bob you got anything?

?? No.

GS We're gonna end the interview. It is is 12:55.

End of Recording

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802

Phone: 651/793-7000 FAX: 651/793-7001 TTY: 651-282-6555

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

CRIMINAL INVESTIGATION WARNING

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

ACKNOWLEDGMENT

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

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

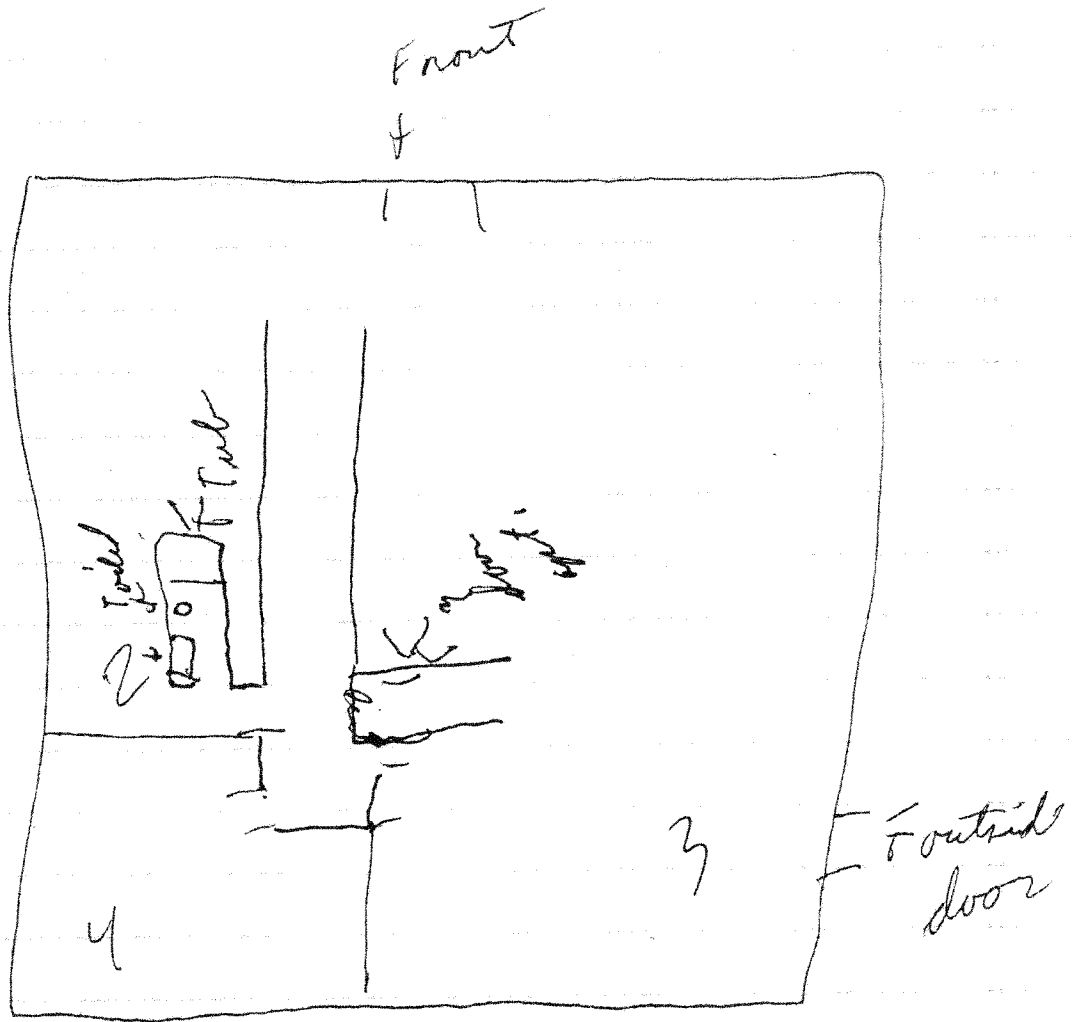
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4-5-16
Pete O'Neil

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/13

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Lt. Mike Fossum - statement
Occurrence From: 04/05/2016 10:24
Occurrence To: 04/05/2016 10:51
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: PRITZLAFF, Mike (Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

Minneapolis Police Lt. Mike Fossum statement obtained by SA Olson. Item 13.1 (Audio CD statement) received by virtue of this report.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #1 - WITNESS #1 - Fossum, Michael

Primary Information

Exempt From Disclosure: YES
Subject Name: Fossum, Michael
Record Type: Law Enforcement Official
Bio: White, Male
Email: Michael.fossum@minneapolismn.gov
Rank/Position: Lieutenant
Juvenile: NO

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/13

Report Date: 04/05/2016

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez - Continued

Personal Information - Continued

Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Audio CD - Lt. Mike Fossum statement

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Audio CD - Lt. Mike Fossum statement
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/05/2016 00:00

Record Status Information

Record Origination Operator:	OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/05/2016 16:48
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/13/2016 11:59

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 05, 2016, SA's Olson and Pritzlaff obtained an audio statement from Lt. Mike Fossum. The statement occurred at Minneapolis Police Department, Pct. 3. No one else was present during the statement. The statement began at about 1024 hours and concluded at about 1051 hours. A copy of the statement transcription has been attached with this report. SA Olson transferred the digital audio to CD (item 13.1) for safekeeping and preservation.

Lt. Fossum indicated he responded to the scene after hearing Officer Perkins call for additional squads. Lt. Fossum reported when he arrived on scene he observed several officers on the perimeter of the apartment building. He reported he was allowed access into the building (2120 Minnehaha Ave) by Sgt. Rivard and briefed on the call by Officer Perkins. Lt. Fossum guessed there were about nine uniformed officers in the main level hallway outside apartment 2 (Coleman).

Lt. Fossum reported Officer Eric Malmberg had repeatedly tried negotiating with the suspect (later identified as Raul Heraldes) without success. Lt. Fossum said both he and Sgt. Greaves (see MPD supplemental 15) repeatedly attempted to contact Heraldes' wife without success. Lt. Fossum reported the suspect eventually quit communicating and became quite immediately before they heard a struggle from within the apartment. Lt. Fossum described hearing a scream and he instructed the uniformed officers to kick in the door. After officer's breached the door Lt. Fossum heard several rounds being fired.

Lt. Fossum indicated he did not see the incident from where he was positioned in the hallway.

End report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Lt. Mike Fossum (MF)	INTERVIEWED BY:	SA Christopher Olson (CO) SA Michael Pritzlaff (MP)
REVIEWED BY:			

CO The following is a taped statement between uh myself Chris Olson. Uh the statement is being taken at the 3rd precinct in Minneapolis, 3000 Minnehaha Avenue. This is in regards to BCA case number 216-, correction 2016-213. The time is 1024 hours. Also present during the interview is uh Special Agent Mike Pritzlaff and Lieutenant Mike Fossum, F-O-S-S-U-M. Badge number 2072. Mike uh you were present yesterday uh for an event that occurred in the early morning hours uh off of Minnehaha Avenue is that correct?

MF Yes.

CO Okay. And that's your understanding of why you're being interviewed is because of the officer involved shooting is that right?

MF Yes.

CO Alright and this is a voluntary interview you understand that?

MF Yes.

CO Okay. Specifically um I'm gonna ask you about some details and, and what you observed but before we get into that we're gonna ask you some questions about uh, uh you and your training. What year did you start with Minneapolis PD?

MF The date I started was uh January 6th, 1986.

CO Okay. And you've been continuously employed with Minneapolis uh from that date forward?

MF Yes.

CO Okay. Did you have any other law enforcement positions prior to that?

MF Yes I was a uh officer with the federal protective service.

CO Okay. And approximate dates of that?

MF Well the end date was 1-5 of 86 and the start date was approximately uh 4-1-84.

CO Okay. And uh any other uh past law enforcement experience?

MF Spent uh two years at, at as a veterans administration police officer.

CO Okay.

MF To coincide with the starting date at the federal protective service and running two years previously um 19...

CO 82?

MF ...82 I started.

CO Okay.

MF And before that I was in the US, US Army as a military police officer.

CO Alright uh your POST number sir?

MF 8991.

MP I just uh found (inaudible)

CO Um...

MP (inaudible) but you started in the system a lot sooner than I (inaudible)

CO I don't have the Minneapolis case file number do you have that handy?

MF Yeah it's uh 16, 116598

CO So what I'm gonna have you do Lieutenant is um just articulate uh what your role was in this response to this call yesterday morning. Um, and then I'll probably take some notes and maybe ask you some follow up questions uh...

MF Okay.

CO ...so if you could just start articulating to me what your role, role was and what your observations were.

MF Well my normal hours are from 5:30 to 3:30 p.m. Yesterday morning on the 4th I came in at approximately 5:15 a.m. and at approximately five minutes later I was listening to the radio and an officer needs help came out at uh 2120 Minnehaha Avenue South. And I heard the officer, Officer Perkins come on the air and state that, he needed some assistance because he uh just encountered a male with a knife inside that uh dwelling. And finished getting dressed and jumped in the car. Didn't have a chance to sign on yet. I drove approximately a mile and a half to the address where several other officers were maintaining a uh perimeter on the outside. And I went to the front door and I was let in by Sergeant Rivard and I saw approximately nine other officers in the hallway. And I was briefed by Officer Perkins who told me that he had responded to the call with his partner and that he was at the front door when he was encountered by a Hispanic male and he told the male to show him his hands and at that point the male at some point the male produced a knife, a large knife and threatened the officer with it. So Officer Perkins slammed the front door cuz the door opens from the inside outward. He slammed the front door on the suspect so he wouldn't get at the officer.

CO Okay. So just to clarify is this the door to the building or a specific apartment?

MF The, the building.

CO Okay I understand.

MF It's the exterior, door to the building the front door which is located on the east side of the building.

CO Okay.

MP Would diagraming it help? Illustrate (inaudible)

CO Well it's (inaudible) we'll get to that in a minute maybe but um so uh he provided that briefing. And so when you talked to him that door was closed?

MF It was closed and locked I had to, someone had to let me in from the inside. Sergeant Rivard let me in from the outside.

CO Okay. Um, and you said nine officers. Were those nine officers interior hallway or were they uh around the exterior of the building? Uh roughly.

MF There were, there were nine that I saw approximately nine inside the hallway.

CO Okay.

MF And there were other officers that I didn't encounter but I knew they were out...

CO On the perimeter?

MF ...on the perimeter.

CO Okay. Uh what happened next?

MF So I told Off, Officer Perkins that now we have at least an assault on a police officer. And he said yes. So I got inside the hallway and immediately to the left is apartment 1.

CO Um-hm.

MF And I was told by Sergeant uh Rivard that the suspect had been initially in apartment 1 with another Hispanic male. And that when Officer Perkins and his partner showed up on a unwanted party call the uh suspect had threatened them with a knife. She repeated what Officer Perkins had told me and that the suspect then after having the door slammed on him had retreated down the hallway and entered apartment 2 which was, just um down the hallway and it was the first apartment on your right that you would encounter.

CO Okay. Is it on the west end of the building as opposed to the east end or?

MF It's going towards the west end of the building.

CO Okay. Uh go on.

MF And the suspect then had gained entry into apartment 2 and was holding a male hostage with a knife.

CO Okay.

MF And while she was telling me this I heard uh one of the officers negotiating with the suspect who was inside apartment 2. I heard his voice coming from the apartment.

CO Do you remember which officer was negotiating? Do you know who that was?

MF Yes it was um, it was Officer he doesn't work on my shift so, it was Eric Malmberg.

CO Okay. Do you, can you recall any commands or statements that Malmberg was making? Uh through the door. Do you recall what he was saying?

MF Repeated at least a dozen times come on out let's talk about this, come on out. And the voice the male voice that I heard in apartment 2 was uh was stating that um I want you to call my wife, I want you to call my wife. And eventually the sus and or Officer Malmberg said what's her telephone number. And then uh began to tell us a telephone number that was, [REDACTED].

CO Okay.

MF And so both Sergeant Grieves and I used our cell phones to call that number to see if we could get hold of somebody at that, number but we both received voicemail. And then while this was happening the negotiation was continuing between Malmberg and, and the suspect. And then um then the suspect said that his wife had been killed by the Mexican mafia. And then Officer Malmberg said how can we call her then if she's been killed already. And um he just kept on repeating that he wanted us to get a hold of his wife. And then he kept on saying that now she was dead and the Mexican mafia is responsible for it. Just not making any sense at all. And making, really no headway the only thing he was doing was, continuing his verbal dialogue but he was not making he was not making any sense in what he was saying in his demands. And he wasn't asking for anything else but to talk to his wife. But then he said his wife was dead.

CO So, he was uh somewhat uh he was responsive but a little bit incoherent is that a, an accurate assessment or I mean he was...

MF Yes.

CO ...it just, okay. Um was, did you hear any other voices besides uh the suspect in this case? Did you hear any voices from uh the occupant of that apartment 2?

MF Not until the end. Um I was there for approximately ten minutes while this back and forth negotiation was going on. And then, the suspect became quiet he wouldn't, he didn't respond anymore to uh Officer Malmberg. And then uh I heard signs of a struggle from within the apartment. And then I heard a, another male scream, a different voice scream. And so I told the officers to kick in the door. And then Officer Malmberg was the first at the door and then his partner Robins was right behind him. And then Officer uh Josh Stewart he ran to the door too and since the narrow, the hallway was so narrow...

CO Um-hm.

MF ...they couldn't get a, a good kick in from the front so they had to do like a donkey kick the door and that took five or six kicks from Officer Stewart and uh I believe Malmberg also was kicking the door too from an angle. And then after the door gave in the door opened from the hallway inside. And after the door um was kicked in Officer Malmberg and Officer uh Robins entered the apartment and within, two seconds of their entering the apartment I heard gunfire. Several rounds being fired.

CO Okay. And uh as the door or the donkey kicks were going on were there verbal commands that you recall uh from law enforcement uh any, if you don't recall that's fine but

MF Just I just kept on hearing screaming.

CO Okay. So it was an urgent situation?

MF Yeah.

CO It was, exigent and in your estimation uh this had to be done?

MF Yes.

CO Okay. You heard uh you said about two seconds roughly from the time the door was breached until uh you heard gunfire?

MF Yes.

CO Do, were you able to visually observe anything inside the apartment? I mean uh you could hear it obviously but could you see anything about who was standing where or uh the position of either the decedent or the victim or the officers?

MF Well when the door was breached Officer Malmberg entered the doorway and he was facing me down the hallway but inside the apartment. And his, his partner Officer Robins was standing adjacent to Officer Malmberg with his body closest to the hallway. So Malmberg was more he was inside the apartment and Robins was more towards the hallway because uh soon as you kick in the door I found out later to the immediate right is a uh small bathroom.

CO Right.

MF So you were able to uh both officers were able to get into position, firing towards the bathroom.

CO Okay. So it's in the bathroom as, as you're looking at the door at a right angle it's kind of at a forty-five degree angle kinda looking in, I mean it's real close to the front door.

MF Yes.

CO As you, um what happened after the shots were fired?

MF At that point I entered the apartment and, the victim came out immediately out of the apartment. He was covered with blood. I knew he had been assaulted and someone escorted him to the ambulance.

CO Okay.

MF And I went in to the apartment 2 and there were four officers in there Malmberg, Robins, Stewart and I believe Officer Trebesch were in there and the suspect was actively fighting and resisting with the officers.

CO And was this occurring in the bathroom or was this occurring in the hallway or...

MF In the bathroom. Actually in the tub.

CO Okay. Alright. And it's a small confined space were all four officers in that confined space with uh, the suspect?

MF Yes in fact the toilet got knocked off its moorings.

CO Okay. Uh was there any additional gunfire after that first uh first burst?

MF No.

CO Okay. Uh, dis uh were you standing then were you observing this uh struggle going on between the four officers and the uh decedent or the suspect?

MF Yes briefly and, I wanted to clear the rest of the apartment I had no idea if anybody else was inside so uh Off, Officer Cape and I we knew that the officers had there were four officers in the bathroom there was no room for anybody else, they should have him contained. So Officer Cape and I ended up clearing the rest of the apartment which turned out to be a one bedroom apartment. Uh we went to the bedroom, there was a open window and a chair next to it. And but otherwise there was nobody else in the apartment.

CO Okay. At some point uh the suspect was uh handcuffed or how did this culminate? How did this come to an end?

MF After we cleared the apartment I went back and they were still struggling with the um suspect in the bathroom. But now he was kind of, winding down a little bit he wasn't struggling as much. And they brought him out to the hallway and they laid him down in the hallway. Then they handcuffed him cuz he was still, moving around a little bit. After the handcuffs got on him he started to slow down and then his resistance stopped. And at that point he was un-handcuffed and within sixty seconds the ambulance crew came in and started to administer medical aid.

CO Okay. Was this uh, I wasn't there and you're my first interview. Was this a load and go or did they spend a fair amount of time uh with you know life saving measures or how, how long did uh he stay in that environment before he was transported?

MF After the paramedics got there it was a, it was a load and go.

CO Okay. Alright.

MF Cuz, I heard one of the well I saw at least one gunshot wound in the middle of his chest.

CO Okay.

MF And then,

CO Do you have any recollection of how many rounds were fired?

MF No it's, you know more than four. I, I wasn't counting 'em it was just, in rapid su, rapid succession.

CO Okay. Uh do you have any information uh or did you have any information immediately about any injuries sustained by officers?

MF I saw that Officer uh Stewart was covered in blood.

CO Okay.

MF And I did take some photographs and put 'em onto a CD which I later gave to uh one of your special agents your supervisor special agent.

CO Okay. That was Mueller?

MF Yes.

CO Do you remember, shorter guy? Okay. Um...

MF To his boss (inaudible)

CO Okay.

MF And then uh I took several interior photos of the uh the bathroom area which was also on the CD.

CO Okay. What is your uh what is your squad number? Your call number on the radio.

MF 3301.

CO Okay. Uh...

MF Since I wasn't sign, I mean this is our visinet report.

CO Um-hm.

MF And it lists all the squads that were, at the location but since I was not signed on, my name and squad number does not appear.

CO Okay.

MF But uh on page 2 it, my call sign appears after I notified dispatch that it was an officer involved shooting.

CO Okay. Alright (inaudible) log on or did they log on for you or how did that,

MF I called out at the scene when I first got there but...

CO Okay

MF ...it uh they didn't...

CO Okay

MF ...(inaudible) me out there but uh...

CO Okay.

MF I was never logged on.

CO Okay. And just to clarify uh there was a fair amount of officers present when you arrived so this had been going on for, probably how many minutes prior to your arrival?

MF Ten, ten minutes.

CO Okay. And then what was the time duration after you arrived uh, between the door being breached?

MF It seemed like a long time approximately ten to fifteen minutes the...

CO Okay.

MF ...negotiation was going on.

CO So in total from the, the dispatch time, the arrival time this, this lasted uh roughly twenty to thirty minutes. Is that accurate?

MF Yes.

CO Okay. Um, was there anything remarkable uh from your years of law enforcement uh and training uh was there anything remarkable in your estimation about this person uh who eventually got shot I mean was he experiencing a, a psychotic episode? Was it a more of a drug inducing? Do you have any opinions on that? Uh, I don't want you to speculate what was wrong with him but I just want you to describe his behavior as well as you can if you can articulate his behavior and...

MF Extremely odd, one minute he's negotiating, talking to us uh giving us information about his wife and then the next second he's saying that she's dead. And then he briefly stops talking and then a then he starts assaulting the victim. Usually it doesn't go from, from zero to a hundred that fast you know usually a wind down period before someone acts in a violent way like that.

CO Did the uh suspect did you folks have his name as you were talking to him? Did you, did anyone referring to him by name?

MF Yeah Raul.

CO Okay. And do you know if uh did anyone at the scene have any information about whether Raul knew the victim? Uh was the victim able to communicate anything uh during the time that he was barricaded in that apartment?

MF No.

CO Okay so the first time you heard from the victim was screaming?

MF Yes.

CO Okay. Alright. Did he indicate uh when he was negotiating with the uniformed officers outside did uh the suspect indicate uh that there were other people in the apartment? Somehow you guys knew that there were, other people in that apartment. Or didn't you, maybe

MF Yeah we knew cuz the caretaker had told us that the uh apartment was occupied.

CO Okay.

MF And then when I arrived there they had been talking to him at least, five minutes and I was told by an officer at the scene Offic, or Sergeant Rivard and Officer Perkins that he was holding a male hostage inside.

CO Okay. Alright. Do you know if any officers were outside the building and I, I can't recall right now where that window is, relation to the ground level were there officers able to see into the apartment at all?

MF Yes.

CO Okay. And uh do you recall anything about their observations or what was communicated to you?

MF I know Officer Grout told me that he saw the entry and he was in a position to see the entry from the outside.

CO Okay. Alright. I've learned that somebody that one of the occupants of that apartment left through a window. Um did you become aware of that at any point or after the fact or is the first you're hearing of it?

MF No I heard shortly after the suspect was transported that a male had jumped out, left his shoes and um...

CO Okay.

MF ...jacket behind and he asked that we, retrieve the items from inside apartment 2 to give to him cuz he didn't have anything to...

CO Okay.

MF ...keep warm.

CO So that person was in a, police care and uh...

MF Yes.

CO ...uh being looked after.

MF Yes.

CO Okay. Mike?

MP Rivard, Sergeant Rivard is that what you're saying that was briefing you on things?

MF Yes.

MP How are you spell it, E, R-E...

MF R-I-V-A-R-D.

MP Say that again.

MF Her first name is Deanna.

MP R, R-I-V...

MF R-I-V-A-R-D

MP Okay.

MF And anoth, there was another Sergeant inside uh Sergeant Charles Grieves.

MP Okay.

MF He was standing in front of me initially and then he went outside prior to the entry and he was, briefing me too about basically what Sergeant Rivard and Officer Perkins had told me.

MP And you had mentioned you had taken some photos. How, how did you take those photos? Phone?

MF I phone.

MP Your I phone? Issued by the department?

MF Yes.

MP Or is it your own? Okay. Um are you aware of any audio or other video recordings that might have been made either by yourself other than the photos you mentioned or heard of any others that may have taken any? During, before or after the whole situation.

MF No, nobody inside had a body cam.

MP Okay.

MF Nobody had a, personal camera or department camera.

CO So you don't have any information about any further documentation beyond what you had done at the scene?

MF No.

CO Okay. Uh is this a decedent ah someone that was known to you or any other uh officers um that you know of?

MF (no audible response)

CO This Raul, was he a, a frequent flyer? Was...

MF Never heard of him.

CO Okay. Alright.

MF Weren't even, when I saw him I didn't recognize him either.

CO Okay. Alright. Have you heard uh from any other involved officers uh whether or not he was known to the 3rd precinct officers or, do you know if anyone at the scene knew this guy?

MF No the only, thing close to that was Officer Perkins said later after the suspect was taken away that they had, he was around when a call was entered at 38th and Portland earlier that night about some delusional male stating that uh wanting to check on his, on his wife.

CO Okay.

MF And they didn't give the exact address just the area of 38th and Portland and squads were dispatched to the area and couldn't make any contact with anybody in distress.

CO Okay. Alright.

MF Turns out later his wife lives at 38th and Portland and probably was calling her constantly all night and she's alive and well.

CO Okay. Alright.

MP So from your recollections Officer Malmberg and Robins that actually fired at the suspect?

MF Yes.

MP When they entered. Are you aware of any other officers that may have discharged their weapon or were involved in shooting at the suspect?

MF No.

MP Okay.

MF And then after the, deceased was taken out I, I had uh Officer Grieves take uh Malmberg back to the station. And then Officer Rivard accompanied uh Robins down to the hospital cuz I had found out that he had uh injured his hand during the, subduing process after the shooting.

CO Okay. As a, a did you give them any instructions in terms of uh, uh your role as a supervisor in terms of a critical incident um who to talk to who not to talk to? Uh anything like that or is this, anything that any conversations they had or whether they should have is that your one of your responsibilities?

MF Yes we're supposed to assign a supervisor to each involved officer.

CO Okay.

MF And the supervisors know to not to ask questions and to keep 'em...

CO Okay

MF ...segregated.

CO Alright.

MP And the purpose is just to have that supervisor with them throughout the process whether they're getting medical care or coming back here or you just have somebody assigned to them to kind of be with 'em at all times?

MF Yes.

CO And who was assigned to Robins?

MF Officer Rivard or Sergeant Rivard went down to the hospital with him.

CO Okay, alright. Alright I have no further questions. Mike?

MP The only thing, when the door is opened does it open towards the bathroom or did it open the other way?

MF It opened, away from the bathroom.

MP Okay so it opened this way and the bathroom was off to the right? Immediate right.

MF Yeah.

MP Okay.

CO Alright do you have anything else that we haven't covered that's important or relevant to this that you think is important?

MF No. Otherwise you know the officers did an outstanding job there and uh saved that person's life. I think that if they would have waited even thirty seconds more we woulda had a homicide.

CO Yeah maybe it sounds like even, couple seconds...

MF Yeah.

CO ...more so uh I, the suspect or I'm sorry the victim in this thing was uh badly injured was escorted to an ambulance. Um do you know where the knife was uh where the, the instrument that Raul the weapon he had do you know where that was? Uh, did you keep track of that? Did you see it at the scene? Do you know if a...

MF It was in his back.

CO Okay.

MF The victims back.

CO Alright.

MF It's, that's why we didn't...

CO And you observed that, knife in his...

MF I, well I saw the victim covered with blood and it's a darkened hallway.

CO Okay.

MF And then he walked by me to get to the ambulance.

CO And you learned later that there was a knife...

MF Yeah.

CO ...in his back?

MF Yeah.

CO Okay, alright. Alright we'll end this statement now the time is 1051 hours.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/14

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Charles Cape - statement
Occurrence From: 04/05/2016 11:32
Occurrence To: 04/05/2016 11:51
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: PRITZLAFF, Mike (Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

Statement of Minneapolis Police Officer Charles Cape. Item 14.1 (audio CD - statement) obtained by virtue of this report.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S, MPLS, Minnesota 55406

Subject #1 - WITNESS #1 - Cape, Charles

Primary Information

Exempt From Disclosure: YES
Subject Name: Cape, Charles
Record Type: Law Enforcement Official
Bio: 33 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO
LEO ID: 0971

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/14

Report Date: 04/05/2016

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez - Continued

Personal Information - Continued

Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Audio CD - Officer Charles Cape

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Audio CD - Officer Charles Cape
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/05/2016 00:00

Officers

LEO
Fitch, Cory (Officer / Minneapolis Police Department)

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 17:22
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/13/2016 12:00

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 05, 2016, SA's Olson and Pritzlaff obtained an audio statement from Officer Charles Cape. The statement occurred at the Minneapolis Police Department 3rd Pct. Also present during the statement was union representative Officer Cory Fitch. The statement occurred at about 1132 hours and concluded at about 1151 hours. SA Olson later transferred the digital data from the recorder to CD (item 14.1) for safekeeping and preservation. A copy of the statement transcript has been attached with this report (refer to statement for details).

Officer Cape indicated he (with Officer Oachs) responded to this call after monitoring Officer Perkins requesting additional squads to the scene (2120 Minnehaha Ave). He indicated he responded Code 3, but did not recall if he turned his squad camera off after arriving at the scene. Officer Cape reported he gained access to the building through the apartment manager's entrance (not front entrance) and were able to observe apartment 2 from behind the manager's hallway door. He reported he believed Officer Perkins was positioned near the front entrance to the building (east facing).

Officer Cape monitored Officer Malmberg repeatedly and over the course of several minutes attempt to gain compliance from the suspect, Raul Heraldes, without success. He described Heraldes' voice as agitated. Officer Cape indicated his partner Officer Oachs had his firearm out and at the ready while he stood behind Officer Oachs with his Taser. Officer Cape reported hearing the victim screams and observed Officer Malmberg and Robins kick down the door. He reported watching the victim flee from the scene and observed Officer's Malmberg and Robins (and other uniformed officers) fighting with the suspect inside the bathroom adjacent to the front apartment entrance. He reported hearing gunshots, but indicated that neither he nor Officer Oachs fired their weapons.

Officer Cape reported he and Lt. Fossum cleared the apartment before returning to the front apartment entrance where he observed the suspect was handcuffed. Officer Cape indicated paramedics arrived almost immediately and began life saving measures on the suspect.

End report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Charles Cape (PD)	INTERVIEWED BY:	SA Christopher Olson (CO) SA Michael Pritzlaff (MP)
REVIEWED BY:			

CO Today's date April 5, 2016. Current time is 11:32. We're currently at the Minneapolis 3rd precinct uh in a private office interviewing Officer Charles Cape, C-A-P-E. Address at 3rd precinct is 3000 Minnehaha Avenue, Minneapolis. Present uh for this interview is myself Chris Olson um Cory Fitch with the federation, union and Mike Pritzlaff. Charles do you go by uh Charlie?

PD I do yes.

CO Okay and your last name I said correctly, Cape, C-A-P-E?

PD Yes.

CO You're a 3rd precinct officer?

PD Yes.

CO And you've been employed with Minneapolis PD uh since what year?

PD 2012.

CO Okay. And uh with the exception of a brief stint on the north uh 4th precinct you've been assigned out of 3 the only time?

PD Correct.

CO Alright. What is your uh badge number?

PD 0971.

CO And your POST number?

PD 21597.

CO Do you have any previous law enforcement experience?

PD No.

CO Okay. Your current responsibilities are in uh patrol?

PD Yes.

CO Okay. And you understand the reason you're talking to me today is uh, uh in response to this call that you responded to yesterday morning on Minnehaha, 2100 block of Minnehaha is that right?

PD Yes.

CO Okay. And specifically your role in that was what? What was your squad number for starters.

PD Uh we were squad 321.

CO Okay. And uh were you uh able or baker or do you have a, a partner?

PD I had a partner that night.

CO And who was that?

PD Uh Officer Oachs, Lucas Oachs.

CO Lucas Oachs, O-A-K-S?

PD O I think it's O-A-C-H-S.

CO I've probably got it, O-A-C-H-S?

MP Yes.

PD Yeah, yes.

CO Okay. Alright. And so uh you at some point you responded to this call. Were you dispatched to it or did you respond uh,

PD Uh we responded after um Officer Perkins got on the air uh over the radio and stated that he needed more officers, code 3.

CO Okay. Do you remember where you were in the city uh when you responded and how long it took you to get there?

PD We came from the station from uh 3rd precinct, 3000 Minnehaha.

CO And approximately what time uh did this, did you monitor this traffic?

PD Uh I believe it was about it was a little 5:00, 5:20 in the morning?

CO Okay.

PD Yeah.

CO What shift do you normally work?

PD Uh dog watch which is from 8:30 at night...

CO Okay.

PD ...til 6:30 in the morning. 2030 to 0630

CO Okay and uh this was obviously towards the end of your shift then.

PD Yes.

CO Alright. So both you and uh Oachs um responded is that right?

PD Correct.

CO Alright who was driving?

PD I was driving.

CO Okay. Did you response uh did you respond a code or...

PD Yeah lights and sirens

CO Okay

PD ...(inaudible) way.

CO And uh do you have a squad cam on your...

PD Yes.

CO Okay. And so you arrived there obviously it's just down the road so pretty quickly is that right?

PD Yeah just uh a minute or so.

CO Okay.

PD We're not very far away.

CO Uh was your squad camera turned off or continuing to run once you arrived?

PD Once we arrived I, I don't recall if we left it on or if it was turned off.

CO Okay. Is there a normal protocol that you follow?

PD Normally we'd turn it off.

CO Okay.

PD In that situation (inaudible) cuz we knew it was inside the building so

CO The event is inside you guys were outside

PD Right

CO Okay. And uh were you in terms of a sequence or in terms of how many other officers were there when you arrived? Do you recall who was already there?

PD Um I know Officer Perkins and Gropner were there um I, I believe we were the next two officers there I, I those are the only two I remember seeing right when we got there though.

CO Okay. But uh I'm guessing uh that squads arrived, continuously...

PD Yeah there were some...

CO ...(inaudible)

PD ...simultaneously so

CO Okay. And then just tell me about your in your own words your own observations what you observed.

PD Uh Officer Perkins was standing at the front of the building. Uh like right by the front door. Um and his uh and Gropner came around from the side and let us know that there was uh, uh access from the side of the building towards where the suspect may be so that's when me and uh Officer Oachs we went over there. We were able to, I believe it was apartment 3 it's the apartment managers apartment. We were able to make it into his apartment and we could, from there we could open his apartment door and see into the hallway. In, to the door of the apartment where the suspect was.

CO So just so I'm clear, the access to his apartment is through the opposite side of the building?

PD Yeah he had um he has outside access to the building as well so he did the, the that apartment that we were in he doesn't have to go through the front door and down the hallway to his apartment. He had his own separate door out onto the, lawn or street.

CO Okay. That's the little stairway that comes...

PD Yes.

CO ...down from his door out to the lawn there?

PD Correct.

CO You remember that person's name?

PD Uh I don't remember his name off the top of my head.

CO Okay. But he, you understood him to be the caretaker?

PD Yes and from what I understand he was the person who initially called 911 as well.

CO Okay. And uh what was happening at the scene there? So uh I'm sorry did you say you got into the hallway?

PD We, we stood in his apartment um behind his door. We kinda cracked the door open a little bit so that we could see the apartment that the uh suspect was in.

CO Okay.

PD And kinda keep something between us. So we could we, we were in (inaudible)...

CO As a barrier?

PD ...his apartment. Correct.

CO Okay.

PD Yeah, a barrier.

CO So uh which officers were, were there any officers in the hallway at that point?

PD Um not that I could see cuz we could see his door and then there's a hallway to the right of the door.

CO Yeah.

PD And so that was all I could see so if there were officers down the hall at that time I couldn't see it, it would that would have been obstructed to me.

CO And as far as you know Perkins was at the front of the build, the door the one facing...

PD Right.

CO ...Minnehaha.

PD Right.

CO Okay and uh was your, was he just stationed there or was he uh had his hand on the door or what was he doing there or don't you recall?

PD I don't recall what he was doing.

CO Okay.

PD I, why I didn't go up to him there I just saw him there. We when we got there we almost immediately went around to the side.

CO Okay. And did you and Oachs stay together the whole time basically?

PD Yes.

CO Okay. Um so continue on describing uh what occurred next.

PD Uh so we were there and then um other officers had arrived. And, determined for that, that the suspect was in that apartment and we could I could hear him, the suspect yelling from inside the apartment uh making demands wanting to call, someone to call his wife. Um saying that his wife was in trouble. Uh another officer down the hall was attempting to negotiate back with him. So it was kind of a, attempted dialogue between these two.

CO Do you remember which officer that was?

PD Uh it was Officer Malmberg's voice.

CO Okay. And uh so you were recall Malmberg talking about his wife uh or responding to the suspect talking about his wife?

PD Correct yes.

CO Do you recall specifically anything Malmberg was saying um

PD I, I don't remember the specifics. It was, it was mostly the, the guy in the apartment kept making the same demands and Officer Malmberg trying to respond to him. He want, uh the guy he wanted someone to call his wife and Officer Malmberg was trying to say yes we will call your wife but we don't, we need the phone number her name and that kinda stuff so that, it was kind of a back and forth trying to get that information out of the guy in the apartment.

CO Was the conversation uh for lack of a better word uh coherent? Was it, was he responsive when Malmberg would uh, uh...

PD He...

CO ...talk to him?

PD I, I wouldn't say he was super responsive cuz Officer Malmberg would try and say something but it was always almost always the same response from the guy inside that he wanted, that he wanted to speak to his wife or he wanted someone to call his wife and he basically any attempt to say something beyond that was met with the same response.

CO Okay.

PD From, the fellow in side.

CO Okay. Uh was the suspect uh his voice was it, was it calm and measured? Was it uh yelling? Was it uh agitated? I mean are you able to articulate

PD He was yelling it, it sound agitated.

CO Okay.

PD Um, it, it was a very raised voice.

CO Can you describe Malmberg's uh tone?

PD To me Malmberg he sounded calm and measured.

CO Okay. Alright. In your estimation what was Malmberg attempting to achieve?

PD He was trying to achieve a good negotiation trying to get him to uh put down the knife trying to let the uh the guy that the suspect had in there trying to let him, trying to get him to get him out. Uh trying to just get the suspect to drop the knife and come out on his own and you know come out and we'll, come out here drop your knife and we'll call your wife and we'll work this out so

CO Okay

PD It was an attem, attempt for a peaceful resolution to get everybody outta there in a safe manner.

CO Okay. Um were you uh at this at any point were you afraid uh for your safety?

PD Uh we didn't have a lotta space like if, if he had come out of his, the apartment that he was in his door we were only probably five feet away from where we were standing to where he was. It, it would have been very close so I mean if he had come out with a knife in his hand it would have been, I would have been in fear of my life then.

CO Okay.

PD Cuz we would, uh he would have seen us almost right away.

CO So let me rephrase the question. In your estimation this was uh, uh I'm assuming I don't want to put words in your mouth but this was a, a dangerous potentially uh...

PD Yes.

CO ...lethal situation?

PD Yes, very.

CO Okay. Um and that's probably uh again I don't expect you to speak for other officers but was that the general feeling among the responding officers is uh this is kind of an urgent...

PD Yes, very much so yeah.

CO Alright. Was there any other verbal um commands or communication from officers other than uh Malmberg that you recall?

PD Um initially like right away there was probably three or four other people kinda trying to shout commands but very quickly it, we, we got it down to where just one person was trying to negotiate.

CO Okay.

PD So we only had one voice.

CO Um, what was being done uh from a law enforcement perspective uh as more officers responded? Was there a strategy that was uh employed? Was there um or was it just kind of everyone in standby mode or

PD Um I, I can only speak for the people that were in the apartment for with, with me. Is what me and Luke and somebody might have been behind me I don't recall who. Um we, we kinda stacked on the door. Uh Luke was in front of me. And um he had his, he had his handgun trained on the, on the door. I actually had my taser out um just so we had a lef lee, less lethal option too. Uh and I know there were officers down in the hallway but I couldn't see what they were doing. So,

CO Okay, alright. What uh what happened next?

PD Um after several minutes or of, of trying to get him to come out peacefully I could hear, hear of another male inside the apartment start screaming like he was in pain. And then uh and the entire time this guy had he, he'd claimed he had a knife and that he was gonna kill some guy inside the apartment. So when we heard this guy start screaming in pain uh I saw Officer Malmberg and Robbins they came down the hallway and kicked the door open to the apartment. Um and from where I was I could see them kick the door open and then we, I exited our area into the hallway into our portion of the hallway and uh there was still screaming coming from in there so right inside the, the hallway of the apartment they had just kicked open was another door uh and you could tell they were in there. They kicked that door open um I couldn't see anybody inside there. I could tell it was a bathroom. But I, I couldn't see anybody inside there. They kicked that door open you could still hear the guy screaming. And then uh I saw the officers fire their weapons and then uh a man came out of the bathroom. He had, he had blood all over his back. He came out of the bathroom and scooted down the hall before we could do anything. And at that point I went into the actual apartment itself. I could, I looked into the bathroom cuz they were I, I could hear them still yelling commands at uh at somebody in there. So when I looked in the bathroom there was, they were physically still fighting with somebody in there uh you know there was blood all over the place (inaudible)

CO And which officers uh were in that bathroom that you recall?

PD Uh I know I, I don't I don't recall totally. I know, I know I saw Officer Malmberg and I saw Officer Robbins in there.

CO Okay.

PD I, I don't recall the other officers that were in there.

CO How many total?

PD Four or five.

CO Small space?

PD Yeah it, it was very small. I, I wanted to go in there myself to try and help them but there just wasn't enough space it was a very small, bathroom so I you know I saw that but there was still more apartment so and I proceeded to go into the rest of the apartment to clear the apartment, make sure there was nobody else in there that needed help or that was, a threat at all.

CO And did anyone assist you clearing the apartment?

PD Yeah uh Lieutenant Fossum.

CO Okay. Alright. Um do you recall the verbal commands uh after entry was made and after the uh the victim walked down the hall with the knife you said additional verbal commands were being offered. Do you recall what those were?

PD Once, once we were inside the apartment?

CO Once you were inside, all the officers are in there's apparently some kind of struggle (inaudible)

PD Yeah they, they were yelling at him to, to put his hands behind his back, stop resisting you know give, give us your hands. Um and, and I could see this guy was, was physically resisting still able to physically resist them and he was not, give he was not submitting to those commands at all so

CO Okay. Uh, then what did you see?

PD Um after we were done clearing the apartment everything was okay um I went back towards where the bathroom was and they had gotten him into handcuffs. They uh trying to get him out into a more open space so that we could start some sort of first aid on him. Uh and again it was incredibly cramped so the only, we did our they, they did their best to get him out into an open space so they had more room to work on him. Um by that time uh I exited the apartment and paramedics were already there so they were the, the fire department was starting to enter the building. And to do, what they do so.

CO Alright. Uh when they brought him out of the bathroom and, and uh somebody was uh administering first aid uh where was he uh where was the suspect in relation to, was he in the apartment? Was he in the hallway outside the apartment? Was he uh just outside the bathroom?

PD When they started to render first aid?

CO Yeah where they pulled him out.

PD They pulled him out kind of out of the bathroom and then kinda into the main hallway of...

CO Okay.

PD ...the, of the building itself.

CO Okay.

PD Cuz that was where the most area (inaudible) was at the time.

CO Alright. And at some point uh did you observe whether or not this person was handcuffed?

PD He was handcuffed but almost immediately afterwards I, I, I heard somebody I, I'm not sure who say, let's un-handcuff him.

CO Okay.

PD So,

CO Alright. So you don't recall who did the un-handcuffing?

PD I, no.

CO Okay. Uh, in, in your estimation was there any alternative response other than the response that uh was ultimately used? Was there...

PD No.

CO Okay.

PD Um the, the guy there was clearly somebody in danger.

CO Okay

PD Of their, with their, with their life so

CO And in your estimation uh as you were hearing the screams from uh that victim uh you were afraid for his safety and wellbeing correct?

PD Absolutely yes.

CO Alright. Is there anything uh Officer Cape I haven't asked you uh that's important or relevant uh to this investigation? That we haven't discussed.

PD No.

CO Okay. Do you have anything?

MP Um just how did the victim get cleared? I mean he came walking out was it clear that he was not, the agitator or the person that was the suspect?

PD The victim?

MP Yeah.

PD He I mean he was scared. I, I only saw him briefly. He, he, he ran out outta that apartment so quick it, it was hard to see he ran out, ran down the hallway which was obscured to me so he, out the hall out and then down the hallway and I couldn't really see him. I could, I could tell that he was bloody and hurt but I, I barely saw him it was just a flash.

P Do you remember if he was clothed or partially clothed or?

PD I, I don't remember.

MP Okay. At some point though you guys realized and sensed that the suspect is in the apartment unwanted?

PD Yes. Uh yes.

MP How did that become clear to you guys or that you realized that the victim is, in that apartment with the suspect?

PD The, the suspect inside was threatening to stab somebody in there. That's, that's how I knew that there was another person in there. Um and the, the building manager who's apartment we were standing in had also said that that's Alan's apartment so and that Alan was still in there so

MP All, all the information coming in at some point you just established that guy's not supposed...

PD Yeah.

MP ...to be in there and you got a victim in there based on everything?

PD Yes.

MP Alright that helps (inaudible) for me.

CO During the negotiations uh between Malmberg and other officers with the suspect uh were they referring to him by name or uh do you recall?

PD To...

CO Whether or not (inaudible) establish who that person was at that point?

PD To the suspect?

CO Yes.

PD Yeah I, I believe they uh had established this guy that his first name at least was Raul or something like that. And I, and I heard him trying to, call, call him by his name so

CO Okay. So do you have any information today uh that uh any documentation was done by any of the officers present in the way of photographs and/or video uh

PD I not, I don't know

CO Okay.

PD (inaudible)

CO Not that you heard of?

PD Not, right exactly

CO Okay.

MP Did you take any audio recordings on the scene before, after or during?

PD Me personally no.

MP Okay. (inaudible)

CO Think we're done uh we're gonna end this statement now. The time is 11:51 hours.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/15

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Officer Jeffrey Perkins - Statement**
Occurrence From: **04/05/2016 11:03**
Occurrence To: **04/05/2016 11:25**
Reporting LEO: **OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Backup LEO: **PRITZLAFF, Mike (Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **04/13/2016**
Approved By: **Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Synopsis

Statement of Officer Jeffrey Perkins. Item 15.1 (audio CD - statement) obtained by virtue of this report.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: **3000 MINNEHAHA AVE S, MPLS, Minnesota 55406**

Subject #1 - WITNESS #1 - Perkins, Jeffrey

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **Perkins, Jeffrey**
Record Type: **Law Enforcement Official**
Bio: **White, Male**
Rank/Position: **Officer**
Juvenile: **NO**
LEO ID: **5554**

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: **Heraldes, Raul Salvador Marquez**
Record Type: **Person**
Bio: **50 yr. old, Hispanic, Male**
Birth Date: **09/13/1965**
Juvenile: **NO**

Personal Information

Ethnicity: **American**
Height: **506**

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/15

Report Date: 04/05/2016

Subject #2 - SUSPECT #1 - Heraldes, Raul Salvador Marquez - Continued

Personal Information - Continued

Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Audio CD - Officer Jeffrey Perkins - statement

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Audio CD - Officer Jeffrey Perkins - statement
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/05/2016 00:00

Officers

LEO

Fitch, Cory (Officer / Minneapolis Police Department)

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 17:37
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/13/2016 12:01

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 05, 2016, SA's Olson and Pritzlaff obtained an audio statement from Officer Jeffrey Perkins. The statement occurred at the Minneapolis Police Department 3rd Pct. Also present during the statement was Officer Cory Fitch, union representation. The statement began at about 1103 hours and concluded at about 1125 hours. SA Olson later transferred the digital data from the statement to CD (item 15.1) for safekeeping and preservation. Details of the interview can be found on the attached transcript.

Officer Perkins indicated he was assigned as squad 311 along with his FTO Officer Graupner. He indicated they were assigned to assist squad 341 and they left from the 3rd Pct. Officer Perkins reported after arriving on scene a suspect left apartment 1 while yelling. Graupner provided verbal commands to the suspect to show them his hands, at which point the suspect produced a large knife. Officer Perkins reported shutting the front main entrance on the suspect to provide a barrier between them. He reported calling for additional squads.

Officer Perkins indicated he learned from the building caretaker that the suspect had gained entry into apartment 2. Officer Perkins reported observing Officer Malmberg make repeated and constant attempts to communicate with the suspect. Officer Perkins described the suspect as erratic and believed he may be experiencing a psychotic episode. Officer Perkins indicated he was afraid for his and the safety of others present.

Officer Perkins indicated he observed the apartment door being breached by officers after hearing the apartment resident yelling and groaning. He indicated he recalls hearing verbal commands after the door was breached and described the scene as chaotic. He did not know which officers fired rounds or how many rounds were fired.

Officer Perkins reported he escorted the victim who had a knife protruding from this back to the ambulance. He returned to the scene and observed the suspect being pulled from the apartment and unhandcuffed after he became unconscious.

End report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Jeffrey Perkins (JP)	INTERVIEWED BY:	SA Christopher Olson (CO) SA Michael Pritzlaff (MP)
REVIEWED BY:			

CO Today's date is 4-5-2016. The time is 11:03 hours. We are currently at the Minneapolis Police Department 3rd precinct at 3000 Minnehaha Avenue, Minneapolis. And uh we're interviewing Officer, is it officer or sergeant?

JP Yeah.

CO Officer Jeffrey Perkins. Badge number 5554. POST number 9752. Also present during the interview is Officer Cory Fitch, C-O-R-Y last name F-I-T-C-H. Uh this is Special Agent Chris Olson. Also present is Agent Mike Pritzlaff. Jeff did I state your name correctly?

JP Yes you did.

CO Okay. And we're, you understand the reason we're here to talk to you today is uh the critical incident that occurred yesterday morning is that right?

JP I do yes.

CO And you were present during that call?

JP Yes I was.

CO Okay. And what was your squad number that you were in yesterday?

JP Uh we were driving marked squad 311.

CO 311. And did you uh were you a able, baker or you had another uh...

JP Uh we were two person squad I was FTO-ing uh Officer Graupner is his name.

CO Do you know how to spell Graupner?

JP G-R-A-U-P-N-E-R

CO Okay. So uh if you were FTO-ing you were probably uh riding passenger and...

JP I was driving at that time.

CO Okay. Were you in full uniform?

JP Yes. We both were yes.

CO And 311 is a fully marked squad?

JP Yes.

CO Okay. Light bar, decals uh Minneapolis Police?

JP Yes.

CO Okay. And uh I want you to describe uh, uh how you first became aware of this call. Whether you were I don't know if you were dispatched to it or if you self uh dispatched yourself to it or just kind of in your own words just articulate that whole event.

JP Uh we were here at the station. It was uh about 5:00 in the morning. The call came in as an unwanted party. Uh at 2120 Minnehaha Avenue. Um I believe squad 341 was dispatched and then we went to assist them.

CO Uh who was in 321?

JP Uh (sigh)...

?? (inaudible)

JP I'm sorry 3, 341.

?? (inaudible)

JP Which was Officer Malmberg and Officer Robins.

CO Okay. And you heard uh, uh you heard them uh request assistance?

JP No actually we were the, we responded we were the first squad to arrive.

CO Okay.

MP You responding as an assist car right? They got the original call (inaudible)

JP Uh they did but we left...

MP You just got there (inaudible)

JP Yeah we got there first.

MP Okay.

CO Okay. And what happened?

JP Um, while in route uh dispatch gave us uh remarks was to meet the, the caller uh who was the manager of the building said meet him in front. Um said the, person in apartment 1 has a guest over and he isn't allowed to have anyone else there. Uh the remarks said the guest is very DK and is arguing with uh the, the reporting person. Uh remarks stated he's suggesting he wants to fight uh with the reporting person who called us. Um, while in route um remarks came in that the unwanted party has a knife with him. Um so they changed it to kind of a person with a weapon call. Um and then we're still in route there um remarks were the party has not taken the knife out. Um he's, he's trying to tell the caller that someone's trying to kill his family. And uh his family is, gave an address on Portland Avenue which they have here as 816 Portland Avenue.

CO Okay.

JP And uh we were out there earlier in the night at it was 3816 Portland Avenue at about 3:00 in the morning.

MP When you say we were out there...

JP Um it was, our squad with my recruit and then two other squads responded too...

MP Okay.

JP ...so and at that time it was all quiet we didn't find any, we didn't find the guy who had called which is uh the unwanted party in this situation had called at that time.

CO Okay.

JP So we found the whole address very quiet and ended up just clearing.

CO Okay.

JP Um so...

CO So just so I'm clear, Raul is the decedent here right did you the name of the suspect in the call that you're on? (inaudible)

JP Uh yes.

CO Okay. Was it and just so I'm clear on this.

JP Yeah.

CO The earlier call, was he the reporting party on that?

JP Yeah he had called 911.

CO Okay. Alright. And were you privy to his name on the (inaudible) dispatch or did they (inaudible)

JP Uh from the remarks to the call we were going to we kind of put together that this is the same guy who had called from...

CO Okay.

JP ...Portland Avenue.

CO So you made a connection?

JP Yes.

CO Alright. Um alright so I keep interrupting you, so (inaudible)

JP Nope that's okay. Um and then while we still got there, there were more remarks uh that stated um the guy is not an issue at this time he's pretty cooperative so we're at that time I'm assuming it's a, the unwanted is intoxicated and has a knife with him but he's not threatening anyone so we arrive and uh both approach the apartment building, no one's outside waiting for us so we just walked up. We had to walk up a flight of steps to, to the building and there's the main door which faces Minnehaha.

CO Um-hm.

JP Um at that time we see, we're looking in the windows and uh the caretaker who I don't know who his name is. A, elderly gentleman he had a cane. Um opens the door and the door kinda opens out. I'm on the left side. My recruits on the right side. And uh he goes the guy's here he's in apartment 1 which is right to our left as we're facing into the building. And we're, I'm opening the door and all of a sudden the apartment door opens and uh the guy steps out and he's yelling and my recruit yells at him show me your hands. And at that time the guy pulls out a knife, he goes he's got a knife. Pulls out a knife. I can kinda see through the entry window, there's a window in the door. He's got this knife he's yelling. I hear the word mafia, something he's coming at us. I shut the door quick on him and hold the door. And he's trying to push through the door to get to us. But I, I had to like forcibly hold the door to keep him in there. Uh at that time we just called for help. He's kinda running in the, entryway there. He's not, the, the caller is in there with him also but he's running around. I call for help. You know the, I don't know how long it took for squads to get there but another minute or so. Um so we waited 'til we got officers and the care, the door had locked so the caretaker let us back in and said the guy is down the hall here now and that he'd gone into apartment 2 I believe. It's, to the right and down the hall kinda to the west and the first door on the right so. Um, as officers arrived we converged on that part of the hallway and, set up a dialogue. I believe Officer Malmberg who's a CIT officer got him, started with some dialogue with this guy. Um, and I think before that even, I ordered an ambulance just to stand by with this guy with the knife and just to be safe called out our sergeant's um and at that point it just kind of went with the negotiations. So as uh more officers arrived and

CO So was uh Malmberg uh the primary point of contact for uh any kinda dialogue going back and forth between this guy

JP Yes.

CO Okay.

JP Yeah.

CO Do you recall uh, uh the nature of, of that discussion? Were you uh could you hear it?

JP Um I, I was behind him we were in the hall. Um, he, he was yelling he was concerned about if it was his wife if it was Gloria that she was, someone was going to harm her. And that fact and that he wanted, needed to call her. So we ended up getting a phone number, the sergeant and the lieutenant I think tried calling and it the line was disconnected or the call wouldn't go through.

CO So they, they weren't able to get through?

JP No.

CO Okay.

JP No then the conversation continued and he said well something about his wife is dead now. And you know he was pretty erratic in his talking in there so,

CO Uh was he uh, you've been a cop for a lotta years.

JP Um-h.

CO Was he uh, was this a coherent conversation? Was this a conversation in your estimation did he seem intoxicated? Or did he seem uh maybe like he was having a psychotic episode? Or don't you have any opinions on, on his condition?

JP Um what I saw I would say more of a psychotic episode. You know just by, when he came out uh very high energy. Wasn't stumbling like he like super intoxicated just very um, um had a, stare in his eyes um at the time when he came at us at the door. Um yelling Mexican, about this mafia Mexican mafia.

CO What was your response? I know you said uh your partner um was that Graupner?

JP Yeah.

CO Graupner uh gave him some verbal commands. Did you also provide any kinda, uh verbal instruction?

JP Um at the time when he, he'd said he's got a knife um you know I saw the knife. At that time I just, we shut the door you know just we were kind of in a, on a landing there. We weren't in a good spot. I was behind the door so.

CO Okay.

JP To deal with him so, kinda sealed him in and then waited for backup so.

CO Okay. And it was during that timeframe you think that he got access to apartment 2?

JP Yes.

CO Okay and the caretaker uh did he appear to be afraid in your estimation? Did he appear to have a handle on this? Was this a friend of the caretaker? Was there, or not a caretaker but the guy in apartment 1.

JP Uh he, he spoke limited English. So he, for what we could tell he, he knew him. I don't know how well he knew him.

CO Okay.

JP Um while we were there another officer I think from the 5th precinct uh who spoke Spanish arrived and we had him try and get some more information and he really didn't get anything relevant about this, you know find out about a background but didn't said he didn't really have a...

CO Do you remember the name of the...

JP ... (inaudible)

CO ... that 5th prec...

JP I do not.

CO Okay. But it's a 5th precinct squad though right?

JP Yes.

CO Alright.

JP I think he was on as FTO also. And I don't know (inaudible)

?? (inaudible)

JP Yeah, and it's (inaudible)

CO No, no worries we'll...

JP Alright.

CO ... we'll figure that out. Uh were you afraid at any point for your uh safety and wellbeing?

JP Yes.

CO Were you afraid uh for the safety and the wellbeing of others?

JP I was yes.

CO Specifically uh do you think the caretaker was uh afraid and/or the person in apartment 1?

JP Uh the caretaker when we got there did not seem that concerned about this guy.

CO Okay.

JP Even when he was at the door with the knife with us. (inaudible)

CO Okay

JP Um however you know the party in apartment 1 you know once he was in there holding him, you know

CO Or in apartment 2 you mean?

JP 2, I'm sorry yeah.

CO So uh did that person uh how did you become aware of the fact that that person was being held against their will? How was that...

JP Um...

CO ... communicated to you?

JP I want to say they asked, we, Malmberg and the officer asked him if he could come out and he said no, he can't come out.

CO Raul said...

JP So we, Raul well we were, we were kinda talk Alan was his name are we talking to the resident in there and...

CO So Alan (inaudible)

JP ...kinda yelling to him can you come out and he, and he was, the resident would say no I can't...

CO Okay.

JP ...I can't come out.

CO Okay. Did, can you describe the voice of uh Alan Copeland?

JP Um,

CO And was, was his, were his responses just confined uh to short

JP Very sh, yes short just basically no or yes and he, he didn't really talk with us at all.

CO But the impression of officers in the hallway was uh one that he was uh being held against his will? Is that an accurate...

JP Yes.

CO ...uh assessment?

JP Yes.

CO Uh what was occurring uh you were the first to arrive?

JP Yes.

CO Um what was occurring between uh and we'll get into the door being breached here shortly but uh what were the law enforcement uh events that were occurring between the time you arrived and the, the door being breached uh obviously some Malmberg was doing some negotiating?

JP Yes.

CO Were there officers on the perimeter or outside the structure?

JP Uh there was outside the win on the outside of the window of the apartment there was. Uh there were other officers on the other end of the hall from us. There was another I believe a stairway or hallway next, down from his apartment.

CO Okay.

JP Um so there was probably a dozen of us...

CO Okay.

JP ...in around that hallway.

CO Did you or any officers that you know of get any information uh was the officer at the window for example able to uh communicate anything meaningful in the way of what's happening in that apartment?

JP Uh that, I don't recall anything there.

CO Okay. And you observed or you, you know somehow that uh at least two attempts were made to call that number uh that he was claiming was his wife, is that right?

JP Correct.

CO Okay. Without success?

JP Yeah.

CO And did uh Malmberg um continue his efforts to communicate with uh the suspect during the entire time? Was it pretty much nonstop or was there a pause or?

JP Yes, no it was nonstop. Tried to keep him talk, just tried to wanted him to come out, unlock the door, drop the knife, put the knife down.

CO Okay.

JP And you know we would, solve this problem for him and

CO So the tenor of that conversation was uh in your estimation was Malmberg uh was trying to calm him down?

JP Yes.

CO Okay. Was uh do you remember specifically uh what the commands were other than come out? Were there, uh...

JP Um he, he you know he asked him what the problem was. And it was about getting a hold of his, if it was his wife the Gloria and you know

CO Okay.

JP Was going on and he wanted to call her and so we got the phone number and you know we'd call her, get a hold of her if you just come out we'll you know figure out what's going on and, but uh...

CO Alright. Were there any other commands from officers besides Malmberg?

JP Uh...

CO Prior to the door being breached?

JP It was hectic I mean everyone was you know I think there were other officers trying to tell him you know come out you know just you know open the door, come on out, drop your knife and Malmberg was the main trying to negotiate though so.

CO Um how many officers uh, lets accelerate a little bit, get to the point where a decision was made at some point to, to breach the door. What led up to that decision?

JP Um while he was talking you could hear, uh distress like the, the residents inside he's being assaulted. You could hear him yell, yelling, groaning and so at that time we, uh you know figured he, he's being stabbed by this...

CO Okay.

JP ...Raul.

CO Okay.

JP So we, they had to go so I mean they went down, had to forcibly kick in the door to get in. Um and it, it took 'em a, a few seconds it was a very solid door to get in there. And then they got in and um I didn't see the actual, I was kinda in the back of the hall (inaudible).

CO So you were standing in the hallway close to the east side of the building near Minnehaha or the other end?

JP Yes.

CO Okay.

JP Yes east side.

CO (inaudible) um and you saw the door being breached but you didn't see what happened?

JP While they were kicking at it yeah

CO Okay

JP But then I couldn't see in you know

CO Alright describe the uh, uh how the door was breached. Uh who was doing the kicking?

JP Uh that I, there were several officers there.

CO Okay.

JP So, trying to get it open.

CO That's a small confined hallway.

JP It is.

CO So it's probably a difficult task

JP Yeah

CO Okay. But after uh, uh eventually after a few kicks the door was breached and then what happened?

JP Um, officers made entry. I think um lotta yelling a lot it was very chaotic so um I don't recall who was saying what. Um...

?? (inaudible)

JP ...there was get your hands up type thing and you know shots were fired and

CO Okay. Do you have any idea how many rounds were fired?

JP I do not.

CO Okay. Do you have any idea how many officers fired uh their weapons?

JP I do not.

CO Okay. Um, at some point uh did you get into that apartment? And when was that?

JP I did not after that they, they pulled the victim out right after the shots and I grabbed him, came down and I led him out to the ambulance so

CO So you're the one that walked him down to the...

JP Yeah.

CO ...ambulance? Were you accompanied with anyone during that?

JP There was another officer I don't recall who it was.

CO Okay.

JP But,

CO And uh tell me about the victim a little bit. Al Copeland is his name uh what were the extent of his injuries?

JP Uh bre, I tried to walk him quick I, I noticed he had a hand injury. I didn't...

CO To his left hand?

JP ...his I...

CO One of his hands?

JP Yeah one of his hands it was bleeding fairly, profusely. And then uh what he had, if he had a jacket or a shirt but the knife, there was a knife in his back so

CO Okay. It actually was still, protruding from his back?

JP Yes protruding out of his back so

CO Alright and the ambulance was on standby?

JP Standby yeah so we walked him outside and down to the ambulance and...

CO Okay. And did you stay at the ambulance or did you return to the scene?

JP I returned to the scene then.

CO Alright and then what happened?

JP Um I went in and uh at that time they had, were just pulling the, Raul out of the apartment and uh the officers that were there started doing uh, giving him medical assistance so

CO Okay. Specifically what did you observe? What uh what did the officers do uh in terms of first aid or

JP Uh he had a gunshot wound to his chest. Um I believe somebody had a chest uh pad they put on that.

CO Okay.

JP Um we had another ambula, had the fire department coming as well. Um applied pressure to that wound um at that point he was still, he was, he was unconscious but he was breathing so.

CO Was he obviously on his laying on his back at that point?

JP Yes.

CO Alright. Did you see handcuffs uh at any point during this on the suspect?

JP Uh he was handcuffed when they brought him out.

CO Okay.

JP Um and then, after he went unconscious they removed the handcuffs.

CO Okay. Alright. But you would have no idea based on your vantage point uh which officer handcuffed him?

JP No I did not see what happened on the inside of the apartment.

CO Okay. Have you uh since this event happened have uh you spoken specifically about the details of this event with uh other involved officers? Uh or uh anyone uh...

JP No.

CO Okay. How long have you worked uh for Minneapolis Police?

JP Twenty-eight years.

CO Have you worked in other law enforcement uh positions or is it only Minneapolis?

JP Just Minneapolis.

CO Alright. Have you been involved in other uh, uh officer involved shooting uh critical incidents while at Minneapolis?

JP I have not.

CO Okay. Mike? Oh I, one more question. Uh do you recall whether anyone at that scene had any kinda audio or video running in terms of documentation of the scene um either during the event or after the event do you have any information if there's documentation of that scene (inaudible)

JP I do not.

CO ...audio anything like that? Do you have a squad cam?

JP We do.

CO Okay. Was that running outside or was that off?

JP It was off.

CO Okay. Alright. And when you responded to the scene did you respond uh routine or do you go code?

JP No it was routine.

CO Okay. Alright. And I understand your squad cams are activated uh when you uh go code 3.

JP Correct.

CO Or you can manually turn 'em on I suppose right or...

JP Correct yeah.

CO Okay. But you don't have any information about any sort of squad cams, body cams uh audio recordings anything like that?

JP I do not.

CO Okay. Uh I just want to touch briefly on uh, uh when you folks were in the hallway a decision was made rather rapidly uh that entry needed to be made. And that was based on what? Can you articulate uh what was happening that was uh turned this into an, exigent or an urgent situation?

JP Uh just hearing the victims uh cries you know he kind of moaning and you know it, it sounded like he was being assaulted. So and we knew he had a knife so we had to get in there.

CO And this was uh not just one cry this was multiple ongoing protracted...

JP Yes.

CO Okay. And how many seconds uh elapsed uh when the victim was in distress uh before a decision was made to breach the door?

JP Uh immediately.

CO Okay.

JP It was like we gotta go.

CO That was the trigger?

JP Yeah.

CO Alright. Is there anything else I haven't specifically asked you, you think is important, relevant or germane to this uh investigation?

JP I don't think so.

CO Alright. We shall end the statement now. The time is 11:25.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/16

Report Date: 04/05/2016

Primary Information

Description: Alan Coleman - victim statement (North Memorial)
Occurrence From: 04/05/2016 13:03
Occurrence To: 04/05/2016 13:13
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: PRITZLAFF, Mike (Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 5, 2016, SA's Olson and Pritzlaff obtained an audio statement from Alan Coleman. Item 16.1 (audio CD - statement) obtained by virtue of this report.

Address #1 - Occurred #1 - 3300 OAKDALE AVE N

Primary Information

Address: 3300 OAKDALE AVE N North Memorial Hospital, Robbinsdale, Minnesota 55422 , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Property #1 - Audio CD - Alan Coleman (victim statement)

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Audio CD - Alan Coleman (victim statement)
Quantity: 1

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/16

Report Date: 04/05/2016

Property #1 - Audio CD - Alan Coleman (victim statement) - Continued

Primary Information - Continued

Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/05/2016 00:00

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/05/2016 17:53
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/13/2016 12:05

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 05, 2016, SA's Olson and Pritzlaff met with and interviewed Alan Coleman. The interview occurred in room 565 (ICU) of North Memorial Hospital. Medical staff informed SA Olson that Coleman was recovering from surgery to his left hand and was sedated, but able to communicate. The audio portion of the statement began at 1303 hours and concluded at 1313 hours. It should be noted that due to Coleman's existing condition and (heavily medicated) portions of the interview were difficult to comprehend or discern. SA Olson later transferred the digital audio from the statement to CD (item 16.1) for safekeeping and preservation.

Coleman did tell SA Olson he recalls the suspect (not previously known to him) knocking on his door and pushing his way into his apartment. He reported he friend George was staying with him, but did not observed George leaving the apartment through the window. Coleman indicated Heraldes had a large knife and was preventing him from leaving the apartment. Coleman said Heraldes was repeatedly making comments about his (Heraldes) wife and children. Coleman said he was not aware of any motive Heraldes may have had by forcing himself into the apartment. Coleman said he was in the restroom being held against his will when Heraldes suddenly starting cutting and stabbing him with the knife. Coleman remembers when the officers forced entry into the apartment, shot at Heraldes, and said he was able to retreat from the apartment as responding officers took Heraldes into custody.

Coleman indicated he believed Heraldes to have previously stayed with or been affiliated with the person in apartment 1, but that he had not previously spoken with or been acquainted with Heraldes.

See attached transcript for complete details.

Coleman appeared to be in a lot of physical pain and the pain worsened when he moved. SA Olson decided against photographing multiple injuries for that reason. Coleman signed a medical release authorizing SA Olson's permission to obtain medical records related to this investigation.

End report.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	16.1
INTERVIEW OF:	Alan Coleman (AC)	INTERVIEWED BY:	SA Christopher Olson (CO) SA Michael Pritzlaff (MP)
REVIEWED BY:	SA Christopher Olson		

CO This is a statement regarding case file number 2016-213. Chris Olson and uh Mike Pritzlaff speaking with Alan, A-L-A-N Robert uh Coleman, C-O-L-E-M-A-N. Date of birth [REDACTED] of [REDACTED] And the time is 1303 hours on April 5, 2016. We're currently at North Memorial Hospital in Robbinsdale, Minnesota in room 565. Al do you go by Al?

AC Yeah.

CO Al can I...

?? (inaudible)

CO ...just set that, you don't have to touch it I just want to set that tape recorder right there if that's okay.

AC Right.

CO Alright.

AC Pretty good.

CO Al I want to talk to you about uh the event that uh led to your visit here at North Memorial.

AC Yeah. Yeah.

CO It was yesterday morning.

AC Yep.

CO Can you, do you remember it?

AC Yeah a little bit yeah it was, was tired and you know and wasn't feeling too good going to these (inaudible) my hand and (inaudible)

CO Let me ask you...

AC ...my back and...

CO Let me ask you a specific question. I know uh that you're in some pain right now but I appreciate you talking to me.

AC Yeah.

CO Somebody came into your apartment yesterday.

AC Oh really.

CO So uh do you know the person that came into your apartment?

AC Well I, his name was George (inaudible) uh George to come over to stay with me overnight you know and to (inaudible) and I let him stay over at (inaudible) and...

CO So this person this George you're referring to is that...

AC George (inaudible)

CO Okay but the person that was in your apartment that caused these injuries to you do you know him?

AC Uh I don't know him real well but, but I had let him stay with me off and on.

CO Okay.

AC So yeah

CO So was he a, a when's the last time he stayed with you?

AC Oh uh, I don't know about (inaudible) probably a week ago, week and a half ago (inaudible)

CO Okay so it's been seven to ten days?

AC Yeah

CO And then he stays with you, why does he stay with you? Cuz he's got a wife and some children right?

AC Well yeah but yeah he, he's homeless you know and he wanted to come over to my place and whatnot you know

CO Okay so I know him...

AC (inaudible)

CO ...as uh Raul uh do you know his name? You know him as George?

AC No.

CO Okay.

AC No.

CO (inaudible) so the person that, that uh caused these injuries to you with the knife, that you know that person by what name?

AC No I don't, I don't even know him.

CO Okay.

AC I don't even know who he is.

CO Okay.

AC He came (inaudible) one, by the door and, and, and then he come knocking on my door and he (inaudible) break his way through, (inaudible) some...

CO Okay so...

AC ... (inaudible) he's stronger than me you know and (inaudible)

CO So did he knock on the door?

AC That, no he, no he (inaudible) knockin' on the door (inaudible)

CO And, when you opened the door what did he say?

AC Eh he, he I couldn't Mexican language so much but...

CO So he spoke in Spanish?

AC Yeah, yeah.

CO Alright. How did he get in your house?

AC I don't know I just you know, I opened the door and then he, he kinda buzzed his way in you know.

MP Were you thinking that was George?

AC No, no. No-no...

CO George was...

AC ... (inaudible) guy is this Mexican guy that's a friend of a Mexican guy in apartment one by the door. Yeah so yeah.

CO So let me ask you a question. George was in your apartment.

AC Yeah.

CO And he left.

AC Yeah. Yeah.

CO When he left, how did he leave?

AC I don't know I, cuz (inaudible) goin' by the time all that happened you know.

CO So where were, when he came into your apartment what did he do? This person you don't know.

AC He (inaudible) you know he, he was talking crazy (inaudible) you know he wanted, he wanted his family (inaudible) me open a little bit you know and (inaudible) whatever I don't even know who he is.

CO Okay.

AC Yeah cuz (inaudible) the uh, uh friend of the (inaudible) that apartment one down there by the door (inaudible)

CO So you think he came from apartment one?

AC Yeah he did that's where he came from, Mexican guy stays in there too so

CO Okay. Do you know what he wanted from you? Why he was in your apartment?

AC No, no I don't know.

CO Okay. And the whole...

AC No.

CO ...he was in there quite a while it was like...

AC Yeah.

CO ...twenty to twenty-five minutes.

AC Yeah.

CO And during that time uh was he holding on to you or were you free to walk about?

AC No he was, he was grabbing me you know and you know and telling me to do this and do that you know and then...

CO What did he want you to do? What is this and that?

AC He wanted he wanted me to sit down, lay down, not leave the apartment you know anyway got mad and started sticking me with that knife and...

CO And where did he stick you with the knife?

AC (inaudible)

CO In the back?

AC Yeah and and uh I don't know uh yeah a couple a times in the back (inaudible)

CO How did you get that injury to your head?

AC I don't know, I don't know where that came from.

CO Okay and how about the injury to your thumb how did that happen?

AC Eh uh that was (inaudible) he had a knife (inaudible) somethin' goin' on (inaudible) happened the same knife you know so (Inaudible)

CO Okay.

AC Yeah.

CO So uh just so I got this straight. Uh, he didn't want anything from you but he wanted you to not leave?

AC Yeah he kept on talking about his wife and kids his family and you know yeah

CO Alright.

AC Yeah.

CO And you've never seen him before?

AC No.

CO Okay.

AC I don't even know who the Mexican dude is so.

CO How do you know he came from apartment one?

AC Cuz (inaudible) he was in apartment one when I, came to the front door of the building.

CO Okay.

AC Yeah.

CO Okay.

AC So, yeah.

CO Alright. And did anyone uh did the caretaker say anything to you?

AC I don't know he (inaudible) you know and I don't think he even knew what was going on so

CO Okay.

AC Yeah

CO And normally you live alone is that right?

AC Yeah.

CO Al?

AC Yeah, yeah.

CO And George was just happened to stay there that night?

AC Yeah

CO Okay

AC Yeah, yeah

CO Alright. And uh George I think left through the window. Uh did you see that? Did you see George leave through the window of the apartment?

AC No, no I didn't no.

CO Okay. And then at some point you ended up in the bathroom uh with this person you don't know.

AC Yeah (inaudible)

CO And, and the police came in and what, what happened?

AC (inaudible) well it, it was uh it was a couple shootings then (inaudible) started sticking me with that knife and (inaudible) shoot him a couple a times because he wouldn't stop sticking me with that knife you know and, yeah so

CO And so were you right next to him as he was getting shot?

AC Yeah I was sitting in the bath(inaudible) right here and

CO Okay.

AC I don't know I'm not sure about what he was, what he was, sticking me with or, or whatever

CO So you don't know if the injury to your thumb...

AC No

CO ...is a result of gunfire or, or a sharp uh...

AC Yeah, yeah

CO ...knife?

AC Right, yeah

CO Okay.

AC Yeah

CO Was he holding on to you when the, when the uh gunfire was occurring? Was the...

AC Yeah, yeah he...

CO He had a hold of you?

AC Yeah.

CO Okay, okay.

AC Yeah.

CO And uh I understand that you uh were able to walk out of the apartment on your own?

AC Yeah well he uh when they hurried up and grab me hold me in there you know yeah so

CO And at some point you, you walked to the ambulance is that right?

AC Yeah, yeah. Yeah.

CO Were you aware at that time that you had a knife uh in your body?

AC No, no.

CO Okay.

AC (inaudible) you uh, when, when, when we was in there uh doin' all that I know I was, I had uh I had (inaudible) go out the door because he was standing there you know (inaudible) you know I, there's no way you know (inaudible) I was gonna, gonna fight back you know and you know and protect myself you know or something

CO He was considerably uh...

AC Yeah

CO ...stronger and younger than you.

AC Yeah, was stronger and younger than me and you know...

CO Okay.

AC ...um yeah.

CO Alright I just wanted to double check and make sure...

AC Yeah

CO ...that you, you didn't know this person is that right?

AC Right, right.

CO And he, he held...

AC Oh yeah.

CO ...and he was holding you against your will and wouldn't let you leave?

AC Yeah. Yeah.

CO And you don't really know what he wanted, he kept talking about his wife and uh...

AC Kids (inaudible) talk about his wife, his kids and what is uh you know his daughter and...

CO Okay.

AC ...yeah so

CO And how long do you uh how long was he in your apartment?

AC Uh I don't know probably, probably about a half hour or so or forty-five minutes

CO Okay.

AC ...though you know.

CO And just so I'm clear uh how did he get into your apartment?

AC Eh, when uh he come knocking on my door and then he pushed his way in.

CO Okay so you opened the door and he pushed his way in?

AC Yeah, yeah.

CO Okay.

AC Yeah.

MP Were you sleeping when you heard...

AC No

MP ...the (inaudible)?

AC No, no

MP You were up?

AC No I was, I was awake yeah.

MP Okay.

AC So yeah, yeah

CO Are you normally awake at that hour?

AC Yeah I was awake yeah.

CO Okay.

AC So yeah.

CO Alright and at some point after I turn this uh tape recorder off I'm gonna uh have you uh sign a medical release so I can get some, descriptions of your injuries. Are you okay with signing a medical release?

AC Yeah, yeah.

CO Okay.

AC Yeah, yeah.

CO Alright Al, uh do you have anything else that you want to tell me? That's important.

AC No not, (inaudible) I don't have any clothes to wear (inaudible) I go (inaudible)

CO Okay well I think between us and the hospital staff we'll try to figure that out.

AC Yeah, yeah.

CO Yeah don't, don't be worrying about that now.

AC Yeah.

CO Alright so I'm gonna stop the statement now. The time is 1313 hours.

END OF RECORDING.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/17

Report Date: 04/06/2016

Primary Information	
Description:	Interview of Manual SANCHEZ
Occurrence From:	04/05/2016 14:18
Occurrence To:	04/05/2016 15:09
Reporting LEO:	Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/11/2016
Approved By:	O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)

Synopsis
On Tuesday April 5, 2016, SA Castilleja interviewed Manual SANCHEZ at the 3rd Precinct in Minneapolis. SSA Swanson produced an audio CD of the recording, acquisition of MN BCA Exhibit 2016-213/17.1.

Address #1 - Occurred #1 - 2120 Minnehaha Ave S
Primary Information
Address: 2120 Minnehaha Ave S #1, Minnesota , United States

Address #2 - Occurred #2 - 3000 MINNEHAHA AVE S
Primary Information
Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Subject #1 - VICTIM #1 - Coleman, Alan Robert	
Primary Information	
Subject Name:	Coleman, Alan Robert
Record Type:	Person
Bio:	63 yr. old, White, Male
Birth Date:	[REDACTED]
Juvenile:	NO
Personal Information	
Ethnicity:	American
Height:	511
Weight:	166
Eye Color:	Brown
Addresses	
<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/17

Report Date: 04/06/2016

Subject #2 - WITNESS #1 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Subject #3 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Audio Recording of Interview of Manual SANCHEZ Produced by SSA Swanson

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: Audio Recording of Interview of Manual SANCHEZ Produced by SSA Swanson
Quantity: 1
Submitted To PES: Property & Evidence
Collected Date/Time: 04/06/2016 00:00

Officers

LEO
Swanson, Gary (Agent / Minnesota BCA)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/17

Report Date: 04/06/2016

Officers - Continued

LEO

Murphy, Joe (1350 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/06/2016 10:48
Last Update Operator: O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/11/2016 09:21

Reporting LEO	Date	Supervisor	Date
Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)		O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday April 5, 2016, SA Castilleja received a telephone call from SA Murphy who asked if SA Castilleja would interview a person in reference to an officer involved shooting that occurred the day prior in Minneapolis. SA Murphy knows SA Castilleja to speak Spanish and said the person was an older gentleman who speaks Spanish and knows little English. SA Castilleja agreed to meet SA Murphy and SSA Swanson at the Minneapolis Police Department Third Precinct that same afternoon.

At 2:00 PM, SA Castilleja arrived at the 3rd Precinct and was briefed by SA Murphy and SSA Swanson. SA Castilleja learned that a gentleman seated in a room in the front lobby of the precinct was a man who was lived at 2120 Minnehaha Avenue South, Apartment #1. SA Castilleja learned that an officer involved shooting involving Raul Salvador Marquez HERALDEZ occurred in that same building on Monday April 4, 2016 and that the gentleman may have been a witness to some of those events.

At 2:18 PM, SA Castilleja met with the gentleman who was seated in the front lobby room of the 3rd Precinct. SA Castilleja introduced himself and displayed his police credentials. The gentleman identified himself as Manual SANCHEZ and confirmed that he lives at 2120 Minnehaha Avenue South #1. SA Castilleja learned that SANCHEZ spoke little English and SANCHEZ said he preferred speaking Spanish with SA Castilleja. SANCHEZ said he had no difficulty understanding SA Castilleja. SSA Swanson initiated an audio recording of the following conversation and later produced an audio CD described as MN BCA Exhibit 2016-213/17.1. SSA Swanson relinquished the exhibit to SA Castilleja who relinquished it to SA Phill for its appropriate care and custody.

SANCHEZ said he was born in Durango Mexico and has lived in Minnesota for the last thirty years. He has lived at 2120 Minnehaha Avenue South #1 for two years. He said he is on public and private assistance to help pay his rent and personal lifestyle.

SANCHEZ said he knows a gentleman named "Raul" (Raul Salvador Marquez HERALDES). SANCHEZ said he has known HERALDES for about a year and met him at the Salvation Army in Minneapolis where they received assistance. SANCHEZ said HERALDES arrived to visit him at his apartment Sunday April 3, 2016 between 8:00 and 9:00 PM. SANCHEZ said HERALDES wanted to drink liquor with SANCHEZ however SANCHEZ said it was Sunday and liquor could not be bought. SANCHEZ invited HERALDES to spend the night on his couch in his apartment. SANCHEZ said HERALDES was dropped off in a red truck by HERALDES's wife. SANCHEZ said he did not know the name of HERALDES's wife or where they lived.

SANCHEZ said he went to sleep around 10:00 PM that evening. He said HERALDES was pacing all evening in the apartment. SANCHEZ said he awoke around 3:00 AM and observed HERALDES pacing in the main hallway of the building and turning on lights. SANCHEZ said the manager who lives in the building came out and told HERALDES to leave. SANCHEZ said the manager called the police.

SANCHEZ said after the police arrived and HERALDES told them a strange red van was parked outside the building. HERALDES told the police there were people in the van who wanted to hurt him and his family. SANCHEZ said he saw no one in the van and the police then left. SANCHEZ said he knows HERALDES to abuse drugs and alcohol. SANCHEZ told HERALDES to go to sleep on the couch and SANCHEZ went back to sleep. At 8:00 AM, SANCHEZ said he was awoken by loud pounding noises HERALDES was making. He said HERALDES was in the main hallway again and was pounding on the walls. SANCHEZ said the manager telephoned the police a second time.

SANCHEZ said his friend "Al", (Alan Robert COLEMAN) lives in the adjacent apartment #2 next to SANCHEZ. SANCHEZ said he stood at the doorway of #1 and observed COLEMAN open the door from the inside of #2. SANCHEZ said he observed HERALDES force his way into apartment #2, pushing COLEMAN inside, then shut the door behind him. SANCHEZ said he observed HERALDES to have something in his hands but could not identify the object.

SANCHEZ said he observed the police in the hallway and was told by the police to stay inside his apartment #1. SANCHEZ said he remained inside his apartment and did not witness anything further.

SANCHEZ said he saw an ambulance arrive around 10:00 AM that morning. He said the police left the building around 3 or 4 PM that afternoon.

SANCHEZ said he had a couple of friends attempt to check his welfare that morning however was unable to approach the building because of the police perimeter. SANCHEZ said he rarely leaves his apartment because he fears that black people will mug him on the street. SANCHEZ said his friends who attempted to check his welfare have been mugged by black people on more than one occasion. At 3:09 PM, SA Castilleja ended the interview with SANCHEZ.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/18

Report Date: 04/06/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Digitally recorded interview of Officer Joshua Stewart
Occurrence From: 04/05/2016 00:00
Occurrence To: 04/05/2016 00:00
Reporting LEO: Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Swanson, Gary (BCA 1326 / Special Agent / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/28/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 5, 2016 SSA Hanegraaf and SSA Swanson obtained a digitally recorded statement from Minneapolis Police Officer Stewart regarding the Officer Involved shooting incident that occurred on April 4, 2016 at 2120 Minnehaha Ave in Minneapolis MN. By virtue of this report, exhibit 2016-203/18.1 and 18.2 were acquired.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Subject #1 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

Relationship	Address
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/18

Report Date: 04/06/2016

Subject #2 - LAW ENFORCEMENT OFFICER #1 - Stewart, Joshua

Primary Information

Exempt From Disclosure: YES
Subject Name: Stewart, Joshua
Record Type: Law Enforcement Official
Bio: 31 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO
LEO ID: 6824

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - ATTORNEY #1 - Sicoli, Robert

Primary Information

Subject Name: Sicoli, Robert
Record Type: Person
Bio: White, Male
Juvenile: NO

Property #1 - CD Containing digitally recorded statement of Officer Stewart

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing digitally recorded statement of Officer Stewart
Quantity: 1
Control Number: 18.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Collected Date/Time: 04/06/2016 00:00

Property #2 - Hand drawn diagram from Officer Stewart

Primary Information

Property Class: Evidence
Property Type: Documents
Description: Hand drawn diagram from Officer Stewart
Quantity: 1
Control Number: 18.2

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/18

Report Date: 04/06/2016

Property #2 - Hand drawn diagram from Officer Stewart - Continued

Primary Information - Continued

UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: BCA-HQ
Collected Date/Time: 04/06/2016 00:00

Officers

LEO
Trebesch, Jesse (20487 / Patrol Officer / Minneapolis Police Department)

Record Status Information

Record Origination Operator: Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/06/2016 14:09
Last Update Operator: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/28/2016 13:14

Reporting LEO	Date	Supervisor	Date
Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 5, 2016 at approximately 11:23hrs, Senior Special Agent (SSA) Hanegraaf and SSA Swanson obtained a digitally recorded statement from Minneapolis Police Department (MPD) Officer Joshua [REDACTED] Stewart. This statement was regarding the Officer Involved shooting which resulted in the death of Raul Salvador Marquez Heraldes, D.O.B. 09/13/1965 at 2120 Minnehaha Ave located in the City of Minneapolis on April 4, 2016.

Prior to any questioning, the Bureau of Criminal Apprehension (BCA) Criminal Investigative Warning was provided to Officer Stewart which he reviewed and signed with his legal representative Mr. Sicoli. This document is attached to this case file report.

The statement from Officer Stewart has been transcribed and also attached to this case file report for full details as well as a not to scale diagram completed by Officer Stewart.. A synopsis of the statement is as follows:

MPD Officer Joshua Stewart, Badge number 6824 has been employed as a peace officer with MPD since September 2009. During this time Officer Stewart has worked in the capacity as a Patrol Officer and worked the night shift which is from 20:30hrs to 06:30hrs. Officer Stewart wears a full duty uniform in this capacity with patches indicating MPD and a full duty belt.

On April 4, 2016 Officer Stewart was working with an assigned partner being Officer Trebesch in which they shared a fully marked police vehicle.

Officer Stewart stated that while he and his partner were at their designated office at 3000 Minnehaha Ave S., he overheard radio traffic of an "unwanted person" at 2120 Minnehaha Ave. Shortly thereafter, he overheard the MPD Officer at 2120 Minnehaha, stated that more Officers were needed "Code 3" which is a high priority emergency response.

Upon arrival, Officer Stewart stated that he observed Officer Perkins standing by the front entry door of 2120 Minnehaha holding the door shut. He indicated that Officer Perkins told him there was a person inside the building armed with a large knife and the person was acting "manic."

Officer Stewart further overheard radio traffic that a Crisis Intervention Team (CIT) Officer respond to the scene. He indicated that CIT Officers have specific training to deal with individuals who are showing signs of having some type of Mental Illness or are in a Manic State.

Officer Stewart said while at the front entry door, he observed other Officers with the firearms drawn at which point he drew his Taser X-2 so that multiple options of force were available depending on how the situation transpired. He further learned that the subject later identified as Raul Salvador Marquez Heraldes and hereinafter described as HERALDES was a Hispanic male.

Officer Stewart stated that information was learned at the scene that HERALDES had entered Apartment 2 inside the building at which point he and multiple other Officer's entered at this time. Upon gaining entry of this building, he stated he could hear two separate voices coming from Apartment 2 with one voice being "very hyper and manic saying that he wasn't going to come out and that he was going to kill everyone." The other voice was of someone who "sounded extremely afraid and he was saying that he couldn't come out." At this point, Officer Stewart indicated that he believed this to be a hostage situation.

Officer Stewart told SSA Hanegraaf at this point Officer Mulmberg who he believed to be a CIT Officer took over with verbal communication with the occupants of Apartment 2 and at one point he (Officer Stewart) overheard the subject HERALDES state that he wanted to talk to his wife in which HERALDES gave two phone numbers that were both incorrect as other Officers attempted telephone contact. Officer Stewart overheard HERALDES say the name similar to "Rosita Cruz" which he stated was familiar as he had responded to a call for service earlier on April 4 to the address of 3816 Portland Ave in which the complainant on this call for service used this name and stated a "female was being killed by the Mafia" at this location. Officer Stewart stated he and his partner Officer Trebesch checked this location finding no one being harmed and no one at this location.

At this point Officer Stewart said he heard HERALDES say "Rosita" was dead which made him fearful that this "Rosita" may also be inside Apartment 2 and being harmed as well. He then heard yelling coming from inside Apartment 2 and described it as "they were being murdered." This further made Officer Stewart fearful that HERALDES was harming whomever was inside. He stated it was a group decision by Officers on scene to enter Apartment 2 at this time as they believed parties were being injured by HERALDES.

Officer Stewart stated he kicked the door of Apartment 2 a few times prior to it opening at which point this caused him to loose balance and fall to the hallway floor. He stated as he was falling, he caught a glimpse of the victim being stabbed in a bathroom that was located directly inside the door and to the right. At this time he heard a small number of gunshots but could not recall exactly how many. He stated as the gunshots stopped, he observed a white male come running out of the bathroom with a knife sticking out of his back.

Officer Stewart said he went into the bathroom at this time and saw HERALDES in the bathtub at which point he proceeded to handcuff him. As he grabbed HERALDES wrist, he stated HERALDES "eyes opened wide wildly and he leaped out of the tub uh onto me attacking me." He stated at this point he and HERALDES went to the floor and that HERALDES had "head butted" him several time and that HERALDES was bleeding all over his (Officer Stewart) face and uniform.

Officer Stewart finally stated as other Officers aided in placing HERALDES in handcuffs, he (HERALDES) was moved outside the apartment and into the hallway where he began to calm down. At this point Officer Stewart observed HERALDES to no longer be a threat and further observed a gunshot wound to HERALDES chest area. Officer Stewart began life saving efforts for HERALDES at this point until paramedics arrived on scene.

SSA Hanegraaf concluded the statement by asking Officer Stewart if he had any knowledge of any video recordings showing this incident at which point he stated no.

For full details, see transcribed statement.

By virtue of this report, exhibits 2016-213/18.1 and 18.1 were acquired.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	04-05-2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Joshua Stewart (JS)	INTERVIEWED BY:	SSA Luke Hanegraaf (LH) SSA Gary Swanson
REVIEWED BY:			

LH So today's date is April 5th, 2016. The time is 11:23 hours. Ah this interview will be conducted at 3000 Minnehaha Avenue South at the ah Minneapolis Police Department 3rd Precinct. Uh the zip code here is 55406. Telephone number: 612-673-5703. Ah present today ah during this interview will be ah Senior Special Agent Gary Swanson, Senior Special Agent Luke Hanegraaf, Officer Joshua [REDACTED] Stewart; S-T-E-W-A-R-T, Date of birth: [REDACTED] of [REDACTED] as well as ah Officer Stewart's uh represented attorney uh Mr. Sicoli; S-I-C-O-L-I. Ah this will be regarding BCA case number 2016-213. Um Mr. Stewart; Officer Stewart, is okay if I call you Josh?

JS Yes.

LH Okay. Josh um I took some information down quickly um prior to us beginning this tape uh basically your information, your full name, date of birth ah your work address, your work phone number um you also provided that you are licensed Peace Offinic'—Peace Officer in the state of Minnesota?

JS Yes.

LH Okay and your Post License Number is 20485?

JS Yes.

LH Okay and prior to turning on the tape, did I show you uh a BCA form called a um Criminal Investigative and Warning?

JS Yes you did.

LH Okay. Were you able to review that with uh your attorney?

JS Yes.

LH Okay and having read that, you stated that you agreed to speak with us. You signed it as well as witnessed by your attorney?

JS Yes I did.

LH Okay. Alright. Uh Josh can you explain and just tell us a little bit about your background; your history? How long have you worked at Minneapolis Police Department and have you had any other previous um law enforcement experience?

JS Well 'ed would you care to know any security or military experience at all (inaudible)?

LH Yes. Please.

JS Uh I spent two years working Uniform Security at the Target out on Lake Street. I spent two years as a Community Service Officer with the Minneapolis Police Department. I have spent six years in the Army National Guard as an infantry man where I did a tour of combat duty in

Iraq and I have been with the Minneapolis Police Department since September 8th of 2009, so over six years.

LH So September 8th, 2009.

JS Correct.

LH Okay and what is your capacity at the Minneapolis Police Department at this point?

JS I'm a Patrol Officer.

LH And is there specific location that you work out of in Minneapolis?

JS I work out of the 3rd Precinct which is here; at the address you read earlier.

LH Okay. Alright and every year uh law enforcement officers train for use of force and for fire arms. Have you or in the past year had qualification courses for use of force and also fire arms?

JS Yes I have. Uh did fire arms qualification in January um and I've also done use of force training, I don't know the exact dates.

LH Okay. But you had your qualification for use of force in 2015?

JS Yes I believe so.

LH Okay. And you stated January for your fire arms, is that of this year or?

JS Yes.

LH Okay. Alright and what um shift do you work for the Minneapolis Police Department?

JS I work Dog Watch which is 20:30 to 06:30.

LH And in your rotation um bring you back to Monday morning April 4th, 2016, what day of that was your rotation? Had you been on for a few days? Was it your first day back?

JS It was my third day of working.

LH And have you worked Dog Watch um for a period of time?

JS I've worked Dog Watch ever since I completed field training.

LH Okay. So this is not a new shift for you. You're, you're comfortable or you're use to staying up all night?

JS Yes.

LH Okay. Can you explain to me uh please describe your uniform. What uh does it look like?

JS I wear a Minneapolis Police Department marked turtle neck. A fully marked light blue uh Minneapolis Police Shirt with uh a patch on each arm that says Minneapolis Police. A, my badge over left chest and my name tag over my right chest. I have my Minneapolis Police pants and boots and then I also wear a duty belt.

LH Okay and what is your badge number that indicates...

JS (cleared throat)

LH ...your uniform?

JS My badge number is 6824.

LH Can you describe what you wear on your duty belt? Can you start at one side and just kinda work your way around it for us?

JS On my right side I have two magazines for my pistol. I then have a belt keep with a squad key in it that is held through a pocket in the belt key. I then have my duty pistol; a 6 hour

P226 9 millimeter. Uh behind that I have a 21 inch expandable baton with a grip cap on the back, then I have in the center of my back a pouch that has two pockets; one is with a breathing tube and one is with rubber gloves. The third, and then over on my left hip starting from the back working forward I have my flashlight and then I have my police radio with shoulder mike that I wrap around uh to my, to have it attached to my chest; it goes over my right shoulder and attaches to my chest. Then I have a taser that is in my left handed draw and it is the X2 taser. After that I have a, a can of chemical irritant and then I have a handcuff case that holds two pairs of handcuffs. I also carry a, I also wear a vest and in my vest I have a holster where I carry a backup handgun; a Smith & Wesson model 16, 38 caliber, stub nose revolver.

LH Okay. So you have a pretty full duty belt?

JS Yes.

LH Do you carry one or two sets of cuffs?

JS Two.

LH Two. (coughs) Excuse me. Okay. Can you describe what you um typically drive during a shift?

JS I drive a Ford, uh Ford Explorer that's fully marked with a cage and lights that has a squad computer in it and a mobile vision recorder in it.

LH Okay. And when you say uh fully marked, does it indicate Minneapolis Department?

JS Yes it does.

LH Okay can you describe where it says Minneapolis Police?

JS On, believe it says Minneapolis Police on the sides.

LH Okay.

JS And also on the back.

LH Alright. Do you work with a partner or do you drive uh alone?

JS I work with a partner.

LH Okay and who's your partner that you were riding with on April 4th?

JS Uh my partner I was riding with is Officer Jesse Trebesch, who is also my regular partner.

LH Okay so you guys typically work the same days, same location then?

JS Yes. (clears throat) Oh excuse me.

LH Alright. Going back to would be your shift starting Sunday night April 3rd going into Monday morning April 4th, did you receive a phone call or call for service or someone else that escalated?

JS Uh I heard a call go out of an unwanted person at 2120 Minnehaha, another squad car took that call. While they were enroute I heard that the call was updated to a person with a weapon, uh at that time I thought that it might be good to start heading that way. Uh before I even was able to head that way these officers on scene radioed that they needed more officers code 3; which means it's an emergency and we have to come as quick as possible, red lights and sirens.

LH Okay. And where were you when you overheard this call come out first?

JS I was at the precinct here.

LH Okay. And when you hear a call come out as an unwanted person, is that a pretty normal typical call in the city of Minneapolis?

JS Yes.

LH Okay and typically on a normal unwanted person call is there more than one squad that would respond to that or is typically one squad?

JS Unless there is some type of uh information where it's a drug location or a gang location or someone that says they're going to fight the police, we only have a two person squad respond to a call of an unwanted person.

LH Okay. And when you heard this get updated to a weapons call, is that something that you would typically send more people to?

JS Uh dispatch usually does not, but typically we as officers will start to have at least one other two person car, usually at least two other two person cars.

LH Okay and from the precinct to the 2120 Minnehaha how 'bout, how far is that?

JS I do not know, a few miles.

LH Okay. So it's a fairly quick run?

JS Yes.

LH And when you say code 3 you say all your emergency lights and siren on?

JS Yes.

LH Okay. And who was driving that during that shift when you responded from the precinct to the location?

JS Officer Jesse Trebesch; my partner.

LH Okay. You also indicated a mobile vision unit or is that like a in car camera?

JS A mobile video recorder, uh we have a squad mike that was in the squad at the time and a camera that faces out towards the street and a camera that faces the uh backseat where suspects typically sit.

LH Okay and was that operational during this uh call for service.

JS I noticed that it did not turn on as my partner was driving red lights and sirens. I didn't notice that it wouldn't, did not turn on until we arrived on scene, where I would typically turn the camera off because the incident wasn't happening outside, it was happening inside, and when I went to do that I noticed that it was not on even though my partner had gone with full lights and siren.

LH And typically when you turn lights and siren on does that automatically come one?

JS Yes.

LH Okay. Can you describe the location that you arrived at? Where the officers were calling for backup?

JS Uh I don't know much history about that address. I'd only been to it once before on a very routine call. Uh I knew that there was some type of apartment building with several apartments in it. Uh beyond that I didn't know anything else about it.

LH Okay. When you arrived, can you describe, is this a single level, multi-level apartment building?

JS I don't remember. Uh I believe it was only a single level.

LH Okay. Describe what happened after you got out of the vehicle, you're out of your squad car and you went up. Who is, who are the other officers that were already on scene?

JS Uh squad 311; Officer Perkins and uh his partner that night; Officer, I'm sorry it, his name I can't pronounce it that well. He's being trained in and he's new to our shift. (inaudible)...

LH Okay.

JS ...uh Graufner (sp?), I believe.

LH Okay.

JS I noticed that uh there squad was parked on the same side of the street as the building facing northbound. I saw Officer uh Graufner on the what I believe to be the south side of the building covering the back, but also staying up so he can run to help his partner if he needs to, what's me believe that there was someone in the building that might be trying to run out either of the entrances and I saw Officer Perkins holding the door closed with his left side of his body in a, a uh typical weight lifting athletic stance to make sure the door stays closed with his pistol drawn pointed towards the ground.

LH Okay. And what did Officer Perkins tell you at that point?

JS I do not recall his exact words, but he told me that there was a person inside armed with a large knife and that the person was acting manic. I know that he did not use that exact term, but his uh description of the man made me believe the person was acting manic.

LH Okay. Is there anything typically if you'd deal with someone that as you described being manic, is there anything that the Minneapolis Police Department you, do you have special training or does anyone else have special training to deal with these types of situations?

JS I do not, but I know that when we respond to the call code 3, Officer Perkins had requested a crisis intervention team officer who would deal with an emotionally disturbed person that is in a manic state.

LH Okay. And do you know which officer that was that responded for that?

JS Sev' several responded, two I know for sure were Officer Eric Mulmberg and Officer Oachs, I believe his name is Lucas Oachs.

LH Okay. And when that's kind of a work working uh relationship when a CIT member comes to a call like this, do they typically take over any communications with a subject or a suspect at that point?

JS In almost all situations yes, uh rarely they won't take over the situation and that's if uh you go to a status report and things are going well.

LH Um-hm. Okay. So what happened after that? Tell me, tell us about when you saw Officer Perkins holding the door shut and his firearms out, what happened after that?

JS I knew that there was a suspect armed with a knife inside. I-I drew my firearm and I saw that someone was either pulling or pushing on the door. I didn't know who. The Officer Perkins forcibly tried to keep the door closed. So I ran up to assist him and he got the door closed before I got there. I attempted to look through the window to see inside the apartment, I couldn't see anyone but I could hear someone pacing and yelling. I saw that there was a stairway coming down and then it there was an apartment to the left and to the right there was a short L hallway. At that time I thought that since Perkins had his firearm out I told him I'll go less lethal and I holstered my handgun and I drew my taser X2. I knew that he does not have a taser.

LH Okay. And when you describe that door as an apartment door, is this the apartment door that's going into an actual apartment or a entry into the apartment building?

JS It's entry into the apartment building.

LH Okay. Alright. And once you drew your taser and you advised um Officer Perkins of that what happened after that?

- JS We were still waiting for more officers to respond. I continued to look inside to see if there was anyone in the hallway. I do remember someone coming to the door and Perkins slightly opening the door while I covered him at taser point and uh with the taser pointed towards the ground and I was a, believe female, he told her to go into her apartment and lock the door. Uh and we tried to look inside to see where the suspect was. If I could see the suspect, my plan was to try and uh disable him if he was armed with a knife. We couldn't see him and I didn't wanna enter in and go around that corner without being able to see where the suspect was at that time and uh to the best of my knowledge no one else was in the hallway. The female had gone into her apartment and locked the door.
- LH Okay did Officer Perkins tell you a name of the suspect or what, what information did you have at that time other than you believed that person was manic um that Officer Perkins told you or from dispatch?
- JS From dispatch I knew that the suspect was a Hispanic male and that he was armed with a knife. From Officer Perkins I knew that the suspect was armed with a large knife and uh that was about all. I didn't know the suspects name. I didn't have the suspects clothing description. Uh it may have been entered by dispatch but I haven't been able to hear that or see that on the squad computer as we were going to the call.
- LH Okay. When you're typically responding to backup officers on a call for service that's involving weapons does your, do you get a little bit more heightened? Did it, does your, not adrenalin rush but do you get more, does your senses get a little bit more heightened because you're responding to emergency compared to like what you'd say unwanted person call?
- JS Oh yes um any call like that you definitely uh have much higher heightened level of alertness. Um on top of that Officer Perkins has 28 years' experience. He is very calm. He rarely calls for backup and he is usually able to de-escalate situations extremely well. The fact that he was calling more officers code 3 and requesting a CIT and that Officer Perkins, in my opinion, obviously seems scared. I've never heard his voice elevate like that. I've uh rarely see him get into a physical stance like that with his firearm out. All those things led me to believe that this was an extremely dangerous call.
- LH Okay. What happened after this? So you're at the doorway to the apartment, describe what happens when you go into the apartment or go into the apartment building.
- JS Other officers get there and uh we were going to make a plan of how we're gonna go in and handle this, but we weren't able to as uh someone in the building said that he went in, the suspect went into an apartment and I did hear an apartment door close and what I thought was the sound of a lock being turned. And we were given information that it was not the suspect's apartment. It wasn't the apartment that he was there to visit, because dispatch had told us that he was there to, he had been drinking all night and was visiting with someone at another apartment, had been kicked out of that apartment and that's when he became an unwanted person due to the building manager. So now I was very afraid that he was inside either killing or assaulting someone in that apartment or taking them hostage, so we had to enter immediately. I pulled my taser out and I said I need lethal cover. Officer Eric Mulmberg came up and stood by me and Officer uh David Robins came behind me and I remember seeing his firearm go over my shoulder and feeling his hand on my back telling me he's with me. I reached around and grabbed onto him to make sure he was there and pulled him in closer to me and we moved forward down the hallway as I had my taser turned on covering the door. I don't know who knew this or how that (inaudible) was given to us, but somehow we were told that the suspect had gone into apartment number 2.
- LH Okay. So describe what happens when you get to apartment number 2.
- JS Well as we were moving closer, we didn't hear anyone inside screaming. We didn't hear any signs of an assault, so we stopped at a area where we could take up cover and also be

able to degree in case the suspect came out to rush us and I took a cover to the left where there's a little indent in the hallway on a wall, and I covered the apartment door at taser point while Officer Robins and Mulmberg were right next to me covering it at gunpoint. There was no light in the hallway so my taser light was on and I know that Officer Mulmberg's light was on from his duty pistol. I don't remember if Robins' was or not. At that time we attempted to make verbal contact with whoever was in the apartment.

LH Okay and were you able to make contact with anyone?

JS Yes as soon as we started yelling who's in the apartment please come out, I heard two separate voices. One was a voice of someone sounding very hyper and manic saying that he wasn't going to come out and that he was going to kill everyone. Another voice was a male that sounded extremely afraid and he was saying that he couldn't come out. Uh I called to him, to the male that couldn't come out several times asking if he could try and come out. If he could come out, if he was being held in there and he just kept telling us he couldn't come out and told us to come in. I tried to reassure that male, said everything's gonna be okay, but I knew that if we couldn't go in as the other male was yelling if you come in here I'm going to kill him.

LH Okay and then in your opinion, while you're listening to this going on inside that apartment hallway, apartment building hallway at that point, does this make you believe that this is a hostage situation?

JS Yes. I uh remember saying that w' we would need to create an operation 100 with the Swat team and uh someone also immediately requested a negotiator.

LH Okay. What happened after that?

JS Uh there was a little bit where I was going to try and make contact saying, with the suspect asking him not to uh harm anyone, asking him what he wanted and to come out and put the knife down. Um but then I deed' I uh stopped (inaudible) let Officer Mulmberg take over as he was trained as a (inaudible) team officer.

LH Okay.

JS I don't remember if a Sergeant said that or if I made that decision on my own or if Mulmberg said let me do that, I don't know, I don't recall.

LH But at some point Mulmberg takes over the interaction between the suspect and the PD?

JS Yes.

LH Okay. Um did you ever hear the suspect give his name at all when you're doing this?

JS Not that I remember. I believe that Mulmberg was calling the suspect by a name.

LH Okay.

JS But I don't remember how we got that. I also remember that we knew the, the hostage name and his name was Pal. I don't know how we got that information or who passed that up to us. There were officers behind us talking with neighbors passing up information to us but I wasn't looking back. My complete attention was focused forward in case he out either one with the hostage or two by himself and was still armed with the knife. I was the less lethal option before we would have to be forced to use lethal force.

LH Okay and the apartment number 2 is closed, the door is closed at this point when you're having negotiations or interactions?

JS It was closed and I believed it was locked from when I heard the sound of a locked turn.

LH Okay. When you heard the voices coming out of the apartment, was it very apparent that there were two separate voices and not just one person?

JS Yes.

LH Okay.

JS It was apparent by the tone of their voices, by the sound of their voices and uh just by the manic versus panic, um one voice was extremely agitated and angry. It seemed like he was in control. He was telling us what to do. And the other voice seemed very uh um afraid, asking us to come in, begging for help.

LH Okay. And then what happened after that Josh?

JS The suspect uh who I believe was a suspect, was telling us that he needed to speak with his wife. Uh I know that Officer Mulmberg several times tried to get him to come out and drop the knife and that we would let him talk to his wife. We would find his wife. We will call his wife. The suspect then said put my wife on speaker. So Officer Mulmberg asked for his wife's phone number. A phone number was given. Officers behind us uh took down that number and someone attempted to call the number and informed us that it was a number that was not in working order.

LH Ah.

JS So we told the suspect this and requested if there was another number to reach his wife at. He gave us a second phone number. That number was taken down again from behind us. I remember repeating the number while looking at the door so the officers behind me could do only do what I was assuming was writing it down, but I was looking forward. At that time we heard that the, that from someone behind us that someone had called the number, but then it gone to voicemail and that we couldn't get a hold of his wife at the time. I was trying to uh whisper to Mulmberg to try and give him ideas as he was talking with the suspect and uh Officer Mulmberg told the suspect that we couldn't get a hold of his wife, but that we would find his wife and bring him to his wife and or bring his wife here if he would just put down the knife and come out.

LH Um-hm.

JS I know that several times I would also yell to Al to make sure he was okay and he said that he was okay but he couldn't come out. I did that two or three times during this in' conversation.

LH Okay. What happened after that then?

JS The negotiations started to break down because the suspect who was starting to use a name of a woman that I remembered from a prior call that I believe was at 3816 Portland about a female that was being killed by the mafia and we were sent to that address uh where at that time we couldn't locate anyone. The lights were all turned off. We knocked on the apartment door, no one came. Uh we called back the caller, couldn't get any information, couldn't find anything so we cleared. Um he started using the name of the woman that was supposedly being killed by the mafia in uh that call on this call saying that that was his wife. Uh that concerned me greatly cuz I felt that maybe there was no wife that we could contact and that he was uh not thinking straight and by he I mean the suspect. Uh then he; the suspect, stated that his wife was dead.

LH Do you remember a name? Was he using a name at all?

JS Uh the name changed more than once, but the name that stuck out to me that reminded me of the call was a Rosea (sp?) Cruz or Rosita Cruz, something to that uh similarity.

LH Okay. And how long prior to be being at the Minnehaha address was this Portland call? Do you remember?

JS Maybe two hours. I don't know for sure though.

LH Do you remember if it was at least after midnight?

JS I do not sir.

LH Okay. But that'll be somethin' that we could find pretty easily?

JS Yes sir.

LH That was a call for service?

JS Yes sir.

LH Okay. So when you went to the 3816 Portland there was nothing there?

JS There, all the lights were off. Everyone seemed to be asleep. We uh walked around the building, I remember specifically checking both sides. Uh the apartment building was locked. We knocked on it, no one came. We called the caller back um there was no signs of him n' n' the caller didn't answer. Uh by we I mean we had dispatch do that.

LH Um-hm.

JS We don't have city cell phones. Um we didn't see any signs of distress so we thought that it may have been uh an unfounded call.

LH Okay. So what happened after when you were at Minnehaha um and this Rosita or Rosie Cruz was brought up, what happened after that?

JS He told us, the suspect told that she was dead. I became more and more fearful for the wife of the victim being held hostage inside. Uh Officer Mulmberg, I remember telling him and then he did stress even more please put the knife down, come out. Ya know, we'll, we'll try and help you through this, we'll, we'll work with ya, we'll do what we can. Um and then at that time I heard a voice that sound different than the suspects voice, sounded like the victim's voice uh yell out in terror and fear and anger.

LH Do you remember what they were yelling out?

JS Uh it was, di' if I, I mean it's just like Aaaaaaaaaauuuuuuuuuuuuuugh. Um no words, just uh, uh just the yell of so of give as they were being murdered.

LH Okay. And what—how did that make you feel? What did that make you feel like you should do at that point?

JS I became very fearful that victim was being killed. That the victim was being stabbed to death by the suspect and I knew that we could no longer negotiate and that we had no time left and no options but to go into the apartment and stop the victim from being killed and stop the suspect.

LH Okay. Was there one specific person that made that the choice then ta to breach the door to go in?

JS No sir. We uh had briefly talked about it in between the conversation that if, I believe my partner Officer 'Besch brought up, what do we do if he starts stabbing the, the victim and we all said uh becomes just like an active shooter. We have to go in and, and the attempted murder, violent assault.

LH Okay. So at that point who was all in the, do you remember who was all in the uh hallway with you?

JS Uh up with me...

LH Um-hm.

JS ...as the most forward group was Officer Eric Mulmberg, Officer David Robins and myself.

LH 'Kay so describe um going through the door breaching the door.

JS I believe the door was locked and I knew that with fumbling with any type of keys that we didn't have with us uh but supposedly uh I had been informed earlier that someone had keys to the apartment. I knew by that time it would be too late to have the keys passed up to us to fumble around to unlock it. I knew that, that option wasn't available, so I uh, we went forward at gun point. I attempted to holster my taser and it fell to the floor, and I turned around uh facing away from the door so I could kneel kick it. In my experience that's the best way to kick in a door. And I began to kick the door at the base under the lock as hard as I could.

LH Okay. And were you able to break the door at that point?

JS Yes after one to two kicks I broke the door in uh relative quickly. I don't know if other officers would kick in the door as well or if they were covering me at gun point.

LH Okay and did you go in first then or did other, your other partners enter first?

JS Once I kicked the door, I attempted to draw my handgun as I felt that a taser was no longer as option. I knew inside the apartment it would be really small and for my taser to get narrow (inaudible) would not happen and suspect will still be able to kill the victim or officers. I also knew the chances of my probes hitting the victim were extremely high as the probes separate and I knew that the victim, I believe the victim was being murdered and we had to end that as quick as possible, so I went to draw my firearm but I was turning inside at the same time and I fell to the floor. Uh out of the apartment 'cuz when I kicked it in I'd fell almost forced my way in to the apartment and I fell to the floor back out of the apartment.

LH Okay. And who entered then at that point?

JS I do not know. I just remember thinking that by falling uh I had create a greater risk for the victim and the other officers and myself, that the suspect could kill the victim, rush and kill me or other officers.

LH Okay. So what happened after you fell then? What did you hear?

JS As I was falling I caught a glimpse. I don't know what position they were in, but there was a bathroom right to the right of the, of the door as soon as you enter and I saw uh the victim being stabbed.

LH Okay. And then what happened?

JS I stood up as quickly as I could and went in at gun point. I remember as I was getting up hearing shots being fired and I remember an officer saying on the radio "shots fired."

LH Okay. So you were not the first one in the apartment after the door was breached?

JS I was not.

LH Okay. Can you approximate how many shots you heard?

JS I cannot.

LH Okay.

JS Uh s' it was a small volley of fire, less than 10.

LH Okay. More than one shot though?

JS Yes sir.

LH Okay. What happened after the shots stopped?

JS I, I'll, I stood up and as I was standing up the shots stopped. The victim who was a white male I believe came running out. I saw a knife sticking out of his back. I went past the victim into the bathroom where there is a toilet and then a bathtub and I remember the suspect he was falling or had already fallen and was in—I don't remember he was falling or

had already fallen, uh he was in the bathtub with his legs sticking up and then he'd brought his, his leg, he like brought his legs in and I saw that he was bleeding.

LH Okay and when you describe him bringing his arms up, bringing his legs up, did it appear like he was in pain? Did it appear that he was trying to not be uh taken into custody by the Minneapolis Police Department? What did it seem like when he was doing that?

JS I thought that his, it was a involuntary reaction from falling and that he was dying.

LH Okay. What happened after that then?

JS I held him at gun point as I was afraid that he may have another knife. In my training if you find one weapon you always search for a second, you don't stop. I had seen a knife in the back of the victim so I thought that that was the knife the suspect was using to stab him. I looked and visual inspected for maybe two seconds as quickly as I could to check for another knife. And then I went to ho' I holstered my handgun and went to grab the suspect in order to handcuff him, so that we could safely provide first aid for the suspect after being handcuffed. I knew that other officers behind me would take care of the first aid of the victim.

LH Okay. Did it appear that the suspect was wounded from the gunfire?

JS He, I did see blood. I don't know where the blood was coming from. When I went to grab the suspect my finger went into a bullet hole in his wrist that I felt.

LH Okay. And when you were taking the suspect into custody or attempting to handcuff him did he resist you at all?

JS Before I had a chance to handcuff him, as soon as I grabbed him, his eyes opened wide wildly and he leaped out of the tub uh onto me attacking me.

LH Okay. And were you able to stay upright or did you go to the floor at that point?

JS I was not able to stay upright. I was knocked back and used my body weight, cuz I was lighter than the suspect, to push forward and we landed on the ground in between the tub and the toilet.

LH Okay. Did you receive any injuries from this altercation you had with him?

JS Yes my shoulders are sore, my back is sore, my neck is sore and uh several times during the altercation the suspect either head butted me or his head hit me on accident and my glasses were knocked off and my head was sore and uh just below my right eye I felt a pain.

LH Okay. Did you have any type of blood exposure with uh the suspect at this point?

JS Yes. The suspect was bleeding. He bled on my face and on my uniform. My hands were covered in blood as I was uh on the floor. I had one, one while I was attempting to have one of the suspects hands in each arms 'cuz I was afraid he was still armed with knife as a second knife or, or, or whatever and I also didn't want him to be able to hit me and I remember trying to grab and control his hands as we were rolling back and forth on the floor with me half way on top of him.

LH Okay. And what happened after that? Did other officers come into help?

JS Other officers immediately helped me but it felt like an extremely violent confrontation and I know at one time me and the suspect uh were forced into the toilet. I don't know if the toilet—I assumed the toilet was connected to the floor, but the toilet broke from connection from the floor and slid over across uh the bathroom floor, um led me to believe that we had broken the toilet off of its foundation.

LH Okay. Was the suspect, did he want or not want or was he willing or not willing to be handcuffed?

JS The suspect was not willing to be handcuffed and then it seemed like he was attempting to actively assault me. Uh he was growling and uh screaming.

LH Okay. Did he ever say any words that you remember?

JS No sir.

LH Okay. So as this is going on, do you then at some point get off of him? Do the other officers grab onto the suspect to try and get him into handcuffs?

JS I move my way forward to put my most of my upper body weight pinning the suspect between the tub and the floor and other officers got control of his arms. At that point I began to give verbal commands so that we, cuz I said we can't handcuff him like this. Cuz we had handcuffed him in front he would still be able to fight. So I began to give commands on him, for us to move as a team and get him onto his stomach. I took control of his head and upper body and got up onto my knees and we pulled him forward while the officers were controlling his arms, and by him I mean the suspect, and pulled the suspect forward onto his stomach.

LH Okay. Did this all happen in the bathroom or did you make it out into the apartment main living area at all or?

JS This all was in the bathroom. As we were pulling him onto his stomach we went from the rear of the bathroom where the tub is to the front of the bathroom where now is right by the door to enter into the bathroom and the head of the suspect may have been sticking out; the head, the uh bathroom door.

LH Okay. And so ultimately you were able to give, put him in handcuffs.

JS Once he was on his stomach I stepped up 'eh on top of the suspect into a handcuffing position and told everyone I was going to handcuff him. The officers pulled his hands behind his back and I placed him in handcuffs using my handcuffs.

LH Okay. And after he was in handcuffs what happened after that.

JS The suspect stopped fighting and then, well we stood up and we dr' we uh pulled the suspect across the ground out into the hallway and set him, I remember telling (inaudible), set him on his side so I can check him because uh I was afraid that due to his manic state and after being shot and being in physical confrontation this suspect was going to die. When we put him on his side I immediately checked his breathing and his pulse. He w' had shallow breathing and I think pulse, which in my experience is someone who is uh they're, they are, they're dying.

LH Okay. So after he was in custody or he had handcuffs placed on you gave him medical attention?

JS Yes I immediately started checking him for injuries. I saw what I felt were two non-life threatening injuries; one was a gunshot wound to his wrist and it was gunshot wound to his ankles. I continued to check for more injuries and also for weapons. I remember finding a uh a holster for a knife and hand that to an officer and that was thrown to the side and pulling up his shirt and seeing that the suspect had a gunshot wound to his chest, which I felt was a uh most severe injury.

LH Okay. And did you try and give medical attention to that injury?

JS Yes I used my knife which I carry in my right cargo pocket to cut his shirt off and I put m' pressure with my hand over his chest wound. Another officer uh handed me a trauma uh chest (inaudible) which I opened with the assistance of another officer and placed it the bandage and then the uh sealing plastic part of the bandage over the wound and continued to hold pressure while I visually looked for other injuries.

LH Okay. And you did this prior to you receiving any medical attention for injuries you sustained?

JS Yes sir.

LH Okay. So what happened after that once you were able to get thee um medical attention to the suspect?

JS I remember asking if we had another ambulance on scene cuz I do know we had another ambulance standing by code 2 and that the victim would obviously have been with that ambulance and uh I asked them to get a handle and start code 3. I didn't know if an ambulance had already been called or not. I was basically yelling out orders for anyone that would listen to start doing other things.

LH Okay. And did, did that uh, did the suspect then receive uh was he transported? Uh how did that work?

JS Someone came took him then from behind me, that someone yelled out when medical personnel, I don't know if they were paramedics for fire fighters, but I stood up and yelled to whoever it was behind me and I don't remember it they (inaudible) paramedics, but I told them he has gunshot wound to his chest, non-life got threatening gunshot wounds to his wrist and, and ankles and again that was just my assessment and then stepped back and they, they took the suspect.

LH Okay.

JS By they I mean the, the people that I don't know if they're fire fighters or paramedics, but were medical personnel.

GS At some point there did anybody remove the handcuffs?

JS Yes sir. Um before I cut off his shirt since uh he was in a state now where his eyes were opened and ro', the suspects eyes were open and rolling to the back of his head, we didn't deem him as a threat at that moment, so to give him better medical service we cut off or we undid his handcuffs with a handcuff key.

LH Okay. So he was no longer in handcuffs once the medical attention was started in the hallway?

JS Yes sir.

LH Okay. You described in detail um Josh about the prior to going into the apartment and the um belief that he was harming thee uh person that you ultimately saw have a knife sticking out of their back, when you're involved in the altercation with him in the bathroom, did you feel that he was gonna hurt you or hurt anyone else at that point?

JS Yes sir. I felt that he was attacking me. I felt that an assault on me was occurring. Um and I didn't know if he had a knife or not, but he was just going to assault me with his hands and that's why I attempted to control his hands as much as I could.

LH Okay but you did not use deadly force at that point when you're wrestling with him?

JS No sir. I didn't see any other weapons at that time. The only weapon that I had seen that the victim was being stabbed with as I was falling, I saw the victim run out with that knife in his back. Um and since I didn't see any other weapons I felt it best to uh not use deadly force.

LH Okay. You describe your taser as falling uh in the hallway. Does your taser, I know some tasers have video cameras on 'em, does your taser have a video camera on it?

JS My taser does not have a video camera.

LH 'Kay. Is it only certain models that would have it?

JS I don't know if it's something that can be attached to the taser or not.

LH Okay.

JS Uh I had a taser; the X26, for a year that had the video camera but the system kept failing and the taser wouldn't work. It wouldn't take a charge, so I switched to a taser X26 without a camera and that worked fine and when I was issued a new taser um, I didn't have a camera and I didn't ask for one to be put on for that reason.

LH Okay. Alright. And then when you described your firearm uh you said it uh Sig 220 69 millimeter, what's the capacity for rounds in that?

JS I carry a 18 round magazine with one in the chamber and two extra 18 round magazines.

LH Okay. And can you describe on your uniform wh' after the altercation was your uniform ripped, damaged or?

JS There was blood all over my front chest and arms and uh I also noticed that there was later uh when I got, hours later when I went to unholster my pistol and put it in my off-duty carrier, that there was blood on the front end of my pistol, so I don't know if the suspect grabbed my firearm or not, but I, I saw that there was blood there and I checked inside my holster and there was no blood inside my holster.

LH Okay. As far as you're aware is there any other video or is there any video surveillance or any videos that were taken regarding this incident?

JS I do not know of any videos. I know the entire apartment building knew we were there. I know some people had video cameras in their houses, but I have no idea if there was any videos taken there by either bystanders or um and in the house or in the apartment building. I know a lot of apartment buildings have video cameras.

LH Okay. And Josh could you um you described a little earlier, could you out in a non-scale diagram of what you believed as he walked into the apartment building, how you kinda operated the hallway and then also the apartment house kinda laid out.

JS Okay.

(sound of drawing)

LH Okay. And you can just maybe expand a little bit on apartment 2? How was it laid out? I know you described the bathroom being immediately inside the hall 'er inside that apartment.

JS The only thing that I remember of apartment 2 is the bathroom, that it was immediately in there. It was immediately to the right.

GS Where were you, where were you positioned when that, when you heard the shots being fired?

JS I was on the floor or falling to the floor uh right here.

GS And which way were you facing?

JS I had turned uh to face towards the apartment and fell backwards.

GS Okay.

LH Okay. Can you um just initial and date it for us please?

JS The 5th correct?

LH Correct.

GS Correct.

LH Thank you.

GS Um just to clarify a couple things um the, the call that you were at earlier, the 3816 Portland Avenue, did the dispatch give you any information as who the caller was on that? Was male, female? If it was someone in the apartment, not in the apartment? Can you 'eh any, any (inaudible) you have on that?

JS The only information that I remember uh inferring or receiving, I don't remember much, was it the caller wasn't on-site.

GS Wasn't on site? Okay and the caller was saying that this Rosita Cruz was on-site?

JS Correct.

GS And Rosita Cruz was being assaulted?

JS Rosita Cruz was in a fight with someone from the mafia.

GS Okay. And did ya, how, what was your response time between got getting that call and arriving at the scene?

JS Very...

GS Approximately.

JS ...very short sir. I-I don't know uh probably less than 10 minutes.

GS Okay and you knocked on the door and nobody answered?

JS Yes we thoroughly checked the area. Uh we sec' tried to look inside to see if there been signs of a struggle. Try to look outside, see if inside there was a struggle. Um ya know, we arrived from the south and the cops had arrived from the north to see if is like had been a car speeding away.

GS Um-hm.

JS Um noth' there was nothing of that sort.

GS And dispatch tried to call the caller back and there was no answer, is that right?

JS Yes sir.

GS Okay. Have you ever been to um 3816 Portland Avenue before on a call?

JS No sir.

GS Have you ever been to uh the uh um Minnehaha address where this incident happened before on a call?

JS I believe once before on a very routine...

GS 'Kay.

JS ...call.

GS 'Kay. The suspect in this case uh Raul, have you ever had contact with him before in any shape, way shape or form?

JS Not that I know of sir but...

GS 'Kay.

JS ...it would be hard for me. I-I-I can barely even remember what he was wearing.

GS 'Kay.

JS I remember his face.

GS 'Kay. Anybody else in that apartment that you know or have, have contact with in that apartment building?

JS Not that I recognize sir.

GS Okay.

LH Goin' back just to that uh 3816 Portland, do you know Josh um did that call come in on a as a 911 call?

JS Yes sir.

LH So if call comes in as 911 is that recorded through the dispatch center?

JS I believe it is sir.

LH Okay. So we would be able to hopefully get the audio from that 911 caller?

JS That is the impression I am under yes.

LH Okay. Okay do you have any questions for us or do you have anything to add that you don't think we've asked you?

JS Not that I can think of at this time sir. I have no questions.

LH Okay. We're gonna go ahead and stop the interview at 12:13 hours.

End of tape.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802
Phone: 651/793-7000 FAX: 651/793-7001 TTY: 651-282-6555
Internet: <http://www.dps.state.mn.us/bca/>

CRIMINAL INVESTIGATION WARNING

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

ACKNOWLEDGMENT

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

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

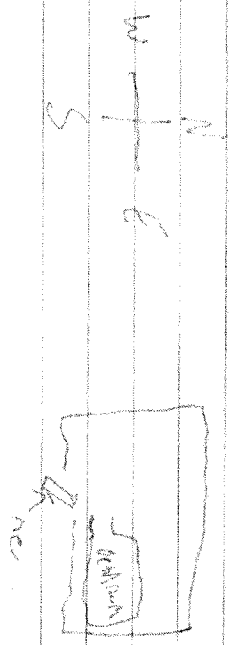
John Stewer
Signature

4-5-16
Date

Robert N. Bush
Witness

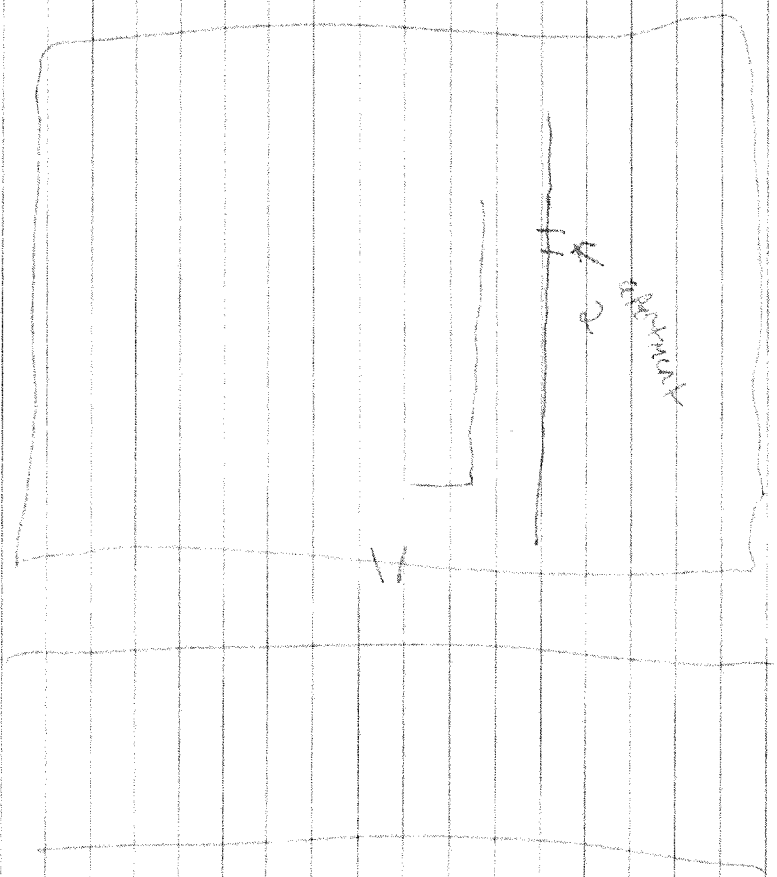
4-5-16
Date

Apartment 2



US

4-5-16



Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/19

Report Date: 04/07/2016

Primary Information

Description: **Property Transfer to SA Phill. Items 2016-213/18.1 and 18.2**
Reporting LEO: **Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **04/07/2016**
Approved By: **Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **04/07/2016 10:59**
Last Update Operator: **Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **04/07/2016 11:01**

Reporting LEO	Date	Supervisor	Date
Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)		Hanegraaf, Luke (1329 / Financial Crimes Investigation / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 6, 2016 SSA Hanegraaf transferred property items 2016-213/18.1 and 18.2 to SA Phill.

A copy of the property transfer is attached to this case file report.

By virtue of this report, no exhibits were acquired.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/18

Case Agent: Hanegraaf, Luke

Item	Quantity	Description
1	1.00	CD Containing digitally recorded statement of Officer Stewart
2	1.00	Hand drawn diagram from Officer Stewart

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

Owner/For Owner

Address

City/State

Telephone

Released By Hanegraaf, Luke (1329 / Fina

Verified By

Autiff BLA 1329

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/20

Report Date: 04/06/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Officer David Robins
Occurrence From: 04/06/2016 00:00
Occurrence To: 04/06/2016 00:00
Reporting LEO: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On 04/06/2016 SA Phill, Frascione and Henning conducted an interview with Minneapolis Police Officer David Robins. SA Henning acquired exhibits 2016-213/20.1-2 by nature of this report.

Address #1 - Occurred #1 - 5500 WAYZATA BLVD

Primary Information

Address: 5500 WAYZATA BLVD #1000, Minneapolis, Minnesota 55416 , United States
Description: Law Offices of Frederic Bruno

Address #2 - Pertinent #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - WITNESS #1 - Perkins, Jeffrey

Primary Information

Exempt From Disclosure: YES
Subject Name: Perkins, Jeffrey
Record Type: Law Enforcement Official
Bio: White, Male
Rank/Position: Officer
Juvenile: NO
LEO ID: 5554

Subject #2 - SUBJECT #1 - Malmberg, Eric

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric
Record Type: Law Enforcement Official

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/20

Report Date: 04/06/2016

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED] - Continued

Primary Information - Continued

Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Property #1 - CD with audio recording of interview with David Robins

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD with audio recording of interview with David Robins
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/07/2016 00:00

Property #2 - Diagram of shooting scene by David Robins

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Diagram of shooting scene by David Robins
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/06/2016 14:04

Record Status Information

Record Origination Operator:	Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 14:04
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/13/2016 10:35

Reporting LEO	Date	Supervisor	Date
Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On 04/06/2016 SA Henning, Phill and Franscone conducted an interview of Minneapolis Police Officer David Robins. The interview was conducted at the Bruno Law Firm, located at 5500 Wayzata Blvd. Suite 1000. Officer Robins was represented during this interview by his attorney Fred Bruno.

The interview was recorded and will be transcribed. A copy of the transcription will be attached to this report. The audio recording will be placed on a compact disc and placed into evidence, acquisition of exhibit 2016-213/20.1.

The interview was started at about 5:57 PM. SA Henning explained the criminal investigative warning form used by the MN BCA while conducting officer involved shootings. Officer Robins signed the form and it will be attached to this report. SA Henning began by reading into the record the biographical information for Officer Robins, it is as follows:

David [REDACTED] Robins

DOB: [REDACTED]

3000 Minnehaha Ave S.

Minneapolis, MN 55406

612-673-5703

POST #22618

Officer Robins was asked where he is currently employed. He told agents that he is employed by the City of Minneapolis as a Police Officer and was hired as a cadet on 2014. Officer Robins said he is currently

Ofc. Robins told agents that he has an A.A.S. in Fire Science from Hennepin Technical College. Ofc Robins also added that he was a U.S. Marine for eight years, leaving the Marines with the rank of Staff Sergeant prior to working for the City of Minneapolis.

Ofc. Robins was asked to describe the uniform he wears for work. He told agents that on the day of the incident he was wearing a long sleeve light blue shirt with police patches on the shoulders, a badge on the chest and name tag opposite his badge. Officer Robins said he wears navy blue cargo pants and black boots.

Ofc. Robins said that he wears a leather duty belt which he carries his police equipment on. Ofc. Robins described the equipment he wears while working as a police officer as follows: handcuffs, pistol (S+W M/P 9MM), Asp baton, Mace (chemical spray), radio and a flashlight. Officer Robins said that while he works that Minneapolis Police have a remote microphone which works with the video camera in the squad. Officer Robins told agents that whoever is the driver of the squad is supposed to wear the Microphone. Officer Robins said that he was wearing the microphone on the day of the shooting but that he wasn't the driver of the squad.

Officer Robins said they had just forgotten to switch the microphone during shift when they changed drivers. Officer Robins told agents that he wears soft body armor under his shirt.

SA Henning asked Officer Robins to describe the squad he uses during his shift. Officer Robins said he is currently assigned to night/Dogwatch shift. Officer Robins told agents he uses a Ford Explorer/Interceptor which is fully marked police squad. Officer Robins said that the squad has lights and siren. Officer Robins said that the squad had a police radio, video camera, MDC (computer) and a shotgun. Officer Robins said the shotgun was not used during the shooting and had never left the squad.

SA Henning asked Officer Robins to describe the details of the shooting he was involved in on 04/04/2016. Officer Robins told agents that he was working on 04/04/2016 and that he and his partner Officer Malmberg were at the precinct doing reports. Officer Robins said that he heard the call come out it was assigned to an officer from another area because that officer had a trainee with him that shift. Officer Robins said that he monitored the radio traffic and responded after hearing that the situation was deteriorating. Officer Robins told agents that he heard Officer Perkins advise via radio that he was on scene and was in contact with a male armed with a knife.

Officer Robins told agents that he and his partner Officer Malmberg initially went to the wrong address while responding to this incident. After realizing they were at the wrong address they corrected and went to 2120 Minnehaha Ave South. Officer Robins told agents that he had heard Officer Perkins request additional officers to his location. Officer Robins advised agents that he heard an officer help call get toned out over the radio. Officer Robins was asked to explain what he meant by a toned out call for assistance. Officer Robins told agents that the dispatchers use a special tone to catch the attention of officers

Officer Robins said that he spoke with Officer Perkins after arriving and was told that there was a guy with a knife that in the hallway and the guy had went down the hallway. Officer Robins said that he encountered a guy in the hallway that directed he and other officers towards the back hallway. Officer Robins said that the guy had also said that he believed that Allen was taken hostage.

Officer Robbins told agents that he and Officer Perkins moved towards the back hallway. Officer Robins said that he had his gun out to provide lethal force and that Officer Perkins had his Taser out to provide a less than lethal force option for the officers. Officer Robins said that his partner directed everyone to slow down and use caution.

Officer Robins told agents that Officer Malmberg was training in CIT (Crisis Intervention Techniques). Officer Robins said that Officer Malmberg negotiated with the subject for a long time. Officer Robins said that he heard the subject make several demands which included:

1. Wanting a lawyer

2. Wanted to speak with his wife

The subject said during the conversation that he didn't want to speak with police. Officer Robins said that one of the sergeants on scene had attempted to call the subjects wife but the sergeant got the wife's voice mail. Officer Robins told agents that they had attempted to get a Spanish speaking officer to talk with the subject but that didn't work out. Officer Robins said that Officer Malmberg had a better rapport with the subject.

Officer Robins said that he heard the subject's voice change tone. He said that he heard a scream which came from the hostage. Officer Robins said that he immediately ran to the doorway and tried to kick the door in without success. Officer Robins said that Officer Malmberg is much larger than he and kicked the door open.

Officer Robins said that when the door came open that he encountered the suspect and the hostage in the bathroom of the apartment just inside the entry door to the apartment. Officer Robins said the hostage was seated on the vanity with suspect standing behind the hostage. Officer Robins told agents he could see a knife protruding from the back of the victim. Officer Robins said that the suspect was attempting to remove the knife from the back of the victim. Officer Robins told agents he believed the victim was dying. Officer Robins said that he fired three shots towards the suspect. Officer Robins said that the victim started to move towards officers, attempting to leave the bathroom which blocked Officer Robins from further firing his weapon. Officer Robins said that Officer Malmberg fired at this point and the suspect stumbled backwards to the bathtub.

Officer Robins said that he started checking on the victim. Officer Robins said that he observed a large knife imbedded in the shoulder/back area of the victim. Officer Robins said that he tried to remove the knife but it was firmly in place. Officer Robins described the knife for agents as a large knife with an ornate wood grip.

Officer Robins said that he again focused on the suspect at this point, he said that the suspect was laying partially in the bathtub. Officer Robins said that the suspect had his eyes closed initially, he said the suspect's eyes opened like he was hit with a lightning bolt. Officer Robins said that the suspect tried to grab Officer Stewart. Officer Robins said he took hold of the suspect's head and ordered him to stop fighting but the suspect didn't comply. Officer Robins said that the suspect continued to fight. Officer Robins said he punched the suspect in the head at this point and when he did he felt his hand break. Officer Robins said it took several officers to control and handcuff the suspect. Officer Robins said he heard handcuffs being put on but didn't witness it.

Officer Robins said he was escorted from the scene and met with Sgt. Rivard outside the building. Officer Robins said that he informed Sgt. Rivard that he had fired his gun during the incident. Officer Robins said that he was driven to Hennepin County Medical Center by Sgt. Rivard where he received treatment for his injured hand. Officer Robins said that doctors offered him pain medications but that he refused because he knew he needed to provide a

blood sample to agents. Officer Robins said that he remained at the hospital until a BCA Agent arrived and took possession of his uniform. Officer Robins said that the agent also took photographs of him.

Officer Robins told agents that he felt he had no other option than to shoot the suspect. He told agents that he knew the victim had been stabbed at least once. Agents asked Officer Robins to describe the knife. Officer Robins said that the knife had about a 10" blade and said it was like a "Rambo Knife." Officer Robins said that the knife was lodged in the victims back.

Officer Robins was asked more questions about the body microphone he was wearing. He told agents that the equipment is shared between shifts and is left at the precinct at the end of shift. SA Phill asked Officer Robins if he had fired one handed or two handed. Officer Robins told agents that he has training in the martial arts and shot one handed, using his off hand to block any attack by the suspect. SA Phill asked Officer Robins if he recalled the shots having an effect on the suspect. Officer Robins said that he recalls Officer Malmberg's shots had an effect but was unsure of where the shots impacted. SA Phill then asked Officer Robins when he had holstered his gun after the shooting; he said that he had holstered it while still in the bathroom.

Officer Robins advised agents that at the conclusion of the interview that he was approached by paramedics outside the apartment building after the shooting to treat him. Officer Robins said that he directed them inside as the hostage/victim and suspect had not received treatment.

Agents asked Officer Robins to draw a diagram of the scene which he did, acquisition of exhibit 2016-213/20.2.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	4-6-2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	David [REDACTED] Robins (DR) Fred Bruno, Attorney (FB)	INTERVIEWED BY:	SA Doug Henning (DH) SA Mike Phill (MP)
REVIEWED BY:			

DH Okay the recorder's going. Um, my name is Doug Henning. I'm a Special Agent with the Minnesota Bureau of Criminal Apprehension. Uh, the date today is uh April 6th, 2016. The time right now is 5:57 PM. Uh, we are in Bruno law firm uh, conducting an interview of Minneapolis officer David [REDACTED] Robbins, R-O-B-B-I-N-S.

DR One "B" sir.

DH One "B". R-O-B-I-N-S.

DR That is correct.

DH Your date of birth is [REDACTED]?

DR Correct.

DH The address that we're gonna be using for the purpose of this interview is 3000 Minnehaha, Minneapolis, MN 55406. The phone number that we're gonna be used, be using for this is 612-673-5703. Uh, your POST number is 22618?

DR Correct.

DH Is that information correct?

DR Affirm.

DH Okay. And uh, present with me today is Special Agent Michael Phill also with the BCA and Special Agent Michelle Frascione. And you are repre-, represented by your attorney Fred Bruno?

DR Correct.

DH Okay. Um, while don't we get started with um, where are you employed?

DR The City of Minneapolis with the police department.

DH Okay. And your position with the police department?

DR I'm a uh, uniformed police officer.

DH Okay. And how long have you been a police officer?

DR I was initially hired as a uh, Minneapolis cadet in March of 2014. I passed my POST license and was recognized as a police officer by the city as of July 29th, 2014.

DH Okay. Um, what type of education do you have?

DR I have a two year Associate's Degree in uh, fire science which I received from Hennepin Technical College.

DH Okay. Any other?

DR Uh, I was a uh, United States Marine for uh, 8 years I believe where I received various training on leadership, tactics, um, I was a firefighter with them primarily.

DH Okay.

DR Uh, so it was mostly leadership training. I left there as a Staff Sergeant.

DH Okay. Um, any specialized training as a police officer?

DR Uh, outside of the just, just the Minneapolis Police Academy. Uh, and the skills program that was run through the uh, the Law Enforcement Education Center at Hennepin Technical.

DH Okay. Um, you are a um, a uniformed police officer correct?

DR Correct.

DH So on a daily basis you wear your uniform. Can you describe that to me?

DR Uh, Minneapolis Police, that particular day I was wearing the long-sleeve uniform for duty. Uh, the undershirt for that is a navy blue with MPD that's inscribed on the left side...

DH Okay.

DR ...mock turtleneck. The outside shirt is a light blue with two police patches uh, with the city crest as well as Minneapolis Police written around it. Uh, I wear a large badge signifying Minneapolis Police with my badge number which is 6046, uh on the left side, and on the right side I have a name plate uh, that says D Robins. Um, I wear a leather duty belt with various equipment. I have one set of handcuffs that I have open and shown uh, that they are handcuffs, further kind of helping identify me as a police officer. Uh I carry my duty weapon uh on the left side as well as an asp, mace, a second set of handcuffs um, my keys, the radio and a uh, large flashlight. Uh, I wear navy blue cargo pants uh, and black leather duty boots.

DH Okay. Do you wear any kind of body cam?

DR I do not.

DH Do you wear any kind of recording device or anything?

DR If it's uh, if I'm wearing the MBR microphone which I was that night, I keep it on my neck in a pouch.

DH Okay. And how does that work? Can you explain that?

DR The MBR uh, has a mike that is um, kind of remote from the squad. It can record you within a certain amount of feet from the squad car.

DH Okay.

DR Uh, it's only required to be on under certain situations. Uh, I was not driving uh, but we hadn't passed the mike yet so it was supposed to actually be um, on the driver uh, but I keep it on just so someone always has the microphone.

DH Okay.

DR I don't believe it was on or recording during that event.

DH Okay.

DR I don't remember looking down and seeing the green LED.

DH Okay.

DR So it was on my person but not recording.

DH Okay. Um, you said no body camera correct?

DR Correct.

DH Okay, so then do you wear a bullet resistant vest at all?

DR Correct. Yeah. I wear a uh, vest that is uh, underneath my uh, light blue shirt.

DH Okay.

DR Uh, it's a, it's the under carrier.

DH Okay. Do you know what type of vest it is?

DR I believe it is a um, I don't actually remember the exact brand. It's a Level 2 vest.

DH Okay.

DR Uh, I do remember that. But it's designed to not be shown, so it's, it's not visible.

DH Okay. So and then you referenced that you carry a firearm?

DR Correct.

DH Your gun belt?

DR Yes.

DH Uh, what type of firearm is that?

DR I use a Smith and Wesson M & P 9 millimeter.

DH Is that the only gun that you carry?

DR Yes.

DH Okay. Excuse me. Uh, when you carry that, how is it loaded?

DR It's loaded with one in the chamber.

DH Okay.

DR And a magazine of uh, I keep 16 rounds.

DH Okay.

DR So when I unload I don't have an extra, just floating around my gun case.

DH Okay.

DR So my magazines are only topped to 17. So when I am on duty, the magazine in the round, or in the weapon has 16 plus one in the chamber.

DH Okay. And then you carry extra magazines?

DR I have two extra magazines both loaded to 17 rounds.

DH (inaudible) loaded to 17 rounds okay. Um, I just want to, so start again, I wanna go around your gun belt one more time.

DR Sure.

DH So you said you carry cuffs?

DR Yes. I carry...

DH (inaudible)

DR ...I carry one set of cuffs on my right front side.

DH Yup.

DR And one set of cuffs in a closed covered case on my left front side.

DH Okay.

DR Um, my gun belt, or my gun, is directly behind the handcuffs on my left side. My asp is directly behind that.

DH (inaudible)

DR On my right side I have my keys which are right next to the buckle.

DH Um-hm.

DR Uh, that carries like the squad key and the MPD 1 key. Um, then I have my open sent of handcuffs, two magazines in an open, uh, open top magazine pouch.

DH Okay.

DR (inaudible) the fold over style. Uh, the radio is right next to that, and then my flashlight. Yes.

DH Okay. Any kind of glove pouch?

DR The glo-, the gloves that I keep, I keep medical gloves inside of my right cargo pocket.

DH Okay.

DR Inside of the flap. I keep mechanic-style gloves that protect my knuckles and/or fingers from a stick...

DH Okay.

DR ...uh, from a needle.

DH Okay.

DR In my left, the open side so I can grab them quickly before we uh, go on calls. Generally I put them on before we go into a house though.

DH Okay. Um, can you tell me about your squad?

DR We uh, Minneapolis uses mostly, and we were using that night, a uh, Ford Explorer Interceptor. Uh, it's a large SUV. It is marked uh, as a police vehicle with the typical uh, black, white, black...

DH Okay.

DR ... (inaudible) scheme. Uh, it has a light bar on top with the police insignia on the side and the rear. Uh, we were driving Squad 341 that night. Um, 341 is labeled on both front fenders as well as the rear of the vehicle.

DH Okay. So it's, it, it's got the Minneapolis insignia on the sides. It says, does it say Police anywhere on the vehicle?

DR All the way across both sides.

DH Okay.

DR As well as the back.

DH Okay. Um, is, is there any special equipment inside that vehicle?

DR Uh, I keep uh, because of the uh, the timing of, of when everything was happening we were still anticipating protests on the, on the north side.

DH Um-hm.

DR Uh, so that particular night I had my riot helmet, um, my riot baton. I had a up-armored AR500 rifle plate system, uh, I generally keep a backpack that has like a file cabinet in it for any extraneous paperwork.

DH Okay.

DR Tow sheets, domestic forms, so we don't have to go back to the precinct for paperwork. I always have it on hand.

DH Okay.

DR Um, but as far as extra weapons, duct tape, anything like that, there's nothing like that in there.

DH Any shotgun?

DR Uh, we did have a shotgun that night yes.

DH Okay. Was that ever used...

DR No.

DH ...at all that morning, evening?

DR No.

DH Okay. Um, anything else in the vehicle, radio, computer?

DR Uh, there's the, the radio um, there's the radio for the dispatch uh, where we generally communicate when driving around in the vehicle and the MDC.

DH Okay.

DR The MDC is where we get uh, basically dispatch calls, the comments that aren't read by the dispatcher. We can see the extra information from there. Uh, we can also see map locations where people are at. Uh, it has internet access so if we need ta Google something we're able to do that.

DH Okay. Um, so what in, what shift did you say? I don't know if I asked you what shift you work?

DR You haven't. I work the dog watch shift which is from uh, 2030 hours to 0630 hours.

DH And do you always work with the same person?

DR Um, I am kind of the odd man out on our car being more of a, a newer officer.

DH Okay.

DR Uh, I work pretty consistently uh, with three different people.

DH Okay.

DR Uh, it would be uh William Martin, Charles Cape, and Eric um, Malmberg.

DH Okay.

DR And we're assigned typically to the 321 car.

DH Okay.

DR Uh, that particular night though we had been reassigned to the 341 area.

DH Okay. So on the night of the 4th...

DR Um-hm.

DH ...who were you working with? You working by yourself or did you have a partner?

DR I was with Eric Malmberg that night.

DH Okay.

DR And we were Squad 341.

DH Okay. We're specifically here to talk about an incident that occurred, can you, I just wanna let you explain to me from your memory how you became aware of that and then what happened from that point forward.

DR Um, the particular call that you're referring to, we were dispatched out by radio. We were at the precinct.

DH Okay.

DR Um, basically just tying up odds and ends because it was kinda winding down towards the end of the shift. Uh, just after 5, we received primary radio dispatch saying that we were uh, going to, uh, and unwanted call that got upgraded to a person with a weapon. Uh the, the initial dispatch over the radio stated that there was a person who had a guest over um, and due to the nature of the residence, uh he was not allowed to have guests. And the person basically said that they wanted that person removed from the property, but noted that the man had a knife in his pocket.

DH Okay.

DR Which is why it was dispatched as a person with a weapon call.

DH Okay.

DR Uh, there was also a recruit on that night and because it's been slow, we heard that they had assigned to that call...

DH Um-hm.

DR ...and generally we're letting most of the recruits kind of go to those calls first so they can get the experience.

DH Okay.

DR Um, so we hung back for a little while. Uh, once we had heard they arrived, then we started kind of going that way, uh, being that the call was uh, right around 9 blocks from the precinct so we knew we could get there relatively quickly.

DH Okay.

DR Um, once we started that way that's when I started to see uh, the specifics of the call which were basically the same as what we had been told over the radio.

DH Okay.

DR Um, do you need me to further with...

DH Yeah keep goin'.

DR ...kind of more of the information (inaudible) ?

DH Yeah, sure.

DR Okay. While we were driving uh, and we were coming kind of across Lake Street coming on to Hiawatha where it splits into 26th and Hiawatha, where if you go straight it's 26th Avenue, we heard uh, what, what I heard what sounded like Officer Perkins uh, yell over the radio, uh he's got a knife. He's in the apartment. Uh, so we uh, Eric was driving the vehicle and he accelerated so we could get there faster.

DH Um-hm.

DR Um, we were going full code 3 at that point. Uh, meaning lights and sirens. Um, I didn't notice at first because I was trying to get more information about where we were going and where they were, and how we were gonna stage, so I was looking down at the computer, uh and didn't realize that he had gone straight instead of left so we were on 26th Avenue uh, going to what we believed to be 2120 Minnehaha.

DH Okay.

DR Uh, when in reality we were actually headed towards 2120 26th Avenue.

DH Okay.

DR Uh, we stopped the vehicle, checked it and there was no one there and him and I are tyrin' to figure out like what is going on. Uh, until he was like, are we at the right address and I was like 2120 Minnehaha. And then kinda we run back to the vehicle and he sees that it's Minnehaha instead of 26th. Uh, and sees that we're on 26th on the bottom of, portion of the computer screen it gives your location?

DH Yup.

DR And he goes, oh we are on the wrong street. And we get back in. At that point, uh, we were hearing uh, Perkins yell, I need more squads here code 3.

DH Yup.

DR Uh, a help call was toned over the uh, the dispatch so we got back in the car and remained code 3 and brought it around to that area where we saw multiple squads that were already parked. Officers were out and we started to go up to meet Perkins who, who told us in short, he had opened the door. A large pers-, uh a person with like a large knife ran at him and he closed the door uh to protect himself and that's when he alerted us what was going on. The person had since then uh, left or gone back into an apartment or that's what we believed at the time. So one of the officers had um, a taser that he was start-, we wanted to try to peek around 'cuz we didn't know what we were gonna have at that point or what this was. So I believe that was uh, Stuart has his taser out. Um, I kind of supported him because the taser's not one hundred percent effective, and if that woulda failed, you know like we needed a back up at...

DH Right.

DR ...some point, and him transitioning from taser to uh, lethal means is, it takes time.

DH Okay.

DR Time that we wouldn't have with that amount of distance. Um, when we walked in there was about a chest hall wa-, uh, chest high wall that goes about I would say 10 to 12 feet, uh just inside of the door so it kind of wraps around where you're not able to go straight in. You have to go in and to, to the right in order to get to the hallways that go to apartments. Uh and there was also a stairwell that was to the left. I couldn't directly see inside but I heard them talking to somebody, who was like, he went into that back apartment. He's back in that apartment with uh, I think he was saying Alan. Um.

DH Who was tellin' you this?

DR Uh, it was some guy who was in the foyer.

DH Okay.

DR I don't know his name.

DH A cop or?

DR No. Just a regular person who lived there. I believe it was our original caller.

DH Okay.

DR Who I do not remember the name of so I'll refer to him as the caller.

DH Okay.

DR Um, so we heard the caller say, he's in that back apartment. I, I need help. Uh, and so Perkins is like waving, come here, come here, come here, (inaudible) talk to us and he explained, you know, he tells us, he's got a big knife. He was back in there. I think he took Alan hostage. Um, Alan I believe, uh, is the victim. Um, so we, we start to kinda, I'm tryin' to look over the wall and see what we're at. I have a long hallway that goes back and two doors on the right, a door to the front, and then what looks like open space to the left but at that point I can't really see it.

DH Um-hm.

DR So Stuart, myself, um, Malmberg, and a few other officers that are behind us are starting to kind of like slowly work our way up to the corner. So we can get ourselves to see the hallway a little...

DH Okay.

DR ...bit better and get in line with where we believed the suspect to be. Um, Stuart is maintaining taser uh, he's like, uh, what a, you know I need help, I need support here. So I tapped him on the shoulder, and I was like, I have, I have your lethal. It's okay. Like just keep the taser up. If he charges you, then discharge the taser and if it fails I got your back man.

DH Okay.

DR Um, he, he said okay and I kind of reassured him. He calmed down. And we were starting to close the distance and I hear Eric say, everybody sloe the fuck down. Slow down. Like if the guy was gonna be dead, he'd be dead by now. Like we got a hostage situation. Let's try to talk this out. Like we don't need to charge it yet.

H Okay.

DR So we all, we all stopped. And we kinda start to like come up with a plan at this point. And I hear um, Trebesch behind us be like okay well what if this goes south. Like what if he starts killin' this guy. And I look back at him and I'm like we have an active shooter. We treat like an active shooter. Which I said that because of the way the department trains us.

DH Yup.

DR Uh, on an active shooter scenario if the person is actively firing, we are trained to go to the threat and neutralize it to stop harm from being done to people.

DH Okay.

DR Um, where as if there are no shots, you hold back, hold perimeter, and try to get uh, either SWAT or what it is to deal with the situation, and you hold perimeter. And I knew he understood what I was telling him, because he was like got it, you know and so we went from there. At that point I, I believe a sergeant showed up and he was like we're gonna try to talk to this guy. He's like who's CIT? Uh, I tap Malmberg on the shoulder and he throws his arm up and he's like I'm CIT.

DH What's CIT?

DR CIT is a critical in-, uh, Critical Incident Team, uh, basically they're people who are specifically uh, trained to speak with people who are suffering from mental illness or having some kind of um, emotionally...

DH Crisis?

DR ...disturbing crisis problem and they're designed to basically help talk that person down. And, and try to make a more peaceful resolution to something when they're having that episode. So he, he says that he's CIT. We put him at the front of the stack. Uh, and he starts yelling to the guy to establish communication. It's relatively loud because people are talking and the guy, the caller in the back is still tryin' ta kinda give us information. He's telling us like uh, the guy that you're tryin' to talk to, his name is Raul, and he's giving us that information, and so eventually I look back I was like hey you guys need to get him into a room. We need, we need it quiet 'cuz it's hard to hear already with everybody screaming. Everybody quiets down and then Eric starts to establish communication with uh, what we believe the suspect at that point.

DH Okay.

DR Uh, and it's, it's relatively quiet in the room, and I heard multiple times, I'm gonna kill 'em. I'm gonna fuckin' kill this guy. I want a lawyer. You're gonna get me lawyer now. I want a lawyer. I'm gong fuckin' kill this guy. Uh, and so Eric's tryin' ta, he's established communication. The guy's starting to respond to him, and so he's like uh, you know, just come on out of the apartment. Put the knife down. Come on out, we're gonna, we're gonna figure this out. We wanna help you. We just wanna help you man, you're not in trouble. We just wanna get you out of there. Get everybody so we can walk away from this safe. And the guy just kept repeating, no, fuck you, I want my lawyer. Shut, you know, shut up. I don't wanna fuckin' talk to you. Okay, um, and he, he kinda just kinda started exploring that avenue to try ta keep talking to him. When we hear the caller say, I don't think he understands English. He's a Spanish guy. So we're like okay let's get a, we have a Spanish speaking officer. Uh, so we get uh, I hear the door open up and it's, this person walks up. I believe it's Officer Pena, um, and tries to talk to him, but the guy doesn't want to estab-, talk to him, and it, uh, they weren't able to speak to each other at all, where it, it was like the guy couldn't understand what he was being told by Officer Pena, but at that point I'm so focused on the door that I'm not really hearing the exchange.

DH What did (inaudible) but did it appear to you that that Officer Malmberg was able to have...

DR Yeah.

DH ...a dialogue with him?

DR Yes. It was clear that they guy understood what Malmberg was saying.

DH And that was in English?

DR Yes.

DH Okay.

DR So once it became clear that we no longer needed Officer Pena, he moved to the back and I believe left again but I didn't see him again.

DH Okay.

DR Um, because we, we had communication. There was no need to complicate it further from that point. Um, eventually Eric was able to get the guy to say that he wanted to talk to his wife. So Eric was like, okay, we'll call her. We're gonna put her on speaker phone so you're gonna be able to talk to your wife. And then, you, you know uh, so he gives 'em the phone number and he relays that back to uh, Sergeant Graves who's standing behind us in the hallway. Sergeant Graves calls the phone number once. It's a bad number. Eric confirms the phone number again with uh, the guy in the room, suspect. Um, we call it a second time and I can hear the voice mail 'cuz it's loud and I hear this is Gloria, which is the name that we were given by the suspect.

DH Okay.

DR So we knew we had reason to believe the right number...

DH Okay.

DR ...and he leaves a voice mail, you know this is Sergeant Graves with the Minneapolis Police. I need you to call me back as soon as possible at this number. And then he provides the number for her. Um, Malmberg tells him, she's not home, she's uh, you know she, she didn't pick up the phone. We left her a message, why don't you come on out and we'll just you know, we'll take care of this. And then like, at some point during that communication, the guy's tone like changed, where it wasn't the standard, hi-, him yelling at us, and I, I don't really know how to describe it other than like you could tell his intent changed. Where it was like, I'm gonna fuckin' kill this guy, and it was like something was not right. And then I hear what sounds like a scuffle happening, where you know somebody's getting pushed around or something and then I hear the scream of the second party that we had heard a few times, kinda saying like I'm not free to go, I need help. Um, so at that point, like it became clear to me like he's, he's killing him, uh, or that's the way it sounds so it was like, I, I, I remember audibly saying, shit, and then I ran down the hallway um, and I got to the door first and I stacked up 90 degrees and I kicked the door once and it didn't open. Malmberg came across me and like he's, he's way bigger than me and quite a bit stronger, and he kicked the door and it didn't open a second time but I could see that progress was being made on it. I kicked it a third time and the door popped open. And because I was using a front kick I shifted my weight forward and entered and immediately to the right of the apartment door was the bathroom. For this place. And I looked inside of the bathroom. The door was open, and there was like the veneer where the sink is on the bathroom where the, you, you know you'd be brushing your teeth in the morning, and then the toilet and then the bathtub/shower combo. And I, my victim, was seated on that veneer, kind of on the corner towards...

FB You mean the vanity?

DR The vanity, yeah, sorry veneer is what the fake wall, yeah. The vanity, he's seated on the, the front corner and our suspect was kind of where the toilet was. Um, and he was over the, the victim's back uh and grabbing what looked like a knife handle to me. And it looked like he was tryin' to rip the knife handle back out. Like it was in the man's back. I could see blood all over the place. Uh and then I saw the victim and I made quick eye contact with him, and the kid, the dude looked up at me and I made eye contact with him and it was like the look of horror and like inevitable death. Um, just, I, I have no idea, I've never seen that look in another person's face unless I was on the fire department. We got to somebody at a car accident who was kinda on their way out, so I, I've seen that look before, and it's somethin' you don't forget. Um, I had my firearm already out and as I came across and I saw all this, I saw the suspect shift his gaze from the knife to up to me and I came across and fired maybe three shots, I don't know exactly how many, I know it was more than one and less than five. Um, when I fini-, I stopped firing and started to pull my weapon back because the, the guy, the suspect uh, let go or opened his hand, leaned back and he like started to separate from the victim, and the victim shifted forward and started to try to like run out of the bathroom, so I lost my shot and I had no clear shot at the suspect, and then I heard BANG from the right side uh, and I know Eric carries a .45 so I knew he was right behind me, 'cuz it, I mean it was loud and I had immediate ringing in my ear. And I, I remember the one and I don't really remember if there was more than that but then I saw the guy fall back into the bathtub, and I put my hand on the shoulder of victim and started to guide him out of the bathroom so we could get clear of this dude. And I look up and I see like an ornate heavily lacquered wood handle sticking, facing downwards going up on the dude, in the dude's back. Uh, and I thought it was just snagged in clothes at that point. Uh, and I was like, I don't want want this to fall out, have someone panic, grab it and try to use this on...

DH You say a handle.

DR The handle of the, of a large hunting knife.

DH Okay.

DR Um, and with the way that it was I thought it was just in the guy's clothes, so I thought if it falls, I don't want someone to panic or come up from behind us, grab it and start using it as, 'cuz now we're, would be being attacked on two sides.

DH Um-hm.

DR I went up to grab it to secure it, with, because I had gloved hands I was like okay this doesn't really compromise DNA uh, or fingerprints, and I went to pull it and it was at that point, it became evident that that knife was deeply stuck in this guy's tissue like it...

DH Okay.

DR ...it's in him. Um.

DH Embedded?

DR It's, it's embedded in his upper back. I...

DH Okay.

DR ...and I called it out I said the knife is, I've got the knife. The knife is in him. It's in him. And I kind of put him around to uh, the corner because we had just cops everywhere so it was like he could be funneled out okay and get to an ambulance. Um, I turned around and I saw suspect kind of in the bathtub and his eyes were closed. And then I saw, I remember he, his eyes jolted open and it was like he got hit with a lightning bolt. And he sat up out of the tub and like started to go to attack um, either Malmberg or Stuart I don't really remember at that point but Stuart fell and he fell on top of the guy and he was no longer now in the bathtub but he was laying down in front of the bathtub going towards the door. So he was kinda like uh, perpendicular to the bathtub.

DH Yup.

DR And he started to lean up and his eyes were like fixated on Stuart, and I was, you know at that point I knew where the knife was but I didn't know if anybody else did. And the guy was like tryin' to actively lean forward and it looked like he was tryin' to like, bite Stuart or get at him.

DH Yup.

DR So I put my hand under his chin and pressed him back and I was like relax, relax now and he didn't so I hit him in the face once. And then I felt my hand break at that point because I (inaudible) had this sharp pain in my, just above the pinky, and I'd broken my hand before so I was like...

DH Um-hm.

DR ...shit I broke my hand. But it was like, I don't have time for this and I punched two more times at least but I don't remember the exact amount of times that I actually punched him before I switched to uh, to try to reassess. I started to, he, he was still fighting us and would not get his hand cuffed so I grabbed him more by, like the ocular nerve where it was up by the eyes to get more leverage on him back and I switched to open hand slaps to, with the same left hand, in the face to try to get him to either knock out or give up or something. Because he was, it was like fighting Superman. The guy was just super strong like I was having difficulty manipulating his head with points of pain or just in general. He was already in a, like a compromised half sitting up position. I saw Trebesch pull his right arm all the way out and I saw his left arm was secured. So at that point I knew he was kind of like in the cross position....

DH Um-hm.

DR ...and really posed no, no more threat to any of us. So it was like okay I don't need to hit him anymore, that's, that's okay and then we, Stuart was able to get away from him. So he was, we were clear on that. It was like okay we need to get him handcuffed. So like, I called out I was like on three let's get him flipped over. Let's arc it around so you guys come around towards the wall and then we'll just bring him straight out. All right. One, two, three and all of us brought him so he was face down. But unfortunately his shoulder got wedged up against the door jam on my side so we weren't able to get him um, get that other hand back. So I heard the handcuff uh, get secured on the hand that they were able to bring to his back. I used my body weight to uh, pin in his upper back and neck area, but because of the, the amount of space I wasn't able to really disperse my weight, um, well. Uh so I was like his shoulder's jammed. There's no way I'm gonna be able to get his arm. We need to re-position 'em. We have his arm, let's get him shifted over. We get him shifted so we got just enough of a gap to get his arm manipulated up and around, uh, without like ripping it out of the socket. I heard the second cuff get secured. I backed up 'cuz at that point like I'm still pretty, I'm still pretty hopped up on adrenaline, but my hand was really starting to bother me at this point. I was able to remove my glove and saw that I had like the golf ball size knot in my hand. I looked at um, Cape who was one of my other partners that I know well. I was like Cape I, I think I broke my hand man. And he looks at it and he's like oh shit, let's, let's get you outside. So he brings me out and around and that's when I found uh, Sergeant Rivard who was on scene and I immediately told her, I was like, I need, I have two things. One, I was one who had shots fired, and two, I think I broke my hand. She took a look at it and she's like let's get you help, and I need you to get in my car, and that was kind of how like I established with her that like I was involved in this incident and you guys need to go with the critical incident policy. And then also like, my uh, my hand needs medical attention.

DH Okay.

DR Uh, and that's, that, that was kinda the end of it. That was, that was the end of my involvement at that point. At that point I was in, placed in uh, the sergeant's squad, and just kinda waited until I could get to the hospital.

DH Okay. And then, and then ultimately you went to the hospital or what happened in betw-, after you got in the car?

DR They took me, I was taken directly to the hospital by Sergeant Rivard. I was seen in the ER uh, they took multiple X-rays of my uh, of my hand where they saw that I had a uh, a severe break in my uh, 5th metacarpal, which is the pinky bone.

DH Um-hm.

DR It was broken and anteriorly rotated towards my ring finger. Uh, and the doctors there were convinced I would need a surgery to put pins into the hand in order to correct, correct the problem. Um, since then I've seen a bone specialist who uh, was able to reduce the splint and or fix it basically.

DH Okay.

DR Without having, he, he thinks we won't need surgery as long as it continues to heal once the swellings go down in the way that it's healing right now. Um, and at that point, uh, they, they kinda told me um, the, the doctors kept offering me pain medication to, to help with the pain. They were like, once the adrenaline wears off this is gonna hurt.

DH Yeah.

DR Um, but I hadn't yet given uh urine or blood. So I told 'em we're not doing this until I've done this because I at least know the, the policy enough that I have to be drug-tested so I don't want to muddle with that.

DH Okay.

DR We can wait. We can wait an hour. I was a Marine, I can handle a little bit of pain, we'll be fine.

DH Yup.

DR Um, so we, we held off on that, but they did have me take my uniform off so they could splint it easier.

DH Okay.

DR Uh, and that was when the person from the BCA showed up to take photographs, collect my uniform...

DH Okay.

DR ...uh and kinda do his side of the deal.

DH Okay. Um, just wanna go back to the, to the point where you, you guys kicked in the door.

DR Um-hm.

DH When you kicked in the door and went in, and you said you fired your gun?

DR Um-hm.

DH Did you feel you had any other options at that point?

DR Absolutely not. I was um, one hundred percent certain that he had struck the victim, the suspect had struck the victim at least one time with a very large knife, and knowing what large knives can do, it's far more destructive than a round uh, than a, than a bullet would be.

DH Right.

DR And even in that proximity with the proximity of the suspect to the victim, it went through my mind, if I have to hit the victim a little bit to get the suspect off him, that will still be better for him than a subsequent strike from his knife.

DH Okay. Um, can you , descry-, you talked a little bit about the knife...

DR Um-hm.

DH ...and said it was like a lacquered handle. Can you, can you describe it a little bit better? About how big it was, the length, I mean did you ever see the blade?

DR I never saw the entirety of the blade.

DH Okay.

DR I saw probably what would be three to four inches of blade approximately. The rest of it was hidden underneath clothing. But because of the wideness of the blade where it saw, it to me looked like it would be about the size of like a military bayonet. It was a large...

DH So.

DR ...frame hunting knife, approximately, probably uh ten to eleven inches in total length uh.

DH Okay so, with, with, with possibly like a ten inch.

DR Yeah, yeah, somewhere in there. I mean approximately. It would be a large frame hunting knife uh, like I don't know, like the Rambo knife um.

DH Okay.

DR Uh, I don't know what the size of that knife is but like from the look of it, it would be...

DH Knowing, knowing what you know now...

DR Uh-huh.

DH ...the majority of that blade was, was actually inside the victim.

DR Yeah. Absolutely.

DH And had, he had been stabbed to the point where that, that knife was lodged inside his body?

DR Yes.

DH Okay.

DR Like to the point where, I, when I went to pull it out, I used a, a reasonable amount to secure that knife, and it was not coming. Uh, it, if, and at that point, I was like oh shit this is in him, if I pull this out, it's gonna cause a catastrophic wound and it could kill him.

DH Correct.

DR This would, this knife has to stay in him. Um.

DH Okay, so you left the knife in him at that point?

DR I, I consciously left the knife being that I'm a trained EMT-B.

DH Um-hm.

DR Uh, I know that removing a large penetrating object will cause more damage than leaving it in and having it surgically removed.

DH Okay.

DR Um, from the knife I remember being able to see the handle and it was like a wooden handle with like a lot, it was, it was almost like, for lack of a better turn, an ornate wooden handle where it had like a brightly colored wooden handle.

DH Decorative maybe? Is that it?

DR Yeah, uh yeah, decorative. Um.

DH (inaudible)

DR Uh, and it was...

DH What color? Do you remem-, I mean (inaudible).

DR I remember it was like a light wood grain somewhere between like, like a reddish kind of color somewhere in the there.

DH So maybe the color of my shoes like that?

DR Yeah, like that.

DH Is that kinda tan?

DR Yes.

DH Okay.

DR Like a tan woodish kinda color.

DH Okay.

DR (inaudible) with like the hint of red. Uh but it was like um, it had really bright sheen to it, like it was uh, not reflective but it was like the table, where it's got the gloss to it.

DH Okay. Um, I don't know if we covered this but the squad equipment, did we talk, did I ask you if there's a camera? I know we talked about the microphone.

DR Yeah, there's a, there's a uh, MVR that's equipped in the squad car.

DH Okay.

DR Uh, I believe it stands for like mobile video recorder.

DH Yup.

DR That the, the camera for that squad is only, it's a fixed camera inside of the squad car.

DH And it shows what?

DR Directly in front of the squad car.

DH Okay.

DR There's also a second camera that shows the uh back seat.

DH Of the interior of the squad where you would transport a prisoner.

DR Where I would transport a prisoner. Yes.

DH Okay.

DR Affirmative.

DH Um, and you said there's also a microphone?

DR Yes.

DH That will record?

DR Yes.

DH Um, are, are you aware if, if any of this incident was recorded?

DR I don't believe it was. When I looked down um, I don't remember seeing the green LED that's indicative of the, the microphone being on.

DH Okay.

DR But I honestly wasn't paying that close of attention to it. And the time that I, when I went to check the microphone was when I was taking gear off uh, and we were trying to figure out if the BCA needed it for their investigation...

DH Okay.

DR ...or if it could go back to the precinct because we don't, you're not issued that microphone.

DH Right.

DR The precinct has a limited number per shift.

DH Okay.

DR So.

DH And to stay at the precinct.

DR Preferably yes.

DH For the next shift?

DR Yes.

DH Okay. So prior to you giving this statement have you watched any video or listened to any recordings of this incident?

DR No. I have seen the Kappers incident um, which is the...

DH Just a computer display am I correct?

DR Correct, yeah.

DH Okay but I'm specifically asking like...

DR No video...

DH ...an audio.

DR ...no audio.

DH Okay, exactly.

MP Uh you made a gesture and you talked about when you had to fire like this with your left hand, do you know if you fired one handed or two?

DR I remember specifically firing one handed because knowing that the person had a knife, I've been a martial arts practitioner for many years, uh, as soon as I saw him and saw the handle of the knife, I was here and I came to a knife defense where it was, if he has that knife and comes at me I wanna be able to protect myself from any lethal strike.

MP So you're gesturing your right hand came up to protect your head and...

DR Correct, correct.

MP Okay.

DR And I make sure to turn my wrist so anything that's cut here won't avail- won't affect my ability to clench my fist um, it's, it's a protect and also there are far less arteries on the backside of the arm so I came back into a protective stance, even my gun shrank back towards my body to create that smaller target and I wasn't able to crack off my most accurate shot but based on the proximity of where he was to me which I would say was approximately three to four feet, I knew I could probably at least get in the ballpark.

MP Okay, do you remember seeing the time that your rounds, if your rounds had impact?

DR I have no idea where those rounds went.

MP And do you remember the 45 that boomed to your right?

DR Um-hm.

MP Did you see that have an impact?

DR No, but after those firing I remember seeing him stagger more effectively backwards so I guessed at that point we were starting to at least have an effect on him...

MP Okay.

DR ...but I mean he was, it was like out of this world the way this guy was able to just kind of resist pain and keep coming at us.

?? (Inaudible) bathroom break now.

DR Sure.

DH K, bathroom break done, we are back on the record. Um, I just got a couple more questions for ya. At what point during this instant after you fired your, your gun did you re-holster?

DR That's a good question um, once he was, once I saw that he had fallen in the bathtub and the victim was more closely coming to me and my priority went to let's get the victim out because at this point he's down and I'm gonna need both hands. I holstered at that point.

DH Okay, okay um, did you observe at any point either ah, the victim Al or the suspect receiving any medical treatment?

DR No, when I went outside initially uh there were two ambulances that were staged. One of the medical crews came up to me and they said are we here for you, is your your hand's broken

and I said I need medical attention but there are two people inside that need you. There's one possibly with a gunshot wound and there's one with a knife in his back and that re-directed them to go inside so I specifically sent medical crews that were called to the scene to make sure they knew they had uh the victim and the suspect both needed medical care.

DH More urgently than you?

DR More urgent than my own.

DH Okay um so then you never saw them come out with the suspect or, or the victim?

DR The ambulances ah, I never saw them specifically loaded but they left at the same time that I did.

DH Okay.

DR I was more, at that point I called my wife to let her know that I wasn't going to be home um so I was more focused on doing that.

DH Okay um, I don't have any more questions, Mike?

MP Nope, no more.

DH Nothing? Okay, that'll be the end of this interview and ya know what actually it won't be the end of the interview, the one more thing that we want you to do is, I'm gonna ask ya if you think you're capable to draw a diagram of of the ah, the hallway and then what you found inside. I know ya...

DR You meant the hallway from the actual ah like from where his door was or the...

DH Yeah.

DR ...doorway from the entrance to the building?

DH No, just, you can just draw the hallway. I mean if you wanna draw the whole entrance to the building, th- show me, whatever's easiest for you to put in into perspective for us.

FB I wanna note that he's drawing with his broken left hand in a cast.

DH He is drawing...

DR Yeah if I do it with the right hand it won't be legible for anybody. This is more helpful for everyone.

DH And if it hurts we don't have to do this.

FB While he's drawing that I'm gonna step out and...

DH Okay.

DR Main entrance to the building.

DH Okay.

DR That's the main door and you come into the main door to the left there's stairs that go to the second level um, this is that chest height wall that's directly across from the door that it goes approximately 10 feet across to the building.

DH Okay.

DR When it opens up it goes to two separate hallways. One that leads to more apartments and then the one that goes back ah, straight back down a long hallway, apartment two is in that hallway.

DH Okay.

DR Apartment two is where the victim and the suspect were at.

DH Okay.

DR Directly inside of the main entrance door to the right is a secondary door that goes into the bathroom which is I would approximate 10 by 7 feet uh to the left side of that bathroom door is the vanity. Directly behind that is the toilet, directly behind that is the entirety width of the room is the bathtub/shower combo um, I didn't get a great look at it but it's a hallway that goes straight back ah into a large open space.

DH Okay, so and you've, you've drawn a couple stick figures inside the bathroom?

DR The stick figure here is the victim.

DH K.

DR This is where we initially saw the suspect approximately, kind of in between that um vanity and the toilet and he was leaned over on top of where the victim was, seated on top of this vanity.

DH Okay and then...

DR With blood everywhere.

DH Okay.

MP Can you sign and date that somewhere?

FB That's not necessarily to scale I assume?

DH It is not to scale.

DR No. Not...

?? Perfect.

DH And what that is is to the best of your recollection.

DR Four ah, what's the date again sir?

DH Six.

DR And if it helps too...

FB Your signature there looks, is different than your normal signature because of the cast (inaudible) distorted.

DR Correct.

FB Yeah.

DR And that way is north.

DH Okay, thank you, I don't have any further questions um we're gonna end this interview, we're gonna try to end this interview again, time right now is 6:47.

END OF RECORDING.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802

Phone: 651/793-7000 FAX: 651/793-7001 TTY: 651-282-6555

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

CRIMINAL INVESTIGATION WARNING

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

ACKNOWLEDGMENT

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

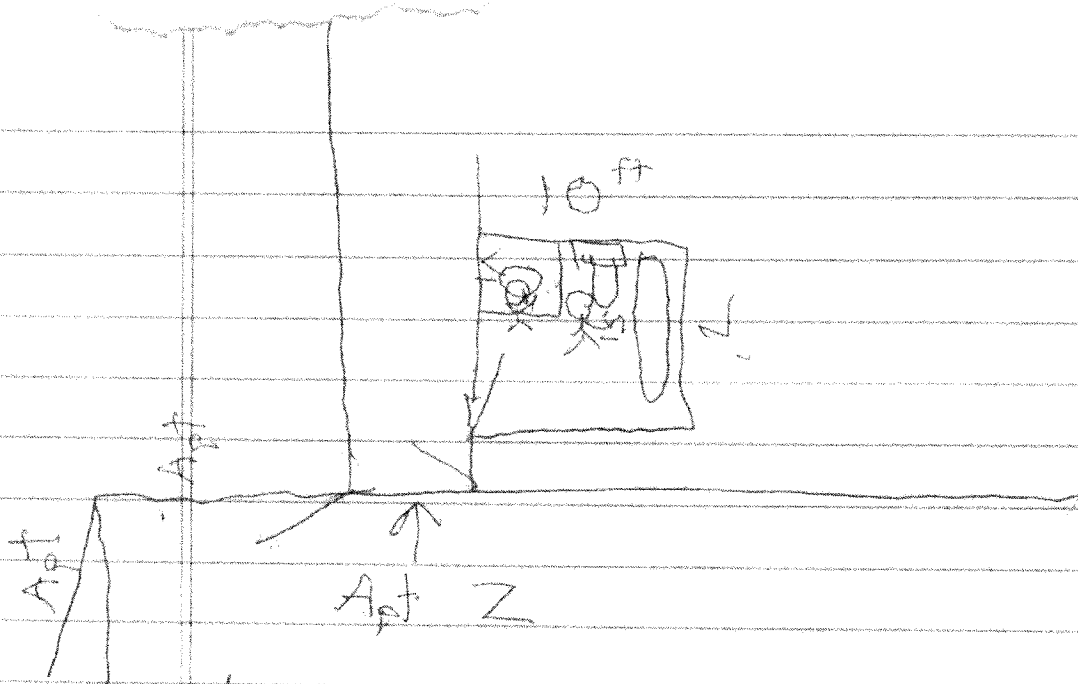
I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

Signature

Date

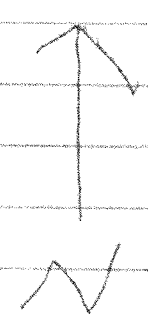
Witness

Date

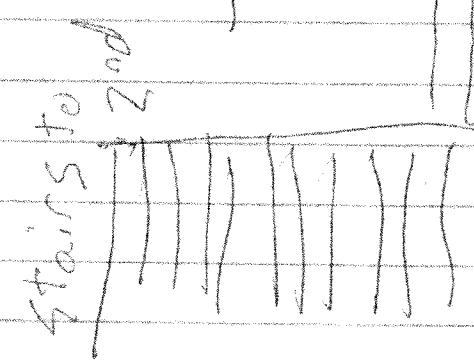


Not to Scale

Open
Stairs



4-6-2019



Concrete high wall

main door

Main Entrance

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/20

Case Agent: Henning, Doug

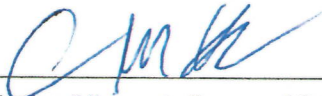
Item	Quantity	Description
1	1.00	CD containing audio recording of interview with David Robins

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

Name

Phill, Charles (Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Released By Henning, Doug (1361 / MRO -

Telephone

Verified By

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/20

Case Agent: Henning, Doug

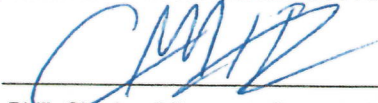
Item	Quantity	Description
2	1.00	diagram of shooting scene by David Robins

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

Name

Phill, Charles (Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

City/State

Released By

Henning, Doug (1361 / MRO -

Telephone

Verified By

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/21

Report Date: 04/06/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Officer Graupner
Occurrence From: 04/05/2016 00:00
Occurrence To: 04/05/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/27/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 5th 2016, SAs Phill and Murphy interviewed Mpls PD Ofc Graupner regarding the officer involved shooting of Raul Heraldes by Ofcs Malmberg and Robins. Evidence item 21.1 (CD of the interview) acquired with this report.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/21

Report Date: 04/06/2016

Subject #2 - SUBJECT #2 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #4 - LAW ENFORCEMENT OFFICER #1 - Graupner, Brian

Primary Information

Exempt From Disclosure: YES
Subject Name: Graupner, Brian
Record Type: Law Enforcement Official
Bio: 26 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/21

Report Date: 04/06/2016

Property #1 - CD Containing Digital Audio of Ofc Brian Graupner's Interview	
Primary Information	
Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD Containing Digital Audio of Ofc Brian Graupner's Interview
Quantity:	1
Control Number:	2015-213/21.1
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	04/06/2016 00:00

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 17:54
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/27/2016 11:09

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 5th 2016, Special Agents (SA) Phill and Murphy interviewed Minneapolis Police Officer (Mpls PD Ofc) Brian Graupner. The interview was to document Ofc Graupner's involvement in the April 4th officer involved shooting of Raul Heraldes by Officers Malmberg and Robins. The interview took place at the 3rd precinct and Lt Bob Kroll, the police federation representative, was also present.

The interview was digitally recorded and SA Phill burned it onto a CD and labeled it ACISS evidence item 21.1. The interview was also transcribed in its entirety. The transcription has been attached to this report. The following is a summary of the interview; please refer to the attached transcript for a true account of what was said.

Ofc Graupner said that he was working the third watch patrol in the 3rd Precinct when he heard a call for an unwanted man at 2120 Minnehaha Av S. Then dispatch updated that the man had a knife. Upon arrival Ofc Graupner said that he and his FTO, Ofc Perkins, saw a man with a beard looking at them from a window facing the street.

Ofc Graupner said he approached the complex front door with his gun out and held to his side because of unknown location of the knife wielding suspect. Ofc Graupner said he moved the bearded man aside who came out to talk to him and Ofc Perkins and he approached the front door.

Ofc Graupner said that as he opened the front door, he saw a bald, Hispanic male matching the dispatched description of their suspect standing inside an inner complex door. Ofc Graupner challenged the suspect to show his hands. He slowly did and then fully revealed that he held a large knife in his right hand.

Ofc Graupner said the man started charging towards him with the knife so he started to pull the trigger of his pistol when he was pulled from behind out of the complex door by Ofc Perkins. Perkins then shut the door on the man and held it shut while the suspect pounded on the door in an effort to exit the complex. Ofc Graupner heard Ofc Perkins call for backup for a knife wielding suspect while they held the door shut. Ofc Graupner saw the door moving outward a few inches with each pounding by the suspect.

Ofc Graupner and his FTO waited for backup and as they arrived, they took up positions inside the complex by entering through the bearded man's (whom they found out was the complex manager) apartment. From there, Ofc Graupner said they could see apartment #2 where the suspect took a tenant hostage behind the closed door. Ofc Graupner said that Ofc Malmberg was doing all of the negotiating. This went on for some time but eventually, they heard a man inside yelling and it did not sound like the suspect. So Ofc Malmberg and Ofc Stewart kicked in the door and several officers entered the apartment.

Ofc Graupner said he heard yelling of "drop the knife" and then heard shots fired. Then the hostage was pulled out of the apartment and he passed Ofc Graupner on the way out. Ofc Graupner could see a knife sticking out of the hostage's back. Then Ofc Graupner said there was tremendous struggle to get the suspect handcuffed and subdued. He was fighting even though he had been shot. Ofc Graupner tried to get in the bathroom to help them with the suspect but it was just too crowded with bodies.

Eventually they got him cuffed and he stopped fighting. They then started to give him medical aid including sealing the gunshot wound to his chest area. However, the suspect's pulse was very weak and they had to carry him on a litter out of the bathroom and apartment out to the ambulance in the street.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Minneapolis PD Brian [REDACTED] Graupner (BG) Union Rep-Lt. Bob Kroll (BK)	INTERVIEWED BY:	SA Michael Phill (MP) SA Joseph Murphy (JM)
REVIEWED BY:			

MP Today is Tuesday April 5, 2016, Special Agent Michael Phill along with uh Special Agent Joe Murphy. We're at the Minneapolis 3rd Precinct for BCA case number 2016-213. We are interviewing Minneapolis officer Brian [REDACTED] Graupner. Brian is spelled B-R-I-A-N. [REDACTED] is with a [REDACTED] and Graupner is G-R-A-U-P-N-E-R. Date of birth is [REDACTED] of [REDACTED]. Address for Brian will be 3000 Minnehaha Avenue South in Minneapolis, 55406. Work ah-work number to get a hold of him will be 612-673-5703. All that stated correct ah Brian?

BG Yes sir.

MP Okay, also present in the room is representation ah union representation for Officer Graupner which will be Lieutenant Bob Kroll.

BK K-R-O-L-L.

MP K-R-O-L-L, Minneapolis Police Federation. Alright, Brian I wanted to just get some basic background um you're currently on FTO with Minneapolis Police Department?

BG Correct.

MP Um so how many months on?

BG Just started my fourth month.

MP Okay so almost there?

BG Yes.

MP Any other police experience besides Minneapolis?

BG No, I was reserve with ah St. Louis Park Police Department but this is the first sworn position.

MP Okay, how long were you a reserve?

BG Ah, just about a couple years, two years.

MP Okay um, where'd you go to SKILLS?

BG Uh I went to Alexandria, their summer skills program in 2012.

MP Okay and what's your POST number?

BG 23447.

MP 23447. Do you have any ah college education?

BG Yes, I have a Bachelor of Arts in Criminal Justice from the University of St. Thomas.

MP And when did you ah get bestowed the Bachelor, uh what year?

BG What year? 2012.

MP Okay, any other education?

BG Nope.

MP Okay, alright so, you're currently working third watch, which is for you...but you're Third Precinct what watch?

BG Dog watch.

MP Dog watch okay and what hours it is?

BG It's ah 8:30 PM to 6:30 AM.

MP And how many on, how many off is that one, days on, days off?

BG Uh they do it by uh monthly cycle.

MP So you work like every like four days on, four days off...

BG Yes.

MP ...or what is it (inaudible)?

BK It's, you pick your days off.

MP Oh really?

BK We got a really good union.

MP That's pretty good (laughs). I like that. Alright so your days get, but for you being an FTO, you do whatever the heck your FTO's doin'...

BG Correct.

MP ...when they're workin', that's what you're working?

BG Yes.

MP Okay and right now you're doing uniform patrol?

BG Yes.

MP And you are seen at the po- you're driving?

BG Yes.

MP Navigating, doing all that stuff?

BG Correct.

MP So can you ah describe me your uniform, your Minneapolis patrol uniform?

BG Uh it's the light blue top, dark blue pants um my vest I have an outer carrier which is also light blue but it matches in with the uniform looks just like the uniform.

MP Okay.

BG And then my uh duty belt...

MP And your badge number what was that?

BG 2385.

MP And are the pants normal blue slacks or are they cargo pants?

BG Cargo pants.

MP Okay. Um, can you describe what your uniform looks like as far as the patches and main insignia on your shirt?

BG Yes I've got uh patches on each one of my uh arm sleeves and then my badge is on the front uh right over my heart on my left hand side.

MP Okay and you have a name tag where, what side is that on?

BG Correct, on my right side of my chest.

MP Anything else ah have any insignia on your shirt?

BG Uh, I don't believe so.

MP Okay, no military experience?

BG No.

MP Okay, can you describe ah, I'm guessing you wear a duty belt, leather or nylon?

BG Uh it's leather.

MP Can you describe what you've got in that duty belt moving around from your left to your right?

BG Yes, I've got uh starting on my left, right above where I guess the, the clasp is, underneath the duty belt...

MP Uh hm.

BG First thing would be my magazine pouch, uh to the left of that is my uh, I guess it's a ring for my riot baton then I've got a keeper and the left of that is my baton, my ASP baton. Behind that is my radio, then it's my flashlight which is just close to the left side small of my back and I've got another keeper and then right in the center of my back I've got a second keeper. To the right of that is my right, my rear handcuffs uh, then I've got another keeper then on my right hip is my gun. It's a Sig P320. It's got a tac light on it and then in front of that is another keeper and then my mace and my second set of handcuffs on my front and that brings me back to the medic pouch.

MP Alright um what caliber is your Sig?

BG Uh 9 millimeter.

MP 9 Millimeter? How many uh rounds are carried in it

BG Uh so that would be ah 16 plus one.

MP Okay and then your mags, you carry two or three?

BG Two.

MP And they're both, both 16?

BG Yes.

MP Okay. Did you uh have cause yesterday morning on April 4th to use your pepper spray?

MP Did you use it?

BG I did not use it.

MP Did you access your baton?

BG No I did not.

MP Okay and you did draw your firearm?

BG Yes I did.

MP But you didn't fire it?

BG Correct.

MP Okay but we'll get into that.

BG Okay.

MP Uh so you're the driver that's described in uniform, you're in a marked squad I assume?

BG Yes.

MP And for the benefit of ah those who don't know can you describe your squad?

BG Uh it's a Ford Explorer. It's fully marked. It's black and white, it's got the insignias for the Minneapolis Police Department on it. We were driving uh marked squad 311.

MP Okay and who was your FTO in that with you?

BG Jeff Perkins.

JM Officer, Sergeant?

BG Officer.

JM Okay.

MP Uh do you have any weapons that are inside the vehicle like an AR,... shotgun?

BG Uh shotgun.

MP Okay and that's assigned to the squad and not the officer is that correct?

BG Correct.

MP Alright, did you have any cause or chance to access that during the incident yesterday?

BG No.

MP Okay. Okay so yesterday being April 4th, what day in the cycle was that for you, your Monday, your Friday?

BG Uh that was my first day.

MP First day back?

BG Correct.

MP Okay um can you describe for me and tell me what happened ya know I'm guessing this occurred around 5am, so you don't need to be specific about the time, when you heard the call, tell me how you responded, what you guys did.

BG Uh we were actually leaving here from the station. It originally came out as a call for 341 which is our 340 district. We were squad 311 I know I keyed up on the radio saying that uh dispatch could send us that call uh we went it was ah 2120 Minnehaha Avenue South uh we were the first squad to arrive um as we arrived at the door I saw movement in the right side of the apartment building in the window.

MP Um-hm.

BG Uh I let my FTO know like I-I saw someone with a beard that was there and just saw his head and then right inside the doorway in the front apartment to the left there was another door and I saw that open quick and shut.

MP It was still dark at this time correct?

BG It's dark outside correct but there are lights on the interior of the building so I could see the, the figure on the right hand side, bearded guy and ah, think my FTO, he's, he's taller than

me and there's a window on the front apartment door and he looked in and bearded guy opened up the door for us so the door that goes to the apartment building opens outwards towards the steps...

MP Um-hm.

BG ...he opened it up and said the guy just went into unit number one which was directly to our left so the hallway width that goes inside into the right over by a set of stairs is about as wide as the door to unit one.

MP Okay.

BG And it's immediately to your left as you go in the apartment.

MP So you start to walk in, what do you see?

BG So as soon as I walked in bearded guy was standing off to the right, I said sir can you just step, step back for me 'cuz I didn't want to have to worry about dealing with him as well and at this point because it came out as, it changed from originally an unwanted call to a person with a weapon. An unwanted is just kind of a ya know, someone's there they don't want there we go and talk to them and usually they don't belong there and ya know we send them on their way uh it changed to a person with a weapon, they said he had a knife in his back pocket. So that kinda amped up ya know our response as far as what was going on.

MP Um-hm.

BG So at this point I did have my gun out, I had it down by my right leg and I heard sounds coming from inside the apartment. It was just moving around and I knocked on the door and the guy opened the door. It was a Hispanic male, bald it matched the description that my FTO was reading as we were going to the call.

MP Okay.

BG Ah, he opened it I don't know, maybe a foot, I could see his center torso, his body, it was dark behind him. His left hand was part way in his pocket and he had his right hand leaning on the door but I couldn't see past, like below past his right elbow.

MP Okay.

BG And at that point I put my gun towards his torso and said show me your hand, show me your hands at which point his right hand came up and then it cleared the doorway and he had a large knife and this large knife I mean I could tell it was silver. He came over and I start taking the slack on my trigger and I said drop the knife and my FTO said get back and I could feel him pulling on my side. He was behind me in the doorway.

MP Um-hm.

BG And I could feel him pulling me back and I was stepping back with my right foot and as he started as the male with the knife started charging towards me...

MP Um-hm.

BG ...I stepped back and down the stairs and my FTO quick shut the door and the guy hit the door. I don't know if he hit it with the knife or his hand but he was pushing on the door and my FTO had his full body against the door and radio'd in ya know 311, this man does have a knife and then asked for squads to come code 3 so at this point the guy was trying to push on the door towards us.

MP Um-hm.

BG Ah, I couldn't really understand what he was saying. I don't know if he was saying stuff in Spanish. I did hear stuff about ah killing my w-, he said killing my wife, I remember that sticks out but at this point uh my FTO was holding the door, I went to the south side of the

building. We were, as as we made our approach originally we could tell there was no other real light on the right hand side. I went to the south side because as we had driven up I had seen another door there and at this point I was standing at the corner. We were waiting for the additional squads to show up I think my FTO said ah ya know where, where is our backup and then re-aired the address for the responding squads, we were at 2120 Minnehaha. Started hearing sirens and at this point ah the bearded gentleman from earlier who we, we later found out was the caretaker he actually came out the south side ah that doorway that had some steps. He came out and he was jingling some keys and he goes I have keys that can get you in, the guy's laying on the floor in there and I said, at first I said I need you to get back in I said can he get to you right now and he goes no he can't, but he was laying on the floor with a knife. I said where is he laying on the floor. He said he was laying in the hallway. At this point additional squads had shown up ah so I went over and made contact with the gentleman and said where does this go, can this get us ya know, does this unit get us back into the hallway and he said yes. Uh so a couple other officers it was Officer Oakes and Kape, came in actually to this unit which was unit number three at which point other officers at which point ah other officers had gone into the stairway um I know a couple of them had Tasers out it was ah, Officer Trebesch, Officer Stewart showed up, they both had Tasers and then ah Officer Kape had a Taser in unit three ah at this point unit one was the one that we first came into.

MP Um-hm.

BG Where he first came out of. Unit two was directly across the hall from unit three. At least the doorway so from the unit three doorway we could see unit two and we heard from the officers a door slammed and officers that went down the hallway, it was kind of this, we were offset where the hallway and the door, we both had visual on the unit two door.

MP Okay, gotcha.

BG Um, and we heard at this point that this man with a knife had gone in the unit two and there were other people in unit two with him.

MP Okay.

BG And they said it had turned into a, to a hostage situation that he had taken someone hostage.

MP Gotcha. And I mean you're talking about this man, Hispanic male with a knife, you made a gesture of holding the knife with a blade up...

BG Correct.

MP ...and when, when you first saw him come toward you, that's how he had it, in his right hand with the blade up in the air?

BG The blade was downward so it was like an ice, ice pick like movement.

MP So that's...

BG And he even, he came down and across his body with it when he came towards the door, I mean it, it was like everything slowed down in my head and I remember seeing it so vividly.

MP So more of an icepick motion?

BG Correct.

MP But you don't know what he hit the door with but he, you heard it hit the door (inaudible)?

BG Correct and as ah my FTO Officer Perkins was standing against the door I mean, it, the door kept moving out a couple inches and he had his full body weight and his foot against this door, pushing it in as he was on the radio.

MP Yeah and when you say on the radio, did you guys put out a help the officer call or just more cars please?

BG He ah, he said additional squads, code 3. They aired it out, I heard the alert tone for a help call.

MP Okay.

BG And I know it did change to a help call.

MP Alright so you guys have got it narrowed down to him being in unit two and (inaudible) supposedly a hostage situation, what happened then? And where were you stationed, were you still standing inside unit three?

BG Correct, I was still in unit three. Officer Oakes had posted up on the left side of the doorframe with his hand and his gun drawn down towards unit two. Officer Kape was to the right of him against the right side doorframe with his Taser and then I was back behind them ah, the, the bearded gentleman, he kept, he was standing on the doorway to his unit that goes outside but he kept trying to like interject in what was going on and I asked him, to step out and he said he wanted to grab his dog. I'd already taken his dog and put the dog in the bedroom and closed the door just so we didn't have to worry about it, he has a large breed dog.

MP Yep.

BG Um and he said he wanted to get his dog out and he didn't have anywhere else to go and that we could just, we could just lock up his unit and it would be fine ya know we, we didn't have to, to worry about it and I said ya know we need to keep visual on this door 'cuz the situation had evolved.

MP Okay. Did anybody take the role of negotiator? Did you call in a negotiator?

BG Uh, I know they tried to contact a negotiator. We had two officers there that were CIT.

MP Um-hm.

BG Ah, I know Officer Oakes and it was Officer Malmberg I believe we're taking on, I-I couldn't see the officers on the right hand side.

MP Um-hm.

BG I know we addressed the idea of crossfire ahead of time and ya know we said that we had a clear sight on the door and the officers arrived...so we were communicating that ya know we were over there um but the officers that were CIT did take over the talking with the suspect.

MP Okay, so your job behind Oakes and Kape is just to maintain security. You had the old guy talkin' to ya a little bit and...

BG Correct.

MP ...chirping in your ear.

BG Yeah.

MP So as you're trying to talk to him, what, what happened next in that, in that apartment two?

BG Well um, I guess additionally more, more squads you could hear them arriving on the radio so I was kinda running between the door that led in, I know I let Sergeant Rivard know, I went to the doorway, I heard her showing up on the radio, arriving on the radio. I went over there and just let her know ya know, Sergeant we're in here and kinda gave her the update of, of what we had from my information which was they were in unit two, we could see unit two and then she went, she ended up leaving and said she was gonna check to see what other units were there, if we needed to evacuate people if we had other access to unit two.

MP Okay.

BG Um...

MP So she essentially took over like scene commander?

BG That I don't know if she was officially a scene commander or not, I know there were a couple sergeants that responded, I don't know who was official scene commander I guess.

MP Alright.

BG But as far as talking, this, the gentlemen with beard that he said he was the caretaker at the, at the place uh, said that this guy had talked to him earlier and ya know everything was gonna be fine, he's trying to find things for his, his wife or find out information about his wife that ah they'd been targeted by the mafia and ah I know there was a, a note that he tried showing me saying that the guy had given him a note and it was a couple pieces of yellow ah note paper um, while I was talking to this guy I heard the officers trying to ah talk with the suspect about ya know what do you want, what can we do for you. He said that he wanted to call his wife and they said okay well ya, ya know come out here, we can call your wife together and he said he wasn't gonna come out, he wasn't gonna leave the apartment and then there was some, again it was, I couldn't really make out he was saying. I think there was a mixture of Spanish and English...

MP Okay.

BG ...but he said stuff again about killing his wife uh, said stuff about the mafia again and then he tried to give a phone number. I know that the CIT officers, they had him repeat it a couple times because he changed it like instead of saying ya know for instance 17 he was saying seventeen when he was saying out the numbers so it was kinda hard to, to put it all together when he was saying the string of numbers, just the way he was saying it. Uh, so the number that was on the notepad, it actually had the wife's phone number and I showed that to Officer Oakes who I think ended up relaying it out and they tried calling this number and put it on speaker phone and it went to voicemail and ya know they explained to him ya know this number went to voicemail and at this point he said that his wife was dead, that his wife was dead he wanted to get in touch with her, wanted to call her cell phone and then said his wife was dead. Um, at that point he said that he was going to, he was going, ya know they said they wanted to come in and Officer Malmberg said ya know can I, can I, do you want me to come in there and talk to ya about this, ya know, can, can I come in there, will you come out, they kept trying to order him out and come out without the knife, come out with your hands up, he said he wasn't gonna leave. Um at this point, at one point he, the suspect said ah, you come in here we'll, we'll call her in here, come in here and Officer Malmberg goes okay do you, do you want me to come in there and then the guy changed up again and says no, don't come in here and said if you come in here I'm, I'm gonna kill him and then it was just shortly, I mean it was a lot of back and forth, just kinda the same thing over and over again of ya know, we're gonna, we're gonna try to call her, ya gotta work with us, we're gonna try to call her and then all the sudden the, and it was really quick, all the sudden you could hear someone inside start yelling and it wasn't the same voice as the suspect.

MP Okay.

BG And I heard on the stairs someone said, we gotta go, we gotta go. And I saw Officer Stewart and Malmberg, Officer Malmberg came out and turned around and started donkey kicking the door with his right leg and Officer Stewart kicking the door at the same time.

MP Okay now when you mean donkey kicking, describe what's that's like.

BG Like, he was standing with his back to the door and used his right leg and kicked backwards, away from his body towards the door.

MP Okay.

BG And I know it took two kicks 'cuz the first kick I saw the whole ah, ya know the, the knob and all the structure there give and there was a nice crack but it took a second one to get the door to swing.

MP Alright and that was Malmberg doing that?

BG And Stewart.

MP Stewart.

BG Stewart as he helped kick, fell down.

MP Okay.

BG And then I saw the officers go in, swing around the right and immediately inside of unit two, there's a hallway that goes down to like a, I don't know, kind of a general living room area and directly to the right is a bathroom.

MP Okay.

BG So, as the officers came in they immediately wrapped around to the right in the bathroom, I was behind Officer Oakes and Officer Kape, they moved towards Stu- but as I said, Stewart had fallen on the ground.

MP Um-hm.

BG There were other officers that wrapped around and to the right.

MP Kinda passing him?

BG Correct, well they were, he kinda fell in the hallway but more to the right side and they were on the other side closest to unit two and they wrapped in, into the bathroom.

MP Okay.

BG Um, so that point I heard more yelling ah, heard officers, I don't know who it was because they wrapped into the bathroom start yelling drop the knife, drop the knife and someone said he stabbed 'em and as they were doing that I saw well Off- it's kind of a mess of bodies in the hallway but people started backing up out of the bathroom...

MP Okay.

BG ...and I started hearing shots. I couldn't tell which, who was firing at this point. We were right on the backside of the hallway about to enter the apartment. Shots came all the sudden the victim came out to the right and out the hallway. There was a, you could see there was a knife in his back and an officer, couple officers grabbed him and went to the right. At this point they're saying we need to get him cuffed, we need to get him cuffed and there was, I mean there were, it was a mess of bodies and everyone was on the ground rolling around and I could see the suspect he was partway in the tub, part way on the floor and other officers were fighting with him and I could see the suspect's hands 'cuz they're bloody, like reaching out grabbing onto officers ah, they said we need more bodies or we need more officers to get him cuffed. Um, I know Officer Oakes went in, he was in front of me and went in and helped ah, I looked down, I holstered my weapon at this point because there were so many bodies and so many officers trying to get this guy contained and I went and I was going to get in there was literally nothing I could grab or do.

MP Um-hm.

BG I mean they had dislodged the toilet 'cuz they were sitting and all rolling around and wrestling with this guy um and I saw on my left side I saw Officer Kape and they were going down that hallway and towards like the living room area.

MP Yes.

BG I re-drew my gun and I went that way 'cuz we didn't know if anyone had actually cleared that area.

MP Um-hm.

BG Uh, went over there, Sergeant Rivard was over there and we quick cleared the living room area and I went back and at this point they had cuffed up the suspect and had moved him out and into the hallway and were starting to render aid.

MP Okay now when you said he was laying part way in the ah tub, part way on the floor, was he on his back or his side?

BG Uh, he was kinda seated up like his, he was on his back.

MP Um-hm.

BG And he was kinda over the edge of the tub and then came back like as he was fighting and they moved out towards the entryway to the bathroom.

MP When you say he was fighting, he was actively swinging his hands, grabbing onto officers?

BG Correct.

MP After being shot?

BG Correct.

MP After shots were fired, this was still going on?

BG Yes.

MP Um, did you see at all if anybody got a Taser going?

BG Uh no, I did not.

MP No, okay and you didn't smell, you know what pepper's like when it's deployed correct?

BG Correct.

MP And you didn't feel the effects of that or smell it?

BG No sir.

MP And in that melee of bodies did you see any baton sticks flying around?

BG No.

MP Okay um, you said that the communication, the guy was communicating kind of a English but also some Spanish?

BG Correct.

MP Did you feel it was hard to understand him through the door or?

BG Uh, no, well, when he was, I think when he was trying to explain what was going on or the situation with his wife I think that part was a little hard to understand...

MP Um-hm.

BG ...but as far as the threats he was making about killing the person or about ya know, if you come in here I'm gonna kill 'em, that stuff, there really wasn't anything.

MP And what do you mean what he was saying...

BG It was complicated.

MP ...things seemed to be confusing, that some of the stuff wasn't make sense with his wife?

BG Correct.

MP Yeah, and then the numbers, okay. Um, you said they rendered aid, what is that? Can you describe for people who don't know? What does it mean when officers render aid to a guy?

BG Yeah, well they, they did end up getting him handcuffed. I saw that one of his wrists was severely cut. Um, it was almost like there was a tear in his skin as they were trying to get the cuffs on...

MP Um-hm.

BG ... when he was fighting. Uh when they moved him out of the bathroom into the hallway uh they started looking for a pulse. They said that that was very weak and at this point I don't know if it was Lieutenant Fossum, someone said, I think we can take the cuffs off. I don't think he's going anywhere.

MP Was he cuffed front or back?

BG Uh, at that point I believe it was back but I, I'm not certain about that. I didn't see him in front I just know that they said he was cuffed and they were dragging him out. Again, it was a really narrow hallway so there were a lot of bodies in front and people like trying to get up. Uh I know like Officer Robbins got up and immediately came over and he goes, I broke my hand. Um, but there were kinda officers, so there was a lot going on. I saw the suspect on the ground in the hallway. Um, I think it was officer Stewart that was feeling for his pulse um and then I moved back towards the main entrance, into the hallway and there were a couple officers over him and someone goes, I need a chest seal, does anyone have one, and they started working on him and getting chest seals and stuff.

MP Okay, and did they do that until the paramedics arrived?

BG Correct, yep then my FTO officer Perkins, I know on the radio said you know he asked where paramedics and they said, oh they're staging outside. He goes you know we need 'em in here now. We got one victim with gunshot wounds.

MP Okay.

BG Uh, remember that uh and while they were still fighting with him they had paramedics staged and I also clearly remember Sergeant Rivard saying that we're not code 4 for paramedics yet. I know 'cuz they were trying to sit and get him contained and, and get him under control 'cuz like I said he was still actively fighting and like fighting very hard to the point where he, took four officers to get him under control.

MP Okay, so then when Lieutenant Fossum said okay I think we take the cuffs off, at that point the fight was out of him?

BG Correct, at that point he was from laymen's terms he was unconscious.

MP Okay.

BG Uh, they did say that he was, I don't know if he had a weak breathing or weak pulse but they said that they could take the cuffs off...

MP Okay.

BG ...for medical and as I saw paramedics show up they got a, you know it was a white stretcher with a couple wooden, wooden dowels and when they moved him out past me his arms were crossed over his body. He didn't have handcuffs on.

MP Okay, now during that it sounds like you, you were watching the man, the suspect. Did you see at all anything that happened with the hostage? When he came out with that knife in the back, did anybody pull that out? Did they get into the rig? What happened with him? Do you remember seeing him? Only if you saw it.

BG I, I just remember him passing across. I saw him come directly out and to my right down the hallway to the main entrance.

MP Okay, so that's all you saw (inaudible)

BG Yeah, and officers grab him and they start moving him towards the entrance.

MP Okay.

BG That's all I saw.

MP You actually saw the knife go past you?

BG Correct.

MP So during the rest of the melee you never saw any other knives on the ground?

BG No.

MP Okay, um, what do you know from your training that you had in Minneapolis and the skills and your FTO, uh what are the dangers of facing a person with a knife?

BG Uh, the amount of damage they can do with a knife. I mean, even with people getting shot, just like in this instance.

MP Um-hm.

BG It's not like the movies where it's one shot, knocks 'em off their feet and you know they're down for the count. People still have a lot of fight in 'em as this guy obviously showed. Um so someone with a knife, you know even if you do potentially shoot 'em, that's not gonna stop 'em. They can continue to do damage. Um, I mean if someone's well trained with a knife, we did knife training stuff in SKILLS and it's just remarkable how quickly and swiftly they can move and even if it's a small blade um stuff with for instance the gap and how quickly people can close in a gap if you shoot 'em stuff like you know they have the arbitrary 21 foot rule, um just because they can close that distance in, I mean I think there's been studies even stuff within three seconds at a full sprint and they come at you uh to get your gun up on target and start you know firing accurate rounds even the center mass is something that's difficult to do.

MP And for this when we're talking distance, that distance between when officers breached the door and they go in there, how many feet roughly are we talking that they're standing watching you with that hostage.

BG Five, if that.

MP Five feet he's got that knife.

BG Yeah.

MP Okay.

BG And, I mean he even with that, with where the, the back of the bathroom was a tub, right in front of that was a toilet and then you have, it's like a small sink to the left. I mean there was a lot of hardware in there too or a lot of other stuff occupying space and I didn't go into the bathroom nor could I see the suspect or the victim at that point but if there were two other bodies, I mean unless they were standing in the tub...

MP Yeah.

BG ...you're talking, I mean maximum of, of five feet.

MP Yep.

BG ...from where the officers were to where the suspect was.

MP In your opinion as an officer in which you've been trained, is it safe for you to deal with a suspect up close with a knife with your baton?

BG Absolutely not.

MP Is it safe with you to deal with a suspect with a knife with pepper spray?

BG Absolutely not.

MP Is it safe up close with a suspect with a knife to try and deal with him with a Taser?

BG No.

MP So generally with a knife that's a possible deadly force type situation?

BG Absolutely.

MP And for those situations, what is your, what do you usually have to go to deal with that?

BG Your gun.

MP Um-hm. And if the officers in front of you hadn't been in front of you and you were the first one to go through um just as you did when you first got to this complex, with a person advancing against you, if you had not been pulled back by your FTO, were you prepared to fire?

BG I, I had taken off the slack in my trigger so yes.

MP And at that time you felt what?

BG I felt threatened for my life. This guy, he, he had a fixated look in his eyes that and I guess that's why immediately when I first dealt with him wanted to see his hands. Something wasn't right. He had a look that, I mean that, it was this hinky look of he wanted to hurt me.

MP Okay, so you were prepared to use deadly force because you felt your life was threatened?

BG Absolutely.

MP And then later on, because the other offic—, officers in front of you, did you feel that they were in danger?

BG Yes.

MP Dealing with him.

BG Yes.

MP And uh of course the hostage?

BG Yes.

MP Uh during this incident at all, were you injured?

BG No.

MP Okay, were you able to check with your partners and make sure that they were okay as well? Um, did you see any of them were injured? I know somebody said they hurt their hand.

BG Yeah, Officer Robbins, when he came out and he stood in the hallway in front of another unit. I believe it was unit 4 that they said no one was in there, no one was occupied. He was standing right in front of that one and said, you know I broke my hand, I broke it before in SKILLS, I know it's broken and uh a Sergeant, Sergeant Rivard came over and he explained again that you know his hand was broken. He needed to be checked out.

MP Okay, alright but you were fine, your (inaudible)...

BG Yes.

MP ... you physically you weren't hurt.

BG Correct.

MP Okay. Questions Joe? Is there anything you can think of that I didn't cover? Bob, what about you, anything that uh I need to cover? Um, you understand I'm gonna give you my card. If there's something that pops up later and you say oh you know what I forgot this, and you feel it's really pertinent, let Bob know and then uh he'll let me know if it's something we need to just come back and I'll do the same thing. We'll just add that to your statement, okay?

BG Okay, sounds good.

MP Alright, we're gonna go ahead and stop the interview. It is 1125.

END OF TAPE

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/22

Report Date: 04/05/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Officer Grout
Occurrence From: 04/05/2016 00:00
Occurrence To: 04/05/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/27/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 5th 2016, SAs Phill and Murphy interviewed Mpls PD Ofc Grout at the 3rd Pct. Evidence item 2016-213/22.1 (CD of the Ofc Grout Interview) acquired with this report.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/22

Report Date: 04/05/2016

Subject #2 - SUBJECT #2 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD Containing Digitally Recorded Interview of Ofc Robins

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing Digitally Recorded Interview of Ofc Robins
Quantity: 1
Control Number: 2016-213/22.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/22

Report Date: 04/05/2016

Property #1 - CD Containing Digitally Recorded Interview of Ofc Robins - Continued

Primary Information - Continued

Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/05/2016 00:00

Officers

LEO

Grout, Joseph (Minneapolis Police Department)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/07/2016 18:38
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/27/2016 11:10

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Tuesday, April 5th 2016, Special Agents (SA) Phill and Murphy interviewed Minneapolis Police Officer (Mpls PD Ofc) Joseph Grout at Mpls PD 3rd Precinct. The interview was about Ofc Grout's involvement in the April 4th Officer Involved Shooting of Raul Heraldes by Officers Malmberg and Robins. Also present in the interview room was Lt Bob Kroll, the Minneapolis Police Federation representative.

The entire interview was digitally recorded and later burned to a CD. SA Phill labeled and preserved the CD as ACISS evidence item 22.1. The following is only a summary of the interview. Please refer to the attached full transcription of the interview for a full account of what was said.

Ofc Grout was working uniformed patrol in a marked Mpls PD squad car with his partner, Ofc Joe Hagen. They are 5th Precinct patrol officers, but at about 515 or 530am, they heard a call for an "unwant" with a weapon at 2120 Minnehaha Av in South Minneapolis. They responded code 3.

Upon arrival Ofc Grout split up with his partner. He decided to take a position to the North of the address behind a tree, where he could see inside the apartment windows where the hostage situation was unfolding. Ofc Grout said that he could hear other officers talking to the man holding someone hostage. He also noticed Ofc Noble observing the same apartment from a different, larger tree.

Ofc Grout said he could also see a man fitting the description of the man with a knife walking around inside the apartment. He could only see him from about the chest up. Eventually, Ofc Grout said he heard officers yelling that they were breeching and then the door swung open as they entered. He then heard several gunshots. He also saw the muzzle flashes from the firearms. Ofc Grout said that during the shooting he moved from his tree to Ofc Noble's tree for more safety.

Ofc Grout stayed in the back until he heard "Code 4" meaning the scene was safe and he could leave his position. Ofc Grout then went around to the front door of the apartment and saw blood on the ground and evidence of a struggle in the apartment bathroom. Ofc Grout said he was not injured but he heard that one of the other officers was hurt in the incident.

Finally, Ofc Grout said that dealing with a suspect with a knife is a very dangerous situation that requires an officer to use his gun. Or two officers can use a Taser and a firearm to subdue or apprehend a suspect with a knife.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 5, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	Officer Joseph Grout (JG) Lieutenant Bob Kroll	INTERVIEWED BY:	SA Michael Phill (MP) SA Joe Murphy (JM)
REVIEWED BY:			

MP Today is Tuesday April 5, 2016, make it 1142 hours. Special Agent Michael Phill along Special Agent Joe Murphy on BCA Case Number 2016-213. We're at the Minneapolis Police Department, 3rd Precinct on uh Minnehaha to interview Minneapolis Officer Joseph [REDACTED] Grout, Grout is G-R-O-U-T, date of birth is [REDACTED] of [REDACTED] um address for him is gonna be 3101 Nicollet Avenue, Minneapolis. Um, what's the zip over there?

JG I don't know.

MP Okay, well that's not a big deal. That's what google so we'll have to find that. Contact number for Joe, is it okay if I call you Joe?

JG Yes.

MP Is gonna be 612-673-5703. Also present in the room is uh Minneapolis Federation Representation Lieutenant Bob Kroll, K-R-O-L-L. All the information I state about you Joe, correct?

JG That is correct.

MP Okay. Let's get a little background about you, from you. How long have you been with Minneapolis?

JG I started uh 3 years ago. I was first a civilian, a CSO.

MP Started as CSO.

JG Correct.

MP So how long have you been on patrol?

JG Uh, over 2 years, as a police officer.

MP And um where did you go to get your SKILLS?

JG Uh, I went through SKILLS through Hennepin Tech.

MP Hennepin Tech? Do you remember about the year, you finished that?

JG Uh, it was 2014. It was like right before I went to the academy, I finished.

MP Okay. Obviously passed the post exam, so what's your post number?

JG Yes, uh I don't have the number. I saved it on my phone though.

MP Oh, my gosh.

JG (laugh) I need to memorize it, I know. I keep forgetting to.

MP Alright. And you said you had a two year degree and where's that from and what is it?

JG Um, my two years from Bethel and uh it's a general associates. And also have a law enforcement degree, two year degree from Hennepin Tech.

MP Okay. Hennepin Tech, two year law enforcement degree.

JG Yes, my post number's gonna be 22608.

MP Thank you. And you're currently assigned to the 5th precinct?

JG Yes.

MP Uh, and on, you're on dogs?

JG Correct.

MP Uh, who's your normal partner on dogs?

JG Um, my normal partner is uh John Owen. Like I say I, I've, I've four different normal partners, John Owen.

MP Who was the one you had for April.

JG Joe Hagen.

MP Okay. Joe Hagen, okay he's the one responding with you and you're in marked squad, marked uniform.

JG Correct.

MP Can you describe you're uh Minneapolis uniform for me, what it looks like?

JG Uh, light blue uniform with patches on the side, say Minneapolis Police on the badge.

MP What badge number is yours?

JG Badge 2497.

MP Okay. Do you wear an outer carrier or vest under your shirt?

JG Under my shirt.

MP Okay. Any other insignia, anything on there, military insignia?

JG Uh, no nothing else on there.

MP Okay. And the pants are cargo or just slacks?

JG Uh, cargo, cargo pockets on them.

MP And that's navy blue?

JG Correct.

MP Alright. Can you describe for me your duty belt? I guess we'll move around from your left all the way around to your right. What you've got on your duty belt.

JG I have uh two magazines for my firearm. I have uh my flashlights. I have my uh radio. Um, I have my pair of handcuffs with backup handcuffs, my handgun, 9mm Smith and Wesson. I have uh, my mace and another pair of handcuffs.

MP How many rounds do you carry in each magazine?

JG Uh, 17 rounds in a magazine.

MP Okay. And for the one that's actually in the firearm, do you have 17 plus one?

JG Correct.

MP Okay. And I missed earlier, do you have two mags or three extra mags?

JG I just have two.

MP Two, okay. So I didn't hear Taser on there.

JG No Taser.

MP Alright and where did you say your baton is or do you have one?

JG I have one, it was in the bag.

MP Okay. It's in the bag. Um, the squad car you have, is a marked squad?

JG Correct.

MP With Minneapolis black and white or white?

JG Just Minneapolis black and white.

MP Okay. Uh do you guys have a firearm in there?

JG Uh, yes we have a shotgun in there.

MP Okay. Is that uh assigned to the car or the person?

JG That's uh well each day it's different for instance we were 561 that day but we were driving 513.

MP Okay. So it's assigned to that car, 513?

JG Yes it has a marked number 513 but we were 561 when we were using that.

MP Okay. Did you have any cause to access that on April 4th?

JG No, just, just when we go there and got out (inaudible).

MP Okay. So you never pulled that shotgun out?

JG Never.

MP Okay. Um before I uh get into what happened early morning April 4th, is there any other duties you perform for Minneapolis PD?

JG Nope, just patrol.

MP Specialize training, FTO, CIT anything like that?

JG No CIT.

MP Okay. Alright so you're in 5th precinct which is not normally uh where this call occurred, 2120 Minnehaha. Can you tell me what you heard on the radio and what'd you do when you guys took off there?

JG It was around uh 5:15-5:30. Uh, we heard the call come out initially as an unwanted and then they upped it to person with a weapon 'cuz they said, dispatch said that the unwanted had a knife on him. Um then when officers got there they said uh he still had the knife and they need cops there, code 3. So then it turned into a help call. So we were in our precinct, got in our squad um went code 3 over there and arrived on scene there.

MP Okay. So tell me what you and your partner, would you did. You obviously split from your partner at some point.

JG Correct, yeah.

MP So just tell me what you did.

JG So I went in there and to the um main part of the building and there's a lot of cops lined up in the hallway and I could hear the guy yelling inside the apartment. I never saw him outside of the hallway, just hear him from inside the apartment and uh they said that he went in there

and it turned into a hostage situation that they believe he had a hostage and he had a knife. Um, like I said there's a ton of us in the hallway so I was about to leave and then they said that they needed a Spanish speaking officer because another resident on the first floor was a, could only speak Spanish and they didn't know if he knew this guy or not and I knew that we had a recruit that spoke Spanish. So I got on the radio and I aired you know to ask where they were 'cuz I knew that they were on scene but didn't know where and they said that they were in the back. So my partner stayed inside the main building with everyone else 'cuz he's also CIT and I'm not CIT so he stayed there. I went around back to look for uh Pena, Officer Pena who's the Spanish speaking officer, found him and told him to go up to the front. That's when I noticed that uh there's no one on the uh north side of the building, on the outside, perimeter part, so Officer Noble and I, Officer Noble was out there as well. We both went to the north side of the building which was uh had windows facing from the apartment it's like an empty lot.

MP Okay.

JG Um, so we went there and uh Noble was at one tree and I kinda went to the other tree and we waited for a while um while they were trying to talk to him.

MP So you were behind a tree for cover and concealment?

JG Correct.

MP Uh, what could you observe from that position?

JG Uh, I could see inside the house. Initially didn't see that at the beginning, there were more lights on the apartment and then we saw a male walking around the apartment, um who I believe to be the male with the knife uh he matched the description from, they said Hispanic male and (inaudible) short, kinda buzzed hair, he was walking around. Uh we weren't able to, the angle that we were at was kinda difficult to see a lot of him because this apartment, you go upstairs so the windows that we're looking at weren't level they were kinda above so I could only really see 'em from I don't know about the chest or high up.

MP Okay.

JG Um, and like I said I was at a different position from Noble and we kinda shined our lights on 'em a little and he went over and turned the lights off and uh we kinda watching him and I didn't know the layout of the room either from where I was at, at the time because I had never been in the apartment so I can see that he kept going in to what I later found out was the bathroom and the lights to the bathroom kept going on and off, either they were going on and off or he was shutting the door back and forth.

MP Okay.

JG But they kept going on and off um and we just kind a, we're just waiting there at that time I had my gun out um but it was just to my side. It wasn't pointing 'cuz I knew that there were officers also still inside the building. Um while we're waiting all of a sudden then I noticed that the that the door came open, initially I didn't know that they kicked it, saw it come open and then I heard a lot of yelling from the officers and immediately followed by shots. I can see, you know kind of you can't see exactly who's shooting because there's a bunch of blue uniforms coming in to the room but I can see muzzle flash and hear the shots being fired.

MP Okay. And you said you saw the door come open, and it's dark inside there correct?

JG Correct.

MP So when that door came open and then flooded with the hallway light.

JG Well a little bit cuz I think, I believe the light in the bathroom is at a point where it was on.

MP It was on...

JG Like I said he kept going on and off with it but I believe that it was on when they came in. but then also saw you know the outdoor I mean the lights from the outside come on as well.

MP Okay.

JG ...the door

MP Did you hear anybody say we're gonna breach, breach, anything like that or just it happened the door was smashed in, from your point of view?

JG They, they were airing it as they were breaching it, pretty much.

MP Okay.

JG Just that quick.

MP Okay. So you saw that the door fly open, officers come inside go inside. Did you stay there at your vantage point looking in or did you move?

JG Well once they started shooting and I remember it specifically told Noble, when you hear shots, hit the ground because they may not know specifically where we are outside but I can see that they were shooting eastbound we were north so what I did is I was a little bit farther east then Noble. He had bigger tree so as they were shooting eastbound I walked to his tree which is more on the west side of the yard and that's why I did kinda lose my vantage point to see and have a better angle inside the room.

MP So, it sounds like it's a more than a couple shots and your hearing a bunch of shots go off and you're seeing the muzzle flashes?

JG Yes, initially but then as I, once I started hearing it I started to walk as the shots rolled off.

MP And then when you go over to that bigger tree.

JG I lost, I lost sight of the bathroom, um but I could see other officers going in clearing the rest of the apartment.

MP Okay. And the shots had stopped.

JG Correct.

MP Alright. So what'd you do then?

JG We held the position until it, they were code 4, until they aired they were code 4.

MP Um, did you see at all the hostage come out?

JG No, never saw the hostage 'cuz I moved positions.

MP Alright, Did you get a chance to see them bring out the suspect?

JG No.

MP Okay.

JG Never saw.

MP Did you stay at your position until when?

JG Till we heard the code 4.

MP Okay. Um did you at all on the radio hear anybody designated as the scene commander? Anybody, was anybody taking control of the radio, positioning people?

JG Um, not that I can remember over the radio.

MP Okay. But you guys stayed there. So nobody didn't tell you to stay there, you guys kinda made that decision then you stayed there till...

JG We had the perimeter till it was code 4.

MP Okay.

JG So we knew everything.

MP So you knew that from police training (inaudible).

JG Yes.

MP Okay. Um, when you finally did get the code 4, where'd you go?

JG Uh, I went back around to the front um and uh we were immediately told to uh get tape, start setup so then I started to setup tape in the front, mark it off.

MP Okay. Was anything medical going on at that time when you got to the front?

JG Uh, I didn't, I never saw, by the time I got all the way around, I never saw the victim or the suspect going into the ambulance.

MP Alright, did you make it inside the apartment and get a look in there?

JG I did.

MP What'd you see in there?

JG Uh, inside there I saw that that door was booted and then I saw, it helped me because I didn't know specifically what I was looking at when I was outside. I saw that the shooting happened in the bathroom.

MP Okay. You could see what, what'd you see in the bathroom?

JG Blood.

MP Blood and where?

JG The toilet was broken too it looked like.

MP Okay. It looked like a struggle had gone on, a pretty big struggle?

JG Yep, yeah.

MP Alright. To back up there when you heard about um that help the officer call and then a man with a knife. What does that mean when you have a person with a knife? What does that mean to a responding officer to you?

JG That's uh, probably a code 3 response. Um, so it, ups the priority um 'cuz like I said it was an unwanted which is a regular person.

MP Yeah.

JG That's a non-armed but if they have a knife, then it goes to priority thr—, uh one which means code 3, lights and sirens. You need to get there as quickly as possible.

MP And when you get there what do you know about dealing with a suspect with a knife? What kind of damage can they do?

JG Well a knife is a deadly weapon so that means I'll have my firearm out. Um...

MP And that's exactly what you did behind the tree?

JG Yes.

MP People will ask was the guy in there with a knife?

JG Yep.

MP And why would you be out there with your, your weapon out?

JG Yep, that and I also knew it was also a hostage situation in there too.

MP So you know that you've been officer for a few years now you know that um knives are very dangerous and the distance, those officers are dealing with inside was dangerous for them?

JG Yes, it's much less than 21 feet, very close to, that's what I noticed too is when they open that door I mean it was pretty much it's immediate the bathroom's right there. There's not even close to 21 feet. It's more like 3 feet from the door to the bathroom door.

MP So once you got inside and looked you can really see it was tight.

JG Could see yeah it was completely tight space and nowhere to back out to.

MP Okay. Did you see any of the officers were injured at all?

JG I never saw that, no and that's I heard from some yeah someone was injured on the radio.

MP Were you and Noble at all injured back there?

JG Not at all.

MP Okay. Did you get, your feet either one of you hear or see (inaudible) flying by or anything like that?

JG Not that I'm aware just heard 'em being fired.

MP Okay, and saw the muzzle flash.

JG Yes.

MP Um, and dealing with a person with a knife um are you trained that you should uh go hands on with them?

JG If they still have the knife? No.

MP Are you trained that you should get your baton out and deal with that?

JG No.

MP What about peppering them?

JG No.

MP Okay. What is daily training with a suspect with a knife? How do you respond?

JG Well, I know that's if an officers on scene and happens to have a Taser, should have our Taser out while the other one has a gun out but I don't have a Taser so my only option is my gun.

MP Okay. That's where it goes for you next, because you don't have a Taser.

JG Yes.

MP And what you're describing is you do have an officer with a Taser as a cover officer who has a firearm.

JG Yes at least one, preferably two officers with a firearm. That was another thing I noticed too was when I went into the apartment, when they were both in the hallway, there was two cops that they two Tasers.

MP Um-hm.

JG And then the rest of the cops had guns we had two people with Tasers out.

MP When you got a look inside did you see, you've seen Tasers point before right?

JG Um-hm.

MP So you look inside the apartment in the bathroom did you see any the leads or any of the aphids on the ground like somebody had fired one?

JG Nothing.

MP Okay. And why is it that we have a cover officer for another officer with Tasers? Is it because Tasers aren't 100 percent effective?

JG No and especially in a hostage situation you most like a gun, get one prong in the hostage taker another prong in the hostage and it's not gonna do anything.

MP Okay. Anything you can think of that we didn't cover, to add to this?

JG No, I think that's about it.

MP Okay. Alright. We're gonna go ahead and terminate the interview. it is... 1157 hours.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/23

Report Date: 04/06/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Interview of Officer Malmberg
Occurrence From: 04/06/2016 00:00
Occurrence To: 04/06/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Henning, Doug (1361 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 6th 2016, SAs Phill, Henning and Frascone interviewed Mpls PD Officer Eric Malmberg at the Fred Bruno Law Office. Evidence item 23.1 (CD containing digital recording of the interview) and 23.2 (CD containing digital pictures taken of Ofc Malmberg) acquired with this report.

Address #1 - Occurred #1 - 5500 WAYZATA BLVD

Primary Information

Address: 5500 WAYZATA BLVD #1000, Minneapolis, Minnesota 55416 , United States
Description: Law Offices of Frederic Bruno

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/23

Report Date: 04/06/2016

Subject #2 - SUBJECT #2 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship Address

BUSINESS LOCATION 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

Relationship Address

HOME ADDRESS 3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Subject #4 - LAW ENFORCEMENT OFFICER #1 - Robins, David

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date:
Rank/Position: Officer
Juvenile: NO

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/23

Report Date: 04/06/2016

Subject #4 - LAW ENFORCEMENT OFFICER #1 - Robins, David [REDACTED] - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Property #1 - CD Containing Digital Audio of Ofc Malmberg's Interview

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD Containing Digital Audio of Ofc Malmberg's Interview
Quantity:	1
Control Number:	2016-213/23.1
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	04/06/2016 00:00

Property #2 - CD Containing Digital Pictures taken of Ofc Malmberg at Mpls PD HQ

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD Containing Digital Pictures taken of Ofc Malmberg at Mpls PD HQ
Quantity:	1
Control Number:	2016-213/23.2
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	04/06/2016 00:00

Record Status Information

Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 19:57
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/13/2016 10:37

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

MINNESOTA BUREAU OF CRIMINAL APPREHENSION - Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

05/13/2016 11:00

Page 3 of 6

On April 6th 2016, Special Agents (SA) Phill, Henning and Frascone interviewed Minneapolis Police Department (Mpls PD) Officer (Ofc) Eric Malmberg at the Fred Bruno Law Office. The interview was to get Ofc Malmberg's statement regarding the April 4th shooting of Raul Heraldes at 2120 Minnehaha Av S by Officers Ofcs Malmberg and Robins. Both Officers responded to a man with a knife call where other Officers were threatened and a man was taken hostage.

The entire interview was digitally recorded and later preserved as evidence on a CD. The disc was labeled ACISS evidence item 2016-213/23.1. The recording was later transcribed and the finished product has been attached to this report. Ofc Malmberg read and signed the BCA Criminal Investigation Warning Letter acknowledging that the interview was voluntary and not connected to any internal or administrative investigation. The BCA CI Warning Letter has also been attached to this report.

The following is only a brief summary of Ofc Malmberg's interview. For a full account of what was said, please refer to the transcript.

Ofc Malmberg said that he was working the Dog Watch at the 3rd Precinct with his partner, Ofc David Robins on April 3rd 2015. They were in a marked police squad and they were wearing Mpls PD uniforms with full duty belts complete with firearm, Mace and a Baton. Ofc Malmberg said he did not have a Taser.

Ofc Malmberg said that in the early morning hours of April 4th, they heard a call of a disturbance in their area involving a man with a knife. It came out as a "Help the Officer" call and they proceeded Code 3. However, they initially arrived at 2120 but it was not on Minnehaha, they found the wrong address. They quickly regrouped and went to 2120 Minnehaha Av S.

Upon arrival Ofc Malmberg and Robins saw a couple others there and more officers began arriving. It became clear that the suspect with the knife had taken a man named Al hostage inside one of the complex apartments. Ofc Malmberg told his partners to let him use his Crisis Intervention Training (CIT) to talk to the suspect and calm him down. Ofc Malmberg felt that everyone was too excited and he wanted to calm the situation down.

Ofc Malmberg said the man kept saying that he wanted to call his wife and he tried to make that happen but it was not easy communicating with the suspect. Ofc Malmberg thought he was doing a good job of communicating and calming the suspect down but then he heard horrible sounds that sounded like the hostage was being killed. Ofc Malmberg and Ofc Stewart then moved to kick the apartment door in and enter. Ofc Malmberg said he "mule kicked" the door and Ofc Robins was right next to him. After a couple kicks, the door swung open.

Ofc Malmberg said he saw the suspect standing behind Al, the hostage, and it was clear that he was stabbing Al in the back. Ofc Malmberg said he instantly raised his gun in his left hand and fired at what he could see of the suspect. Ofc Malmberg said he could also hear Ofc Robins firing his pistol.

Ofc Malmberg said the suspect fell back into the bathtub area and they stopped firing and moved in to handcuff the man. Ofc Malmberg moved to secure one his hands while still holding his pistol in his left and then the suspect began to fight. He was fighting Ofc Malmberg, Stewart and Robins so hard that they called out for more Police help to get the cuffs on.

Ofc Malmberg said the suspect fought so much that Ofc Robins had to punch him. Eventually they were able to cuff the suspect and tend to his wounds. Ofc Malmberg said that Ofc Stewart applied pressure to the chest wound to wait for paramedics to come in and take over. He then heard someone say that the suspect was no longer fighting and they could take the handcuffs off so he could get medical treatment.

Ofc Malmberg said that he was not injured and that Sgt Grieves attached himself to Ofc Malmberg and stuck with him from then on to get him back to the precinct. Ofc Malmberg barely remembered seeing Al as he helped take the suspect into custody, he doesn't know what happened what to Al.

Ofc Malmberg elected not to draw a diagram of the bathroom and apartment where the shooting took place.

BUREAU OF CRIMINAL APPREHENSION

TRANSCRIPT

INTERVIEW DATE:	April 6, 2016	BCA CASE #:	2016-213
OFFENSE:		EXHIBIT #:	
INTERVIEW OF:	MPD Officer Eric Malmberg (EM) Attorney Fred Bruno (FB)	INTERVIEWED BY:	SA Michael Phill (MP) SA Doug Henning (DH) SA Michelle Frascone (MF)
REVIEWED BY:			

MP Today is Wednesday, April 6, 2016. Special Agent Michael Phill along with Special Agent Doug Henning and Special Agent Michelle Frascone at the Fred Bruno law firm in uh, at 5500 Wayzata in Minneapolis. We're here for Minnea-, or BCA case number 2016-213. And we are here to interview Minneapolis Police Officer Eric E-R-I-C [REDACTED] common spelling, Malmberg M-A-L-M-B-E-R-G. Date of birth is [REDACTED] of [REDACTED]. Address will be 3000 Minneaha, Minnehaha Avenue South, Minneapolis, Minnesota 55406. Contact number for Eric will be 612-673-5703. Also present in the room is his counsel, a Mr. Fred Bruno B-R-U-N-O. All that ode up, pardon me we, drove up and I got outta the car I EM Yes.

EM Yes.

MP Work address there? Okay. Eric I want to start with a little bit of background with your time with Minneapolis Police Department. We'll kinda go back and then before we get into the incident itself. How long have you been with Minneapolis?

EM I started on I believe April 4th, 20-, uh 2013 which make just uh, almost three years at the time of the incident.

MP Okay.

EM (inaudible)

MP And uh, been on patrol that entire time?

EM Yes, outside of the time I was in the academy and then on FTO and then I've been on patrol ever since, correct.

MP Okay. What other duties do you or have you performed for the Minneapolis Police Department, police department?

EM I'm on the Crisis Intervention Team, CIT. I was trained for, I took the week long uh course, that was offered through Minneapolis PD.

MP Okay.

EM And was certified through that, and I also am a role player uh, for de-, defensive tactics scenarios and I assist with uh, with training when the academy is, is active with recruits going through.

MP Okay. And when um, assuming obviously you're POST certified, what's your POST number?

EM 2-1-8-5-2.

MP 5-2. And um, when did you graduate SKILLS?

EM Uh, that's woulda been one year prior to the academy, so it was uh, 20 I believe it was in the summer of 2012. I wanna say in August 2012.

MP Okay.

EM I'm pretty, I'm very much sure that that's, I'm almost sure (inaudible).

MP That's close enough. Um, do you have ah, college education?

EM Yes. I have a, I have a Associate's in Arts from Minneapolis Community and Technical College. I've got a Bachelor's in Science and Criminal Justice with a second major in Law Enforcement.

MP Okay. And where's that from?

EM Metropolitan State University.

MP All right. And no other law enforcement experience other than Minneapolis correct?

EM Correct.

MP You have any military experience?

EM I do.

MP Okay, how many uh years and what branch?

EM I spent four years and four months in the United States Army.

MP Okay. Uh you are presently, I wanna get this out of the way before I forget um, I showed this uh, sheet uh Criminal Investigation Warning to your attorney Fred Bruno. Uh you did sign it, date it, acknowledging receipt and understanding this is a uh, criminal investigation not a civil or internal investigation. Uh, and you did sign that correct?

EM Yes.

MP And dated it today's date April 6. Um to get back to your job here in Minneapolis Police Department. You're currently assigned to dog watch patrol. And I understand that the schedules are such that you guys can choose your days off so you're partners vary is that correct?

EM For the most part. Uh, we do, do have schedules divided amongst cars. Ah, four to five people per car.

MP Okay.

EM And ah seniority most of the time you work similar group of people but on occasion you do work with people from other cars also.

MP (inaudible)

EM For the most part that's correct.

MP And you're generally a two person car on dogs?

EM Generally yes.

MP Okay. And so for the night of uh, April 3rd into the 4th uh you were in a marked squad in uniform correct?

EM Correct.

MP Can you describe your Minneapolis Police Depart... uniform you were wearing that night?

EM Yes. I believe when I arrived on the scene that, that evening, I had a MPD, the best of my recollection, I had my stocking cap on, um, and I had my Minneapolis Police uniform shirt on long sleeve with patches on both left and right should. I had my badge on, which my badge

number, 4370. Um, I wanna say on the other side there, there's my name, my name tag, which has my name. Above that, I wear uh an Army pin that's green in color, designated that I served time in the Army, that's optional. I choose to wear that, that's not required.

MP Okay.

EM Um, I have pen, that I keep, a pen um, handcuff key that, that serves also, it's got the, the clip on it so it fits in my pocket for when I have to um, handle handcuffs sometimes it's a convenient tool. I have a pen also in that pocket. I had a Minneapolis Police small pocket annual reference guide, a notebook and I believe I uh had um a couple blue victim cards in my pocket so.

MP Okay.

EM Um going downward I had a spare squad key. I want to say like in one of my two front pockets...

MP Um-hm

EM ...on my vest outter vest carrier um then and going, the same, I wear a, I wore a level III second chance brand uh vest with a blue Minneapolis Police colored um vest carrier which, which is an external vest carrier so it, it wears outside my long sleeve shirt.

MP Okay.

EM Um going downward um I had, I had cargo pants on. I had black Danner boots on. My uh my, my belt I had a Velcro belt pants belt. Then I had a pistol belt which is also Velcro with a silver buckle. And going left to uh to my left side um I had a, a silent key holder um then going further over I pardon me this is difficult I've, I've never done this before.

MP Yeah no problem.

EM (inaudible) mentally going through my belt here.

MP Take your time.

EM Um then I had uh, I feel like I'm missing something. Oh I'm sorry I had my mace I believe is, was next. Can of mace, open can, open holster. Open um carrier for my mace cab, Then that would be my, my handgun my weapon which is a Sig um Sig Sauer

MP Left handed then?

EM Yeah I'm left handed. That's correct. P320 and a .45 caliber and on that I had a Sure Fire tactical light. Um with a uh then, then there was of course the holster. And then going back um I had a belt keeper on either side of my, my handgun to prevent it being moved on my belt. Then going back around further I believe next would, that's my baton. Um then coming next I had a pouch in the back that should have had disposal gloves. I don't recall if I think there should have been there might not have been, I might have been out I maybe used them and not replenished it.

MP Okay.

EM Um then going back over it would have been somewhere around there another belt keeper. Then an open handcuff pouch with black hinged, I want to say Peerless handcuffs I could be wrong on that. Um then going back over again then that would have been my radio on a fixed carrier not a swivel. Um then next would have been a Streamlight flashlight. Uh black in color. And then a, next over would have been my uh my spare squad car key in my belt, belt keeper it's got a slot for a squad car key to go. Then the last thing would have been my handcuff pouch with a pair of black Peerless hinged handcuffs also as well. I don't think, I think that covers my uniform. I had a, had a black I had a, a dark blue turtleneck underneath which is policy. You can wear a tie or you're required to wear a turtleneck in cold weather. I had, I had a turtleneck on had the MPD emblem on, on the neck.

MP Similar to the one on your skullcap? MPD?

EM That's correct. Exact same one. Um so, so I did have a turtleneck on. Then I had a white t-shirt on underneath, if that's applicable. I don't think that um you, do you want like the contents of my pants?

MP No but you did, the color of your pants were navy...

EM Navy blue.

MP blue. Alright now on your pants do you have a knife?

EM I do not.

MP Don't carry a knife?

EM I don't.

MP Okay. Um do you carry a backup pistol at all?

EM I don't.

MP Alright. Um listening to the things on your belt I know I heard that your Sig is there. You have your pepper spray there, your mace.

EM Um-hm.

MP You didn't mention a baton.

EM I (inaudible)

MP Where's the baton?

EM It would, it was uh the baton was...

MP Behind your...

EM (inaudible) baton, that was next after my pistol.

MP Okay.

EM So it would have in between my hand, my, my pistol and the uh the glove pouch.

MP Okay. I'm sorry I missed that so it's behind your pistol.

EM Yeah.

MP But you do not have a taser?

EM I do not.

MP Okay did you partner carry a taser? The one you were riding with that night.

EM I don't, I don't recall if he does or not.

MP Okay.

EM I couldn't, I couldn't recall that. I couldn't answer that.

MP And back to your Sig the uh .45 how many rounds are in each magazine?

EM Ten.

MP Ten?

EM Oh um that, reminds me I forgot that's, I don't know how I did that but of course going around on my, on my right side. Pardon me...

MP It's alright.

EM Going around um I went from disposable glove pouch to radio, flashlight, squad car key in the belt holder then I had a three mag pouch on my right side that had uh three magazines open, it was open, an open pouch.

MP Okay.

EM It was not a close, it wasn't a, a lip closure going over the top.

MP Yeah.

EM And um those also carry ten rounds so three magazines carrying ten rounds.

MP Uh when you say open it has the magazine it goes downward...

EM Downward.

MP ...to pull the bottom up...

EM That's correct.

MP ...(inaudible)

EM Yeah.

MP Alright. And you covered all that very well. Um one thing about your holster do you know is it a level 2, 3?

EM Level 3.

MP And what does that mean for those who don't know?

EM It, that, that means that there is uh there is it would be there's two mechanisms, there's three mechanisms if I'm not mistaken in level 3 involved to, to actually taking the, the handgun out of the holster. And that can, I don't know if it's appropriate to describe it (inaudible)

MP Yeah go ahead.

EM Um the first one is to, the thumb motion. There's a, there's a lip going over the top of where the hammer or on a, on a hammer firing handgun or if it's a, a striker fire like the one I had, goes around the back side where the, where the hammer of the handgun would be. There's a lip that goes over that top keeping it in the holster.

MP Um-hm.

EM You, you go down there's a, there's an actual um little uh, uh item there that you, for your thumb, press downward, press forward to, to move the lip off the handgun that's securing it in the holster. And then there's another, there is a, there's a lever then also uh down a little bit and further back that you move your thumb to pull backwards to actually move the gun out of the holster. So it's three, so three step process.

MP Okay.

EM (inaudible)

MP And for civilians who don't understand, what is the purpose of the level 3 holster? What's it designed to do?

EM That's designed for, to make it very difficult uh for somebody that's not familiar with the holster to remove your handgun.

MP Okay.

EM For officer safety.

MP Thank you very much. Alright so your, you described your uniform. Can you describe your squad for me that you were in that night or morning.

EM Yes I was in marked squad 341. It's a black and white um SUV style uh, Ford Explorer, I believe I'm not mistaken, embarrassed if I got that wrong but um with a light rack. In the front there is a, there's a guard in the front uh for if you were to hit something. There's a couple bars in the front. I believe there's a, there's a piece of equipment there that when you go code 3 actually starts actuating the, the stop lights to change for you I think it's up there it's a device. Going backwards let's see I covered the light rack.

MP Um-hm.

EM Uh the backside of course it's a hatchback being SUV. It's marked 341 on the sides and on the back. There's a badge on each side that has the year, Minneapolis Police came into uh, came into service on the badge, where the badge number would go maybe for an officer. And on there it says Minneapolis and I want to, and the Minneapolis logo also appears on there, on both sides.

MP Okay.

EM And inside the squad car I don't know what kinda little detail you want but there is a weapon, there's a shotgun and...

MP That's what I'm interested in.

EM Yeah. There's a shotgun. There's, there's an em, there's a space for an assault rifle if, if there's an operator like a, uh rifle operator is qualified to put their rifle. There was not a rifle in the squad car that night. There was a shotgun. It was not used at any time throughout the night. Or during this incident. Uh and uh everything else is the standard operating mechanisms of a police car and I could cover that if you'd like.

MP That's fine. We got it. Uh do you have a squad camera in that, vehicle?

EM Yes there is an MVR in the, in the, in the squad car and it's, it is attached hanging down uh approximately to where, around in the area of where I want to say it's above the (inaudible) or the uh, the rear view mirror and I could be wrong on that I'd be embarrassed if I was but it's tough to be able to actuate without looking at it I'm not used to...

MP Yeah.

EM ...describing it to somebody. But it is, there is a screen there that shows what the camera is actually looking at.

MP Um-hm.

EM That's designed for when you pull lever go over, code 3 it turns on automatically. Um if you have a, if you have a, a microphone for traffic stops you can actuate that if you, if you push a, a there's a lever to push down that will actually turn on a recorder inside the car.

MP Okay.

EM Um there's the...

MP When you go code 3 it automatically comes on.

EM Yeah, automatically turns on that's correct.

MP Do you know if you did that to head to this call?

EM I'm not sure on that.

MP Okay.

EM I am not certain. I want to say that I did especially when they toned it being the officer needs help but I couldn't be for sure. I you know my memory is uh it's not on details like, I want to say yes but I, I have to say that I couldn't give you a guarantee (inaudible)

MP That's okay that's something I can easily check.

EM Sure (inaudible)

MP Did you have any personal recording devices of your own? Cameras, mics? That were, that were going?

EM No. My cell phone by mistake was at the, the precinct.

MP Okay. Alright so you described your uniform. You described your, your uh squad. You're a dog watch which for you means 8:30 start until when?

EM Uh 6:30 in the morning.

MP So 8:30 PM to 6:30 AM. So you started your shift here. We're gonna start talking about what occurred at 2120 Minnehaha uh early on the 4th. You started your uh shift on the 3rd into the night. Uh you, you and your partner. What's your partner's name that night?

EM David Robins.

MP Okay. Okay so then we get into the morning of the 4th. There was a call for assistance uh at 2120 Minnehaha. I think it was initially this man with a disturbance or something going on. Tell me what your involvement was when you heard the call and started to head to that, to that address. What happened?

EM We uh, Officer Robins and I were in the break room. It was nearing the end of our shift so we were in the break room and I it was, it was a lot going on. When I heard the call come out I don't recall what the initial call came out as but it was, um it came out for squad 340 and we responded over the air that we acknowledged the call. Uh I then heard squad, marked squad 311 who had a recruit on that night um radio, I, I this is all to the best of my recollection.

MP Um-hm.

EM Um that I thought I heard him say that they were also in route. And, and, and uh I knew that they were out and I, I had thought that they were somewhat in the area. I could be wrong on that. But, we got up um to go assist on the call. Or it was actually technically our call. It's, a known thing in Minneapolis when there's a recruit they typically take the call uh even though it's assigned, it was technically assigned to us if we would have shown up and of course if this wasn't what it turned into be on most typical calls...

MP Um-hm

EM ...the recruit kinda for training purposes you kinda let the recruit kinda take the lead and you're there to assist. So we were going so when I say we were going to (inaudible) that, that's what I'm referring to. It was our call, so we drove um I heard uh when we were, we were in route I heard over the radio Officer Perkins if I'm not mistaken in marked squad 311 radio that I heard him say I, I thought that I heard that, that he had a knife. And that they needed assistance.

MP Okay.

EM The, the tone came out for uh officer needs help. They toned it and he said officer needs assistance. I believe that is if I'm not mistaken when I went code 3 turned on the lights and sirens and actually went code.

MP Okay. Alright. Go ahead.

EM Um from that point forward Officer Robins and I went to an address. We were going up street, Officer Robins said its right there. I stopped. We got out of the car. We ran to the house. We quickly figured out that it was the wrong address. Uh I quickly told him you know we need to go now. We need to, we need to get in the car and get to the right address cuz it was an officer needs help. Uh got back in the car and I re-orientated myself and realized

where we were. I then sped, I want to say to Franklin. Went over on Franklin uh went west on Franklin Avenue. Then I went south on uh Minnehaha to uh to the address.

MP Okay.

EM That's uh that's how it went. It was a, it was not far. It was, it was uh, it was seconds I believe it took me to get there from that point.

MP Okay.

EM I, I couldn't be for sure on that but it was very quick.

MP Small detour...

EM Um, yeah.

MP Okay.

EM Yeah eh we were over by a block (inaudible) and quite frankly is you know we were embarrassed by the, uh it was just we, he said uh its right there and I got out and we were, we were both (inaudible) but you know we, we got back in the car in a hurry and we got over there. Got over there I saw, from what I remember and please I just want to say, I don't want to keep repeating myself so I can just say everything that I'm gonna say is, is strictly the best of my recollection.

MP Yeah.

EM I could be wrong about this. I just want to say from what I remember. (inaudible) the scene Officer Perkins at the doorway and uh I thought he mighta had his gun out and his recruit, so uh, should I just continue?

MP Oh yeah please.

EM Uh we ran up cuz it was still Help an...not a Code 4, so we ran up to him. And he had just told us that, that a guy came out of the, the apartment with a knife.

MP Okay.

EM And then he had gone back into another apartment. And, so that's, that was our arrival at the address and, and at that point I if I recall it was just squad, marked squad 311, Officer Perkins, his recruit. I don't recall his name. It was Officer Robins and, and myself. And uh then I uh I believe then marked squad 331 showed up. That would have been Officer Stewart and Officer Trebesch. Um and Officer Stewart I know had his taser out.

MP Okay.

EM We went to uh, uh we went up to 'em uh we, we were talking we were making some comments. Officer Perkins was kinda in control of things at that time. Cuz he, he was the one that he, he had arrived on the scene he had just seen the guy. And like that and I was kinda like getting, the situation from him what exactly and he, and he was like (inaudible) like let's get this straight. You know he's in there with somebody else. He's in the apartment with the stranger. And I was kind of absorbing that like oh. (inaudible) you know okay so this you know I realized at that point that we had a very serious issue.

MP Yeah.

EM The squads were still arriving cuz they had not Code 4ed it and it's officer needs help so basically the, you know a lot of squads are probably in route. Um I, eh I quickly saw Sergeant Grieves arrive on scene which is one of my supervisors. And he asked who if anybody was CIT. And I replied that I was. And I at that point assumed control of the scene. And went up to the front. Where the hallway way, and began I, there were two officers, officers uh Kape and Officer Oachs were in a room adjacent from the room with the, the, the suspect and the victim were in.

MP Okay. So that door was shut where the suspect was?

EM Yeah.

MP Right across the hall.

EM That's correct.

MP They were standing (inaudible)

EM Somewhat, it wasn't across it was kitty corner from what I remember.

MP Okay.

EM Because they had gone around to try and see if there was another way to, if they could possibly see another entrypoint or whatever..and I'm assuming that I don't know that I'm assuming that that, that you know we were all kind of positioning ourselves on, in the just cuz we knew that, it was a hostage situation at that point. We knew it um I know I heard Sergeant Grieves ask for a negotiator. Um but he, he had put me on you know I, I assumed control. I began uh Officer Oachs I believe started talking to the suspect. I then called out and I, I told them I said let me, let me talk to him I'm CIT this is my, this is my deal this is what, this is I, said let me, let me do this. And they did. And that's when I began talking to the suspect.

MP Okay.

EM And he, and he, and he spoke to me. And I had a dialogue with him for what I remember to be approximately ten minutes.

MP Okay. And while you're talking about having a dialogue what is your goal as CIT uh with somebody who clearly has a weapon, may have a hostage in there. What's your goal in the training you received?

EM Eh the, the goal is of course to, my, my goal first of all is to protect human life. But in doing so as CIT it's trained to not escalate the situation, any further unless it's necessary unless somebody's life is immediately in danger. So by that the, the training that entails you know gathering uh some, some you know building a rapport with the suspect by getting to know him, talking to him. You know uh and I, and I said this to the other officers. I had Officer Stewart and Officer Robins on both..I believe both sides of me. They were all, we were all up to the, front of the hallway area pretty much as close as we were gonna get. And I actually put my hand on both of 'em and I said let's, let's calm this down. Right now we need to calm this whole thing down. I said if he was gonna kill him right now he was, he already would have been dead I said I don't want to, I don't want to aggravate the situation any further. I'm gonna talk to him, I'm gonna calm him down I want to try to get him outta here. I, I said something like that. I just I, I what I, cuz everybody was really amped up because it was a really serious situation.

MP Um-hm.

EM Officer Stewart called uh the guys the victim's name is Al. He had uh, he had asked a couple times, we had asked I know Stewart and I think I did, asked Al a couple times are you, can you come out to us. And he said I, he's like no I cannot. And I, I want to say that we, he said that a couple times. I cannot come out. And, um then I started talking more with the, with the suspect. He had a heavy accent. But I was able to understand him.

MP Okay.

EM Um, I ss, I uh, I got his name. I don't remember if I used it. I, I believe I did. But I started talking to him and I basically uh he said that he kept saying that he needed to talk to his wife. And that he needed help. I, I'm not mistaken, I heard him say that. At that point I, I basically made it clear to him I told several times, I am here to help you. Come out here I will

help you. He then started talking about I need, I need to call my wife. I need, need to call my wife. I said I you know I can call your wife. We can do that come out here I will call your wife with you. Just come on out. Just put the knife down and come on out and we can call your wife together. I'm here for you I kept repeating that I am here to help you. He then said no you need to call my wife. I said give me the phone number. He gave us the phone number. The first one he gave me was not correct. I don't know if it was, what he told me or what I told the sergeant. Gave me another number, Sergeant Grieves called, did not get a hold of her, left her a voicemail. I told him that. I said I look...we left her a message. He's like he said I need to hear her on speaker phone. I said I tried, we tried calling her could not get a hold of her. I said if, you know and I, and I went back to again circling around it again saying if you come out we'll call her again. We'll talk to her, I'll bring you over there. I mean I, I just basically I was trying to promise him everything under the sun just to get him out of there. I just uh I was trying to cater to him. In CIT that, that's a lotta what the training involves that basically you want to, you want to kinda enter their world and kinda you know calm them down not but just kinda let them know that you're there to help and you're not, you know you're, you're a police officer but you need them to believe that you're there to help them either to you know you're, to try to pull them out of whatever you know zone that they're in. And, and that's I kept trying to do that trying to build a rapport.

MP Um-hm.

EM And uh, he, he just he, he just um he said he was gonna I heard him say he was gonna kill him. And I warned him not to do that. I warned him not to do that. Um, and uh he I think he repeated a couple times I'm gonna, I'm gonna kill this person. And uh and I know that I know that I warned him to absolutely not do that. And um, um if I left anything out..... I think that's about all the dialogue I remember. Um, if I'm not mistaken. I know in the background I could hear Lieutenant Fossum whose the incident commander, took over at some point. And I think they were still trying to get a hold of a negotiator. There was not one available. I think they were, they were sending out a city wide page to try to get a hold of one. And uh I don't think they were successful. I, I think I remember hearing over the radio that they, there was not one available. So I you know I mean I knew it was up to me and I, I...

FB ..Take a quick break, make sure he doesn't get locked out.

MP Okay, (inaudible), take a quick break here for the uh, office doors.

MP Alright we're resuming recording here. We had to unlock the office doors. Okay so you were saying you were the only one in verbal contact with this person. You said I want this, I'm CIT trained. You were the only negotiator. The rest of the Sergeant could not reach one, it was paged out so you're going and you're talking. So as you're going, you're hearing him say I'm gonna kill him.

EM Yes.

MP You tell him don't do that, don't do that. So what ended up happening next?

EM Uh, I was still talking to him and uh and it um I mean he was, he was very agitated. I mean he was very he sounded like he was you know he I mean he sounded like he was mentally ill I mean I could, I could tell that he was um he said a few things that were confusing I remember that. But I, I stuck to, I stuck to I stayed on point to try to keep catering to him to let him know that I was trying to I was, that I was there to help him. I was there to do what he wanted. That you know his demand like I would, I would take I told him I think I told him I would, I would I'll take care of you if you come out. Just, just come on out.

MP Um-hm.

EM And I, I thought that maybe he would. I, I you know at one point I thought maybe you know I was kinda, you know I, I felt like you know at, at the least you know we, you know, kinda stabilize things.

MP Yeah.

EM That, that's kinda how it seemed to me. And then, and then out of the blue and he, and he it was just out of the blue I heard gurgling and I heard the sounds of and I knew it was Al because I, I could hear the difference when Al would speak and the other guy. I heard, I heard the guy sounding and I can't, I don't know how else to describe it otherwise, oth, other than saying it sounded, it sounded like he was being killed.

MP Okay.

EM I, I heard, I've never heard uh it's something I've never heard before. I, I remember, I remember gurgling sounds. And uh he was, he was, he was yelling out I mean he was in, he was in pain he wasn't like, he wasn't yelling he was uh, he was, he was just, he was, he was calling out he was in obvious pain. He sounded like I mean he was being killed. It sounded like somebody was being killed.

MP Okay.

EM Plain and simple. And it was, there was no distinction I mean there was no doubt in my mind. Because I didn't hesitate for I mean I, I didn't there was no hesitation. I ran to the door. Because I it was, it was automatic I didn't even think. Uh before, next thing in know I was by the door because it, it was that defined the sound through the door that, it wasn't like I would have heard the difference if he was just maybe he punched him or something.

MP Um-hm.

EM He was being killed. I uh I could hear it. The, this, the gr, it was graphic. So I, I ran up. And I, I believe Officer Robins uh I, was with me behind me and I think Officer if I'm not mistaken Office Stewart was also trailing, don't know that for sure but I know that he was, judging by how quickly he was in the bathroom I think that he was actually he ran up with us. But I was, I believe I was first. I ran up and uh the doorway I, I ran up um, I almost wanna demonstrate it but...

MP Sure.

EM ...um kinda like, probably help to narrate it by audio if I can, do it.

DH Go ahead.

EM But I kind of ran up like the door was like, this was the door and I was like over here like the hallway. The hallway was like this.

MP Um-hm.

EM I ran up cuz he, you know, people don't know this but (inaudible) you don't kick doors you know it's not like the movies, you mule kick it so I ran up and, and uh mule kicked it just like that. Um,

MP So mule kicked means that you're back...

EM Yeah.

MP ...actually faces the door.

EM I actually put my back to the door and that's why (inaudible) I know I'm pretty certain Officer Robins posted right next to me which is perfect because I, had my back to the door with a guy with a knife killing somebody and I knew when I ran up I knew, I knew my life was in immediate danger. Because I knew that he was in there with a knife and I knew there was a good chance that when I kicked the door open he coulda came out and, you know sss, and I knew that.

MP Um-hm.

EM But it didn't, it didn't affect anything that I did. I just, I just remember being aware that you know this is it. You know this is, this is it like...

MP (inaudible)

EM ...I'm kicking this door in and I'm there's you know what I mean like be aware that this, we're doing this now. I mean it was just, like I say it's hard to describe but it was all, so fast that I just remember when I ran up to the door and was kicking it, it was I was just preparing myself...

MP Okay.

EM ...because I knew that this was for real and that it was gonna be de, I, I you know I knew that he was, I knew that he was (inaudible) I could just tell by the way he was being, gurgling and everything and that was like he's being stabbed that means he's, he's wielding a knife and I'm kicking the door with my back to it with somebody with a knife that just is already attempting to kill somebody so I was just aware that you know what I mean I just be careful, get ready to shoot so kicked the door open.

MP (inaudible)

EM Pardon me?

MP How many kicks do you remember?

EM I don't remember. I think I, I think two.

MP Okay. Two kicks. Did you have your uh pistol out?

EM I did. It was in my left hand. I'm left handed. Um I had it down. I had it indexed.

MP Okay.

EM Did not have my finger on the trigger. I, I um I'm, I'm a military vet and they, they drill that in your head.

MP Um-hm.

EM Finger is always indexed. I've always, I've always had that um habit. Um so kicked the door. My gun was down by the side. As soon as I believe two kicks I kicked it hard enough to where I believe it was only (inaudible) might have been one. I believe it was two. May have been three I, I want to say two. Cuz I kicked it hard cuz I think the first one lodged...the second one blew it open. Soon as it went in if I'm not mistaken Officer Robins went directly in. I went directly in so Robin, Officer Robins was, went all the way deep into the bathroom. And then I went in right next to him very, we almost went in simultaneously it was that fast.

MP Okay.

EM And uh as the door flew open and eh do I want to, I'm gonna go into this...

MP Yeah

EM ...at this point.

MP Yep.

EM Um...

MP You, we're going at your pace. You're doing fine (inaudible)

EM (inaudible) this is a good pace or if I'm you know...

MP You've been doing fine yeah.

EM Um so when the door, when the door flew open right like right away I saw from what I remember I saw um the what looked well it was very clear it was a uh a, a victim cuz I didn't know what he looked like. I didn't, I'd only you know heard him.

MP Um-hm.

EM It looked like to me like he was sitting. And I, and I, I it's probably not correct, but to me it looked like he was in the middle of the bathroom. But I don't know, I don't I couldn't don't remember many details about where exactly where I, what it looked like, it looked like he was sitting the victim was sitting and the, the suspect was, was standing like over him.

MP Um-hm

EM And I don't know if he was standing but he was over him I, I remember that. And to me I remember, I remember seeing his left arm, suspect's left arm underneath the, the victim's um neck area. Um around in that area may I don't know if it was around his shoulder, chest but he had his arm around him securing him. Looked like it was around his neck but I, I couldn't be sure. And I, what I recall is seeing him downward motion on the, near the top of his back.

MP Hm

EM Going like this

MP With the, using the knife like a, like a dagger? A pick...

EM Yeah.

MP ...like icepick motion.

EM I can't recall for sure seeing a knife.

MP Ah

EM I just remember seeing the hand motion going down.

MP Okay.

EM It and, I remember um, I, I, I might have seen a knife I don't, I don't I know that when I, when I went into the bath, I know this for a fact. That when I went in the bathroom he was killing him. That I, I know for a fact. Cuz you, he went, when he had an arm around his neck he went, he was going down with his hand. That to me it was a stabbing motion with a knife. It just, it just looked but I, if I'm not mistaken I think the knife was already in his back and that's why I didn't see the blade. But I, I don't, I don't again I don't know that for sure. I just, there was no doubt that he was stabbing and killing him.

MP Okay.

EM And uh, um he was just I guess there was no doubt that the, that motion downward and maybe I saw the handle of the knife. I, cuz again this is somewhat like a, my memory is not entirely clear but oh the best way I can articulate it is I walked in the bathroom saw him doing that it was like he's stabbing and killing him. I mean I heard it. It made, made me breach the door. And when I op, when the door swung open I saw it was, it was first hearing it then seeing it.

MP You heard what you believe was a...

EM Yes.

MP ...a killing happening and when you came through...

EM That's right.

MP ...what you saw confirmed that he was being killed and I'm sure...and you got Robins there with you...

EM Yeah.

MP ...at the same time.

EM Yeah.

MP How did you react to that? What did you do?

EM I, raised my, my weapon to him and again this is, this, this happened real fast.

MP Yeah.

EM But I remember thinking to myself you know I, I don't remember thinking like you know okay you know but um I just remember and, and I don't know how, how this happened but I, I was, I, I remember being aware that it was this is, this is a hostage situation. The victim was, his head was the guy the I did I remember put it you this way I didn't have a lot to shoot at. And I'm being aware of that when I, when I lifted my arm to shoot (inaudible) I mean not you know I didn't stop and be like..better be careful.. that, that's cuz I shot, soon as I saw I didn't there was no hesitation. When I went in the (inaudible) the door swung open and I saw him I it was, was bang. I didn't wait there was no I, soon as I saw him what looked like killing him I raised my, my hand and I shot.

MP Um-hm

EM And with O..both arms shot and I shot at, I saw, I shot at what I saw of him which would have been...

MP (Inaudible)

EM Yes and that would have been, it should have been the left side of him. If you're, if you're looking it would have been because if the guy's head here and he was stabbing him and his head was here I had that to shoot at and that's what I that was my sight picture that's what I shot.

MP The left chest, shoulder area of that suspect is what you (inaudible)

EM The left side of him.

MP Kind of left side okay.

EM Yeah. Yeah that's what I, I raised and shot at and I, I heard Officer Robins shooting and uh I remember, I remember I, I continued shooting. I know that. I know that both of us were shooting. And I this, this is where my memory is not the best. I remember there were, I remember there were a lot of shot, there were, the shooting was going on, suspect was going backwards. He, he was actually hit he was starting to make his way backwards. And then he, went back in the tub area. And somehow I don't know how but I, I had to, had the idea to (inaudible) the, the knife I didn't, we didn't, I didn't see the knife. And um I thought that uh I didn't know of course I you know I, I didn't know if he still had it on him. He went back into the tub. He was still moving. I did not, I thought he still had the knife. He was getting to move, I shot him two more times. Um I then ran up had my gun on him. And uh, uh to, to clarify that the, the (inaudible) shots like I said he, I know I don't remember I just remember him going backwards into the tub. When he went in the tub I definitely felt he was still a threat. Because he was still, he was still, I was surprised you know it was just I still, there was no doubt that, that this things not over. And I, and I was I guess it was the severity and the violence of the, of the, of the scenario.

MP Um-hm.

EM That um that led me to just I was, I wanted to be that sure that this guy would cuz eh it was, I guess had to, it had to when it I mean I've never seen that before. I've never seen somebody getting stabbed and then, whatever. And uh I, it made me want to be certain that the threat was stopped.

MP Yes.

EM And that's, so when he went backwards I, I know I kept shooting. So there would have been I know there was two more shots to make sure because like I said I saw him still moving, he wasn't done in my eyes in my opinion. What I saw he's, he's not done and I don't, I couldn't, the knife and so there were there was two more shots then he stopped moving. I went up to him at gunpoint and I yelled for him I said gotta show me, show me your hands. Several times. And I didn't shoot him again because he stopped moving at that point.

MP Um-hm

EM So to me the threat he, he was stationary, stopped. Uh at that point he was, he was still in the bathtub so I, I, I thought about it you know, you know it, but the reason to articulate why I stopped shooting was because he stopped moving. And I saw at that point you know like, like I said it just that's, that's what happened. Then but I needed to see his hands I still didn't know where the knife was. I didn't see it on the floor.

MP Yeah.

EM And uh I yelled for him a couple times show me your hands, show me your hands. And, and uh I think, I think he, he did it and I ran up, I ran up and got in the bathtub to secure him. I went and grabbed his arm, officer I believe then Office Stewart came with and he grabbed him with me. We tried to secure him. I know I think then Office Robins came and helped and he started fighting us. Um he started fighting us bad. It was really bad and, and I remember being I was shocked. I was, it took, it took me by surprise.

MP Um-hm.

EM I thought that especially after, I thought I was you know I'd stopped the threat to the point where I stopped shooting that I was, taken completely, like wow I, he just, because he, all of a sudden started completely fighting us hard. And eh you know I'm, I you know I, I lift wei, I mean you know I guess I'm, I'm you know...

MP A pretty big officer.

EM Yeah so I mean I was surprised at how I had trouble you know like keeping control of his arm. And I, I was I remember being surprised about that. I was like...

MP Yes.

EM ...and I was and uh it was worrisome. We weren't done and uh I know I heard Officer Stewart yell out We need more cops in here it was that bad. The guy was fighting that hard. I kept my gun. It was still in my left hand. Because I still didn't see the knife. I still didn't know when I asked him to show me his hands um show me and um I, I you know I, I can't remember if it was I saw one hand but for some reason, when he started fighting I still didn't see the knife. I saw his hand but I didn't know where the knife was.

MP Yes.

EM And that really bothered me. So when I ran up to secure him I ran up I had my gun, I indexed my weapon again. I had my, my index finger on the rail of my gun so I would not have an accidental discharge and shoot him again by accident.

MP Index means that your finger is outside the trigger.

EM Yep.

MP ..along the side of the firearm.

EM Yeah.

MP Okay.

EM Exactly. Um ran in, I jumped in the tub and, and I grabbed him with my right, right my hand I grabbed one of his hands and I thought I would be able to secure him with that. That proved wrong. And then I said Stewart, Robins and then the three of us had trouble handling him.

MP Um-hm.

EM To the point where I saw Officer Robins punch the suspect to try to subdue him. Officer Stewart was giving him commands. Put your hands behind your back you know we were, it was, we were for, it was long enough to where like I said Officer Stewart called for more cops in the bathroom that's how bad it was. Um he was sss he had severe strength to him. And I remember pin I pinned his hand up against the bathtub. I saw that, that hand and I saw he had been shot in the hand and there was blood... starting to run in the bathtub I was getting it all over me. I know that's where the blood on my, my right cuff on my uniform would have been from, from pinning his hand up against the bathtub. I had my gun at the ready, downward not pointing at him, indexed. And I did that because I didn't know where the knife was. He was actively fighting us hard. And if he if, and the two officers were fighting him.

EM Would you like to take that?

MP Oh No

EM I, I wanted to be ready because if, the severity of the situation the way the whole thing came, came across it just it was uh I, I was very hypervigilant in that situation at that point, towards the end of it where I was just like this guy's capable of anything. So that's why I still had my weapon out. And he was fighting 'em. I, I remember thinking I don't want him, one of these guys to get stabbed by this guy. You know cuz he was just, he was (inaudible) I can't get over how strong he was. And how hard he was fighting. So that's why I kept my gun out. That's the only reason why and after I pinned his hand up against, finally uh then Offic, uh Sergeant Grieves came in.

MP Hm.

EM He helped us out. We started to gain control of the suspect at that point cuz we got, we had some more people come in. And Sergeant Grieves came up to me and he said why don't you go ahead and holster up. Go, go (inaudible) in the holster. Cuz they, they grabbed his hand and they actually got him handcuffed so go ahead and holster it and I did I holstered the weapon. And uh they brought him out. Brought him out of the bathroom. Um Sergeant Grieves I know I heard him say at this point he said, we can uh we, we can un-handcuff him at this point because at that point he, he was done.

MP Um-hm.

EM Um from what it appeared to me um...

MP Somewhere in the struggle cuffs were put on him.

EM Yeah.

MP Front or back do you remember?

EM I, don't.

MP Okay.

EM I, I want to say back but I could be, because I, what I remember we had him uh pinned down face first.

MP Face first, okay.

EM I that's what I, that's what I believe. I couldn't see much because they were, a lot of other cops were, were on top of him.

MP Understandable.

EM I just had his hand uh I just had, I was just trying to secure one hand. If one cop can secure one hand you've done fifty percent of the work. And there were two other cops to do the rest so I, I was comfortable just keep that one hand right there.

MP Yeah.

EM So that, that's how that worked so I didn't really see really but I think that they got him on his stomach and I think they handcuffed him in the back.

MP They got him cuffed.

EM Brought him out.

MP ...but then Sergeant Grieves brought him, they brought him out, he said let's get...

EM Yeah

MP ...these cuffs off.

EM I, I heard Sergeant Grieves say let's, we can go ahead and get 'em outta handcuffs at this point. Because he needed at that point, medical attention. And it was, it was clear to everybody and I think it was also cuz he stopped fighting. He I think it was clear to everybody that he wasn't gonna fight anymore. So they did they took him outta handcuffs. I watched them roll him over. Um they cut his shirt open. And they, they saw um I heard somebody say he's been shot in the hand. They did a preliminary sweep they didn't I don't think they looked at his legs or his arms or at least they didn't say anything. But I know they, I watched 'em I, I don't know if they cut the shirt or they brought the shirt up. We saw a bullet wound, I saw it uh it was in I believe it, I believe it was in the upper right chest. And uh if I'm not mistaken Officer Stewart began doing uh first aid on him. Began to uh um...

MP Chest compressions?

EM Eh, no just trying to um cuz um trying to pro, perform a..put a seal on it.

MP Oh a chest seal on the (inaudible)

EM Chest seal with his hands.

MP Okay.

EM Officer Stewart's military so you know eh I'm sure that that's he was um wise enough to you know to do which was it was the right thing to do and he did it I mean I watched him do it he, formed a seal with his hands to try to, whatever. I heard Officer Stewart say he's still breathing. I heard him say he's starting to, to maybe go downhill something like that. Um they were, they were trying to get the ambulances in at that point. I know that. Fire, ambulance they were trying to get them in there. Um they eventually did. They got him on a stretcher. And they, they, they pulled him out. I then um I asked for alcohol wipes cuz I had blood on my hands. At least um and so I started to wipe my hands off.

MP Um-hm.

EM With the alcohol wipes. Um, yeah I you know it's (inaudible)

MP Alright and then the Sergeants are taking control of the scene. Uh at some point someone uh take you and Robins out and drive you back to the precinct or let you drive your own squad back?

EM I uh I escorted by Sergeant Grieves walked in and I, I think I heard him say I'm gonna be his escort. And so he said you know let's go buddy you know or something along the lines of (inaudible) he kinda you know made it clear he was gonna be my guy and, and he led me out. I remember asking, asking for my hat. Well cuz, cuz they like I say I believe I, I went in

with my stocking cap on. But once I got posted up against the thing I (inaudible) kinda took control.

MP Um-hm.

EM And I took it off cuz I, I remember thinking this, this might get bad. Cuz, I realized we had, it was a hostage situation.

MP Um-hm.

EM I just I kinda I just, eh I wanted to prepare myself so I remember when I walked out I was like where's my hat. Tried to find my hat cuz I, lost one of those hats before. Walked out and uh I got in marked squad 341 and uh drove and uh drove back to the precinct with Sergeant Grieves.

MP Okay. Alright. And I guess you did that well, just getting through start to finish and I know it was difficult. I'm gonna back up for just a few points...

EM Um-hm.

MP ...you didn't touch on. Um you're not certain of how many times you fired and it's not important that you know cuz that's something we can find out. Um but you did talk about having two groups of fire.

EM Yep.

MP The first time you had (inaudible) that upper shoulder and then again when he still was fighting, wasn't going down you fired two more times. Is that correct?

EM what uh, um right there was the first brought when I walked into the room...

MP Yeah

EM ...and saw what I saw. I started firing.

MP Okay.

EM And then there was a lull in the gunfire. He went back in the tub and he was you know like I said moving, I didn't see the knife. I felt like he was still he was uh it wasn't, threat was still there.

MP Yeah.

EM Did not stop the threat. He was still, like I said I, I and I again I, I want to say that in a split second I noticed that the knife wasn't around and again like I said there was move, I just um I don't eh the best way I can articulate it was that he was, still a threat to me.

MP Okay. And (inaudible)

EM And, and to the others.

MP And I understand cuz you don't know where the knife is. So explain to, to people what kind of danger is a, a knife like this to an officer. A person with a knife.

EM Well there's uh in when you, in your, in your training and I had this in skills and in the academy that there is a twenty one foot rule. Which is that uh I think it's twenty one feet where uh if you're within twenty one feet of somebody then that's, that's, that's within the deadly (inaudible) a knife because they can close the distance quicker than you can raise a pistol up and shoot them. So the training is that if somebody is, you don't let somebody get within twenty one feet of you, again I could be wrong about twenty I think it's twenty one. It's, it's a, it's a distance marker that you're not supposed to let somebody inward of that (inaudible) has a knife because if they do your reaction time will not be quick enough to kill them.

MP Um-hm.

EM If, if they advance on you with a knife. He was, he was I want to say he was five, six feet away from me and my partners when this was going on when he was in the bathtub. It was very close (inaudible)

MP You guys were all close in there and you still didn't know where that knife was?

EM Right I did not see the knife and I want to say that I, I did actually quick, did a quick scan where I did not see the knife. And he was still, making efforts to, to like I said that's, that's what I read the situation that I...

MP Do you remember ever in your police training being told it's a good idea for you to deal with a person with a knife with your bare hands?

EM Absolutely not.

MP Uh what about a person with a knife dealing with them with mace?

EM No, absolutely not.

MP Um what about a person with a knife dealing with them with a baton?

EM No.

MP Um why is that? Cuz a knife is...

EM It's a deadly object.

MP Okay. It's a deadly force object that can kill quick and easily. So that's why your training is to go to your next higher level of force?

EM Yes.

MP Which is your firearm.

EM Yes.

MP Okay.

EM Which is why when I entered the room I had my firearm at the ready because I, I knew that there was a knife involved.

MP Okay. So there's a certainly a, I don't want to put words in your mouth but um you had mentioned being at that door and knowing that you were putting yourself in danger by donkey kicking it because the person inside with the knife could then immediately come out and do you harm.

EM Yes.

MP Um that was a concern of yours but you went in because you heard what you described as these graphic sounds of, of killing

EM Um-hm

MP Uh you said they were shocking...

EM Yes.

MP ...to you. And you've never heard anything like that.

EM Right it was, right it was and that, that's part of went what went go, went through my mind was this is, this is somebody being killed cuz it was, it was above and beyond and I, I've been a cop for you know now, not very long but long enough where I, I've seen some, I've seen some things.

MP Um-hm.

EM And so that it was just, it was like cuz it was unmistakable to me like it was the sound of somebody dying.

MP Okay.

EM So like I said the gurgling was something that I remember hearing and uh and so it just it was, it was, it was (inaudible) no, hesitation that it was time to go so

MP And that was something you decided based on what you were hearing.

EM Yeah.

MP Did Robins, just follow your lead or did you tell him we gotta go?

EM No I, it was yeah I there were no words spoken. It was automatic on my behalf that when I heard what I heard, I went and he followed me.

MP Okay.

EM And I started kicking the door. One second I was talking to the guy, next second I was kicking the door open.

MP Okay.

EM And I do like I said I, to rehash it one more time. I like I said I, I remember running to the door and like I said getting the awareness together in a really big hurry that I was going into a situation where I, I'm at a, I was I coulda easily been killed cuz he was in there with a knife and I, I knew that and like I said having to go right into the door, the door with my back turned I remember it was like, here we go you know it's I just, I knew that, that I was being put in immediate danger. But I knew but, the same time it was so I, I was so (inaudible) did not slow me down one second. I just had to have an awareness that you know get ready, get ready to turn and shoot.

MP Um-hm.

EM So, um so yeah it was me definitely that went and Robins followed. And that's probably because I'm sure it was because I kinda had I was kinda the one talking to him.

MP Yeah, you were the one (inaudible)

EM So you know with my...

MP (inaudible), and all that was going on as you're entering and then you happen to fire. Do you remember, Al uh...

EM Yes.

MP ...being pulled out. Do you remember seeing him uh seeing his injuries anything like that?

EM I don't.

MP Okay.

EM Um because what I, from what I remember when I went in firing I stepped past him. Because as he, as the, as the uh suspect was uh kind of going backwards I was kinda, I, I, I think I stepped in further. And I don't know this for sure. But I don't recall ever seeing the victim after I saw him when I entered the room. When I entered the room I saw his face. Saw him getting stabbed. And I saw the look on his face. I saw a look on his face that he...

MP What was that look?

EM Look of, he was being killed. I mean and that part of went into everything from the, the, the audio there and the door, the sight picture that I had of, of the, of the suspect (inaudible) the victim and in fact I saw him put his hands up like this. Um it was just again it was from what I saw looked like he was, he was being, he was being stabbed.

MP Looked like a look of pain?

EM Looked like the look of someone who was getting a knife stuck in them

MP So horror?

EM Yeah it was, it was, it was unmistakable to me.

MP Okay.

EM So,

MP And then afterwards things are being done, Sergeant Grieves grabs you. Did you see AI at all uh after that?

EM Did not.

MP Never again after that?

EM I didn't see AI. I didn't see the suspect. I didn't see my partner, Office Robins.

MP Okay. Alright and did, were you injured at all during any of this?

EM No.

MP Okay that you can recall. Um let's see make sure I got my stuff...questions here. Uh were you asked to leave any of your equipment there at the scene? Or were you able to bring most everything you, of you had with you back to the precinct?

EM (inaudible) I, um everything of mine came back to the precinct minus I'm not sure about my stocking cap. I don't remember if I grabbed that or not, I remember asking for it I, didn't grab it if I did I probably left it in the car.

MP Okay.

EM Something.

MP And I think I grabbed all your equipment later.

EM (inaudible)

MP Your shirt, belt...

EM Um-hm.

MP ...and pistol and all that.

DH Okay I just I'm gonna go back to some of this stuff. We're gonna, we're gonna walk away from that for a second.

EM Um-hm.

DH And talk about the time when, when you were actually responding or the time...

EM Yeah

DH ...that you were at the PD. You talked about tone, you heard a tone...

EM Um-hm

DH ...over the radio.

EM Um-hm

DH Explain to me what that tone is and what that means to, the law enforcement in Minneapolis.

EM Yeah

DH Or, or how that's handled in Minneapolis.

EM Um, excuse me, tone help tone is what it's called.

DH Okay.

EM Is designed to be and they just changed it, it's even more annoying but it's designed to be annoying.

DH And attention getting?

EM Attention grabbing, annoying, shrieking it's, it's um unmistakable use the same term again it's, it's something that and I'm sure it's all by design that it's something that you can't mistake for anything else. It's, it's, it's a very unique tone over the radio that comes out. It comes out for it could be for a robbery of a business that takes place. Um it could it's something, it's designed to get everybody's attention and let them know something serious is going on.

DH Okay.

EM That's the idea.

DH And that's, what you said earlier that's the tone you heard.

EM Yeah, I heard the tone

DH (inaudible), you heard tone and then followed by the tone the dispatchers will tell you what?

EM Well it was, they'll, they'll say what the, they'll narrate what the tone is for (inaudible) some cases it'll be robbery business just occurred at gunpoint or a holdup alarm or officer needs assistance. You hear the tone there's a, there's a brief pause cuz they I think it's by design to let everybody get their, you know get cued in.

DH Yeah.

EM And then they, they, they say here's what's happening. And in that case when the tone went out that morning it was officer needs assistance.

DH Okay. So then you respond.

EM Yeah.

DH And you arrive on scene with your partner?

EM Yes.

DH Okay. You walk up and you said Officer Perkins is there with a, with a rookie.

EM Yeah.

DH Or trainee.

EM Um-hm.

DH Um was, was he inside or outside the building?

EM They were in the...

DH Initially.

EM They were in the doorway when I remember seeing 'em. And I imagine that's because he'd backed up when he saw the guy come out with a knife. And I don't know that I'm speculating. But that, but I remember walking and I, I remember when we drove up, pardon me we, drove up and I got outta the car I saw them. At least I saw Officer Perkins. Not sure if I saw the recruit, think I did but I think I saw them both in the doorway and they were looking inward in the apartment.

DH In that front, front entry...

EM Yep.

DH ...door was open?

EM Yeah if, if now would be a good time if you'd like me to draw a diagram I could probably,

DH Why don't we do that in a little bit...

EM Okay that's fine.

DH (inaudible) with that

EM Yep that, but he was he would have been looking towards where the doorway where the, where the suspect woulda ran into.

DH Okay. Okay perfect. So you said when you went in and you started talking or started listening...

EM Um-hm.

DH ...that you knew it was a hostage situation. How did you know that right away?

EM Because um well uh Officer Perkins told me that you know the guy went back into a room and it wasn't like, I mean right away it was kinda like okay and then, and I don't remember how this happened but after talking to Officer Perkins like for, little bit more like when we first got there it was like guy's in there with a it was kinda very quick.

DH Um-hm.

EM Then he kinda started explaining and then he, he said he now he's in there with, he's in there with a you know he's in there, he's in he ran into an apartment where another person is.

DH Okay.

EM And I, and I, I think I clarified that. If I'm not mistaken I, I actually was like you know what, cuz that changed the complete...

DH Um-hm.

EM ...game...

DH Um-hm

EM ...and everything I was I mean, I mean I've been to calls before where a guy with a knife then he goes back in the or you know this guy at the whatever and it's either they call SWAT, they (inaudible) yeah I've been on those kinda calls.

DH Yeah.

EM And those are, those are tense enough. But I remember, I remember when I found out that he's in there with, he's with in there with, with somebody a stranger

DH Yeah

EM That, that was when it was like eh became I was like okay this, this is, very this is the seriousness of the call took effect on me right then and there.

DH Right.

EM That this is, really seri this, this is, something this, this got deadly force as a potential because if he, I knew that eh the minute that he moved on him we'd have to go kill him. I, I that's, that's, that's my job. (inaudible)

DH Okay so, so then you started talking to this guy in attempt...

EM Yeah.

DH ...to get him to drop the knife. A, attempt to you asked if Al could come out.

EM Um-hm, couple times.

DH And that was no.

EM Yeah I know Officer Stewart asked him at least once and I think I, I don't know I, I think I asked him too. He was asked definitely I remember a hundred percent once at least can you come out. And I'm ninety-nine percent sure I asked him too. I'm almost positive he was asked multiple times.

DH And then during this conversation while you were attempting to, de-escalate the situation he's, he's making odd comments I guess.

EM Yeah.

DH You said confusing statements but odd comments

EM Yeah

DH So something that led you to believe that he wasn't...

EM Um-hm

DH ...hitting on all cylinders?

EM Yeah.

DH He wasn't, wasn't all...

EM Um-hm

DH ...with it?

EM Right.

DH That right?

EM Yeah he was, I and I don't remember what they were but it was, it was hard cuz when I was trying to get a rapport and try to, kinda try to cater to him, cuz that's, that's part of the training...

DH Right

EM ...CIT you cater to 'em. I tell 'em what they want to hear, do whatever it takes to get him outta that room.

DH Right.

EM Tell them that you'll give him a million dollars when he comes out. Whatever you gotta do. And I practically was doing that to him.

DH And that's all in an attempt to de-escalate...

EM Yeah.

DH ...this person.

EM Yeah I was, first thing I was trying to do was calm him down.

DH Okay.

EM Cuz he had somebody I knew at knife point that he...

DH Yeah

EM ...at any minute could decide to, to kill.

DH Okay.

EM So my first priority in when I went up and took control my first priority was to calm him down. And, and I and also I calmed down the people around me.

DH Okay so...

EM Because I was...

DH ...let me ask you this.

EM Go ahead.

DH So you had this approximately in your words ten minute dialogue.

EM Um-hm.

DH At any point if you could recall were you able to de-escalate this individual?

EM Yes. Yes.

DH Okay.

EM I did. I, I felt like I did.

DH Okay so he was starting to come down?

EM He was at least talking to me. He, at least wasn't killing the guy. And I...

DH Okay.

EM ...I treated that as though I, I was holding in a, at a certain point and you know, kinda time to me time is on your side. You know I think the longer you stretch it the more odds that he'll thinking of what he's doing, something. You know it's kinda one of those I and this, this is kinda how I view...

DH Yeah

EM ...a situation like that, that it's just uh it's kinda like in SKILLS when they used to say you know at least here there was a, a interview question they used to throw at cops but you hear a domestic on the other side of the door, you know you burst through the door and you do it and we're talking (inaudible) you know the right answer is you don't because you don't know what's on the other side of that door. You could aggravate the guy then, to shoot his wife you know you don't know what you're, you're running into. You know what I mean you gotta keep this, you gotta you know what I mean like you do that if somebody's life is in immediate danger. And so I wanted to make sure that I did not aggravate the situation unless he was, putting somebody else's life in danger and then I was prepared to go deal with him.

DH Okay.

EM So that's what I, that's what I was at that point I was preparing myself to like I wanted to, I wanted to neutralize him, don't let him get any more aggravated where he's gonna kill him.

DH So you used a word...

EM Yeah

DH ...earlier, rapport.

EM Yep.

DH You thought the longer you talked to him the more...

EM Yeah

DH ...rapport you were building.

EM Yeah, yeah and I, and I did that because he started talking to me about his wife.

DH Okay.

EM Um and he, he wanted you know when he started talking about his wife to me that was progress.

DH Okay.

EM Because he started telling me what he wanted.

DH Okay.

EM That's, to me that's the, the ticket out of this. Find out what he wants so I can figure out how to get that to him to alleviate that. Um and so I did and he said call, call my wife. And I thought God if we can get a hold of his wife he might come out. And so that's why I had the sergeant call. I was gonna take the phone, I was prepared to put the phone up..he asked for it and I was gonna do it. She didn't answer. So I said I and that's when I said I'll, come out and I'll call her again for you. We'll call her together. I'll bring you, you know I, I think I even offered to drive to the address. I said we'll go see her together. Tried everything I could think of to try to cater to this guy to, to make it look like I was trying to, I'm your guy I'll do anything in the world for you. I, I mean like you know whatever I could offer the guy to get him outta there. I just , I tried everything I could think of to, to just to, to get him to come outta the apartment.

DH Okay.

EM That was my main goal.

DH So, at the point when you kicked the door in um how far do you think that the victim, Al and the suspect were away from you once you kicked the door? You and your partner.

EM Off the top of my head?

DH (inaudible)

EM Yeah

DH Approximate

EM Yeah I would say uh, six to eight feet.

DH So, from you to this wall or closer?

EM That'd be an easier way, that'd be an easier way to do it. So...

DH Sure go ahead.

EM (inaudible) probably walked in and she, cuz she's kinda sitting like he was. I don't know if he was sitting I just remember that he was, he was over him. So like the, the suspect like his cuz I know the victim's head was like here from what I remember. So...

DH So the suspect was standing?

EM I, I don't know that. I just remember I, I don't know how it happened I just remember seeing one on top of the other like...

DH Okay.

EM ...cuz, cuz he was going like this.

DH Like that so he was, so he was (inaudible) so what you're demonstrating and I want to talk because we're recording this.

EM Yeah.

DH What you're demonstrating is that he was over the top of him leaning forward, stabbing.

EM That's, exactly but more kinda like in the back like he was kinda like got him in the back.

DH But he was like this doing this?

EM Yeah, yeah-yeah that's what I saw that motion.

DH Okay.

EM And then, and, and so um...

DH And you're saying about how far?

EM I would say about like this. So that would be about six feet.

DH Are you talking you to I (inaudible)

EM Yeah so when I, so if I woulda kicked the door open maybe even closer, maybe, probably about like this.

DH So six, six feet.

EM About six feet.

DH And that's inside the twenty one foot uh...

EM Yeah, that (inaudible)

DH That area where you, you talked about you were trained to be outside of for an edge weapon.

EM Yeah. Yeah.

FB Yeah, let's take a bathroom break?

DH Okay.

MP Alright we're back from the bathroom break here. Just had a, one more or two questions here for you Eric.

EM Okay.

DH Um you said, you said once the suspect was down you said they cut off his, his clothes or his shirt. Who's they? Was it another cop or was it...

EM I don't remember.

DH Okay.

EM I don't recall and again I don't recall...

DH Okay, it's alright

EM I don't recall if it was cut or I just remember, (inaudible) I remember I could be certain of, I remember seeing his bare chest cuz that's when I saw the gunshot wound.

DH Yep that's fine. I don't have anything else.

MP Okay. Is there anything else that you forgot to tell us?

EM No I, I was pretty I, I was as thorough as I could uh you know...

MP Okay.

EM ...I just wanted to try to you know...

MP Yeah

EM ...be as thorough as I could.

MP Cover as many details as you could. It's up to you if you feel like drawing a diagram. You've given us a pretty good picture. Um, but...

EM Yeah.

MP ...I think we've described that pretty well.

EM Unless its necessary I, (inaudible)

MP Okay. Alright then you know that if you have a couple more days off, if you think of something else you're like oh crap this is really important, call Fred let him know and we'll just add that to your statement. We'll get it recorded, we'll get that to your statement so this isn't like the only time you can talk to me okay.

EM Yeah, right.

FB (inaudible) answers you gave today were based on the questions that you were posed correct?

EM Yes.

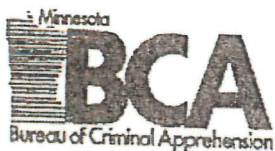
FB Okay.

EM Yes.

MP Okay. We are gonna terminate the interview now. It is 5:37 P.M.

END OF RECORDING.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1246 University Avenue, St. Paul, Minnesota 55104-4197
Phone: 651.642.0610 FAX: 651.642.0618 TTY: 651.282.6555
Internet: <http://www.dps.state.mn.us/bca>

CRIMINAL INVESTIGATION WARNING

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

ACKNOWLEDGMENT

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

I HAVE READ THIS DOCUMENT AND FULLY UNDERSTAND ITS CONTENTS.

(SIGNED)

(DATE)

4/6/16

(WITNESS)

(DATE)

4/6/16

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/24

Report Date: 04/07/2016

Primary Information	
Description:	Lab Report #1, Print ID of Raul Heraldes
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/07/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 20:17
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/07/2016 20:19

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 1

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Latent Prints 04/06/2016

Laboratory Number: S16-03518
Section Reporting: Latent Prints
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016-213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs

Description of Submitted Evidence:

Item	Type and Packaging	Description/Source
41	One manila envelope containing evidence classified as questioned inked print(s)	Raul Salvador Marquez Heraldes
42	One manila envelope containing evidence classified as a disc with images	Images of questioned ink prints from Item 41. Created by Scientist.

Results of Laboratory Examination:

KNOWN EXEMPLARS (Said to be from)	
Name (DOB)	Source of Exemplar
Raul Salvador Marquez Heraldes (9-13-65) AKA Raul Salvador Marquez-Heraldes	BCA Files SID# [REDACTED]

A request was received from the Hennepin County Medical Examiner's Office to compare fingerprints obtained from a deceased individual, tentatively identified as Raul Salvador Marquez Heraldes, to known prints (from BCA files) said to be from Raul Salvador Marquez-Heraldes.

Item 41:

- Major Case Prints – right thumb from deceased tentatively identified as Raul Salvador Marquez Heraldes

Questioned Inked Print(s)

- Item 41, right thumb: identified to the known right thumb from Raul Salvador Marquez-Heraldes

Item 42 was created with images of prints from Item 41.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

A handwritten signature in cursive script, reading "Dennis P. Randall". The signature is written in black ink and is positioned above a horizontal line.

Dennis P. Randall
Forensic Scientist

Disposition of Evidence:

Item 41 will be held until exams have been completed. Item 42 will be retained at the BCA Laboratory.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/25

Report Date: 04/07/2016

Primary Information	
Description:	Criminal History of Raul Marquez Heraldes
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/07/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 20:23
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/07/2016 20:24

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

TO: BCJ-00515100 20160404 18:02:43 024C07DC1C
 FROM: CCHRSPI-08693648 20160404 18:02:43 024C019A07
 QR RESPONSE

STATE OF MINNESOTA
 DEPARTMENT OF PUBLIC SAFETY
 BUREAU OF CRIMINAL APPREHENSION
 COMPUTERIZED CRIMINAL HISTORY/
 IDENTIFICATION SERVICES
 1430 MARYLAND AVE E, ST PAUL, MN 55106 - 2802
 (651) 793-2400
 TTY (651) 282-6555

THE FOLLOWING CRIMINAL HISTORY RECORD IS BASED ON YOUR INQUIRY OF:
 SID/MN15J65211.PUR/Q.
 DATE/TIME REQUESTED: 2016/04/04 18:07 BY: 1394 2016-213
 ORI/MNBCA00P8.

 ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT
 T ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT ADULT

The following data was obtained from ADULT records maintained at the BCA.

The date of arrest shown on the Minnesota Criminal History may be the date the individual was arrested, booked, or fingerprinted by a law enforcement agency. It may also be the date the individual appeared in court or was received by a correctional facility.

NAME: MARQUEZ-HERALDES, RAUL SALVADO BIRTHDATE: 1965/09/13
 STATE ID NUMBER: MN15J65211 FBI NUMBER: 428805HH2
 OFFENDER STATUS: Single State Only
 SEX: M RACE: White HEIGHT: 5 FEET 06 INCHES WEIGHT: 166 POUNDS SKIN: Unknown
 EYES: Brown HAIR: Brown BIRTH PLACE: Mexico PHOTO AVAILABLE: N
 COUNTRY OF CITIZENSHIP: Mexico
 NCIC FINGERPRINT CLASS:

HIGHEST CONVICTION LEVEL: Misdemeanor

REPORTED NAMES:

MARQUEZ-HERALDES, RAUL SALVADO
 HERALDES, RAUL SALVADOR

MARQUEZ, RAUL SALVADOR
 HERALDES-MARQUEZ, RAUL SALVADO

REPORTED DATES OF BIRTH:

1965/09/13

ARREST AND CONVICTION INFORMATION

ARREST: 1

Arrestee Number:

Arrest Date: 2015/08/01

Controlling Agency: MN0271100 MINNEAPOLIS PD

LOCAL EVENT ID(S)		LOCAL PERSON ID(S)	
ORI	ID	ORI	ID
MN0270000	2015019992	MN0270000	201504990

COUNT: 1 Offense Date: 2015/08/01 Case Number: 15287189
 Type: MINNESOTA STATUTE SJIS Number:

STATE ID NUMBER: MN15J65211 FBI NUMBER: 428805HH2 PAGE 2

Statute: 169A.20.1(5)
 Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol
 Concentration 0.08 Within 2 Hours
 Other Statute: MOC/UOC:
 Disposition: Citation/Summon Court File:

COUNT: 2 Offense Date: 2015/08/01 Case Number: 15287189
 Type: MINNESOTA STATUTE SJIS Number:
 Statute: 169.09.2
 Charge: Traffic Collision - Driver Involved Fails to Stop
 for Collision - Driven or Attended Vehicle
 Other Statute: MOC/UOC:
 Disposition: Citation/Summon Court File:

COURT ACTION: 1

Action Date: 2015/09/14

Court Agency: MN027015J HENNEPIN CO DISTRICT COURT

Confinement: MN027043C HENNEPIN CO WRKHS-ADULT CORR

Probation: MNC27023G HENNEPIN CO DEPT OF COMM CORR ADULT FIELD SRVS-
SUPV

COUNT: 1 Court File: CR1521069 Case Number: 15287189
Statute: 169.13.2
Charge: Traffic - Careless Driving

Other Statute: SJIS Number:
Plea: Guilty MOC/UOC:
Disposition: Convicted
Sentenced: 2015/12/09 Sentence Level: Misdemeanor

SENTENCE	CONDITIONS
Pronounced: 30D	Credited with time served
Probational: 1Y	No Same or Similar
Fine: \$300	No DL Violations
Fine Stayed: \$300	No Driving without Insurance
	DWI Clinic
	No Drug/Alcohol Traffic Charges
	NO CARELESS DRIVING

COMMENT: Disposition On: 2015-09-14
Fee 1: stayed 300.00 restitution 0.00
Local 1: 30D OYCM27D stayed for 1Y
Probation 1: starting 2015-09-14
Service: Lieu Cnfmnt: OYCM2D
Snt Amended: Court Order
Service: Lieu Cnfmnt: OYCM2D completed per 12.7.15 HCAFS
report

COUNT: 2 Court File: CR1521069 Case Number: 15287189
Statute: 169.09.2
Charge: Traffic Collision - Driver Involved Fails to Stop
for Collision - Driven or Attended Vehicle
Other Statute: SJIS Number:
Plea: MOC/UOC:
Disposition: Charge Dismissed
Sentenced: Sentence Level:

STATE ID NUMBER: MN15J65211 FBI NUMBER: 428805HH2 PAGE 3

COMMENT: Disposition On: 2015-09-14

THE USE OF THIS RECORD IS CONTROLLED BY STATE AND FEDERAL
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NEEDED FOR FUTURE USE.

END OF RECORD

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/26

Report Date: 04/07/2016

Primary Information	
Description:	Mpls PD Reports 1-27
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/07/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 20:24
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/07/2016 20:25

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Case Report with
Supplements

Minneapolis Police Department

CCN: MP-16-
116598

Report Details

Reporting Officer:	005306: Karl Olson	Approval Status:	Approved
Assisting Officer:	003975: Thomas Lardy	Approval Date:	Apr 4, 2016
Supervising Officer:	002069: Bruce Folkens	Date Returned:	
Approving Supervisor:	002069: Bruce K Folkens	Return Count:	0
Call/Sqd:	306	Date Printed:	Apr 5, 2016
Precinct:	03	Last Uploaded:	Apr 4, 2016
Related CCN :	--	Solvability:	
Reported Date:	Apr 4, 2016 07:35	Primary Routed Unit:	4123 - Homicide
Entered By:	005306		

Incident Details

Offense1: MURDR	Desc: Murder (general)	Statute: 609.18	Attempted:
Offense2: CRITIN	Desc: Critical Incident	Statute:	Attempted:
Address:	2120 Minnehaha AV S Apt. 1 Minneapolis, MN 55404		
Occurred From:	04/04/2016 05:10	Dispatched:	05:15:00
Occurred To:	04/04/2016 05:50	Arrived:	05:22:00
Location:	22 ST E/20 AV S	Cleared:	12:00:00
Minor Involved:	No		

Public Data

Help call

Victim

Role / Role #:	V001		
Name:	Marques, Raul		
Residence:	Unknown		
Telephone:	H:Unknown		
Date of Birth:		Event Age: 0	Est. Age: 0
Race:	Unknown		
Sex:	Male		
Height:			
Build:			
Victim of:	CRITIN, MURDR		

Witness

Role / Role #:	W001		
Name:	KAPAUN, TRICIA ANN		
Residence:	2120 Minnehaha AV S Apt. 8 MINNEAPOLIS, MN 55404		
Telephone:	C [REDACTED]		
Drv Lic #:	MN [REDACTED]		
Date of Birth:	[REDACTED]	Event Age: 43	Est. Age: 43 - 43

Race: White
Sex: Female
Height: 600 - 600
Build: LI
Medical Treatment: No
Prior Injury: No

Personal Description

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Appearance	Nervous	MISC	
Force Used	No		
Hair Color	Brown	MISC	
Hair Length	Medium	MISC	
Hair Style	Straight	MISC	
Identification	Other	MISC	MDT/DVS
Injury Type	Loss of Teeth	MISC	
Person Wore	Comments	MISC	One piece pajama

Other

Role / Role #: OT001
Name: Malberg, Eric
Residence: Unknown
Telephone: H:Unknown
Date of Birth: **Event Age:** 0 **Est. Age:** 0
Race: White
Sex: Male
Height:
Build:

Personal Description

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Employed		

Other

Role / Role #: OT002
Name: Robins, David
Residence: Unknown
Telephone: H:Unknown
Date of Birth: **Event Age:** 0 **Est. Age:** 0
Race: White
Sex: Male
Height:
Build:

Personal Description

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Employed		

Relationships

None Defined

Non-Inventoried Property

Property and Evidence

PI#	Item #	Description	Owner	Qty	Make/Mod/Ser #	Auth ID	Dsp Dt	Dsp Mnr
2016-10537	1	RUBBER BRACELETS, BLUE, RED, & PURPLE, (COSTUME JEWELRY), W/POSSIBLE BLS		3				
2016-10537	2	CLOTH BRACELET, ORANGE, (COSTUME JEWELRY), W/POSSIBLE BLS		1				
2016-10537	3	CLOTH WRIST WATCH BAND, BLACK, W/POSSIBLE BLS		1				
2016-10537	4	METAL KEY RING, W/POSSIBLE BLS		1				
2016-10537	5	PLASTIC BRACELET, BLACK, STAR AND OVAL BEADS, (COSTUME JEWELRY), W/POSSIBLE BLS		1				
2016-10537	6	BIOHAZARD BAG, CNTG. LINES ONE-FIVE, HOSPITAL LABEL, NAME/COLEMAN, ALAN ROBERT		1				
2016-10623	1	MPD CRIME SCENE ENTRY LOG		1				

Case Supplements

27 supplements begin on the following page.

Supplement number: 1 CCN: MP-16-116598 Author: 000977 - Andrew Carigiet

Supplement of Off A.Carigiet #000977 on 04/04/2016 08:30

On above time and date, while working in marked squad 211 with my partner Officer Madich, 5867, we were dispatched to 2120 Minnehaha Ave S for an Officer Needs Help Call. We arrived on the call as the perimeter was set up. We were asked by sergeants on scene to take a position on the perimeter of the address. 2120 is a two story apartment building. We parked our squad at the corner of 22nd St S and Minnehaha Ave.

Within a few minutes of arriving we were asked to secure W1/Kapaun in the back of our squad. W1/Kapaun was searched and secured in the back of squad 211 (P# 76709) with the MVR turned on.

The BCA arrived and met with W1/Kapaun. Kapaun was taken up to her apartment by the BCA; we positively identified her via MDT/DVS and were released by Sgt. Lardy.

END of Supplement 1

Supplement number: 2 CCN: MP-16-116598 Author: 000750 - Peter Brazeau

Supplement of Off P.Brazeau #000750 on 04/04/2016 08:38

On 04/04/2016 at approximately 0606 hours I was working marked Squad 111 (P#76706) with my partner Officer MOUA. I responded to an Officer Needs Help at 2120 Minnehaha Ave. Dispatch told me to respond to the scene and speak with the Incident Commander.

Upon arrival I met with Lt. GROSS, who told me to place crime scene tape around Minnehaha Ave in front of 2120 Minnehaha Ave. I placed crime scene tape around the Minnehaha Ave in front of 2120 Minnehaha Ave. I then stood at the north side of the scene and provided scene security.

Sgt. BUEGE told me to provide scene security on Minnehaha Ave in front of 2120 Minnehaha Ave. I moved

to the front of 2120 Minnehaha Ave and provided scene security until I was released from the scene by Sgt. BUEGE.

END of Supplement 2

Supplement number: 3 CCN: MP-16-116598 Author: 004897 - Chou Moua

Supplement of Off C.Moua #004897 on 04/04/2016 08:44

On 04/04/2016 at approximately 0606 hours I was working marked Squad 111 (P#76706) with my partner Officer Brazeau. I responded to an Officer Needs Help at 2120 Minnehaha Ave. Dispatch told me to respond to the scene and speak with the Incident Commander.

Upon arrival I met with Lt. GROSS, who told me to place crime scene tape around Minnehaha Ave in front of 2120 Minnehaha Ave. I placed crime scene tape around the Minnehaha Ave in front of 2120 Minnehaha Ave. I then stood at the north side of the scene and provided scene security.

Sgt. BUEGE told me to provide scene security on Minnehaha Ave in between 2120 Minnehaha Ave and 2112 Minnehaha Ave. I provided scene security between 2120 Minnehaha Ave and 2112 Minnehaha Ave until I was released from the scene by Sgt. BUEGE.

END of Supplement 3

Supplement number: 4 CCN: MP-16-116598 Author: 005867 - Rebecca Madich

Supplement of Off R.Madich #005867 on 04/04/2016 08:44

On the above date at 0559 hours while working marked Squad 211 with my partner Officer Carigiet we were dispatched to the scene of HELP call at 2121 Minnehaha AV S.

We arrived on scene and assisted with securing the perimeter. Sgt Buege advised me that Witness 1/Kapaun was in the back of Squad 323 and was requesting to use the rest room. W1 is a resident of above address (apartment 8). Sgt Buege asked me to escort W1 to the Third PCT to use the restroom. When I got into the drivers seat of Squad 323 W1 got really nervous and decided she did not want to leave the scene and did not have to use the restroom anymore. W1 told me she was concerned for her cat inside her apartment.

Sgt Buege asked us to take W1 and place her in our Squad 211 (P#76709). I pat searched W1 and placed her in the rear of Squad 211. MVR was recording.

W1 was released from the rear of our squad at approximately 0718 when she was escorted by the BCA to her apartment. Officers remained on scene at 22nd ST E/Minnehaha AV S until we were released.

END of Supplement 4

Supplement number: 5 CCN: MP-16-116598 Author: 005895 - Brent Rasmussen

Supplement of Off B.Rasmussen #005895 on 04/04/2016 09:07

On 04/04/2016 I was working with Officer Schroeder in marked squad #113, P#76734. At about 0612 hours, we responded as a response car to assist the 3rd precinct with a help call located at 2120 Minnehaha Ave #1.

Upon arrival I was given the assignment of monitoring the perimeter in front of the apartment complex. I then secured that section of the perimeter and cleared when I was advised I could do so at about 0842 hours.

END of Supplement 5

Supplement number: 6 CCN: MP-16-116598 Author: 007788 - Daniel Willis

Supplement of Off D.Willis #007788 on 04/04/2016 09:09

On 4/4/16 I was working marked squad 360A and was asked by SGT Buege to try and make contact with apartment numbers 4,5,6 and 7 inside 2120 Minnehaha Avenue South in relation to this case.

There was no answer in apartments 4,5 and 7. Apartment #6 was occupied by Rekita Tiara Harden, [REDACTED] Her telephone # is [REDACTED]. Harden told me that she has been home since about 5pm on 4/3. Harden said some other Officer had knocked on her door early around 5 asking her if she had any information about a person with a knife. Harden asked me if the police found the person who had the knife. I asked Harden if she heard any loud noises from inside the apartment building like yelling or loud bangs. Harden said she went right back to bed after speaking to the other Officer and she did not hear anything.

I gave all this information verbally to SGT Buege and was then excused from the scene.

END of Supplement 6

Supplement number: 7 CCN: MP-16-116598 Author: 006388 - Kyle Schroeder

Supplement of Off K.Schroeder #006388 on 04/04/2016 09:11

On 04/04/2016 at 0612 hours I was working Squad 113 (P# 76734) with my partner Officer RASMUSSEN. We responded to 2120 Minnehaha Av in 3rd precinct as a response car for an Officer Needs Help Call. I arrived and was instructed by a Sgt. on-scene to watch the perimeter on E 22nd St to ensure no one went inside the crime scene tape.

I was instructed by Lt. GROSS to move a Squad from the intersection of E 22nd St and Minnehaha Av to E 22nd St just west of the above address.

I moved the Squad and then watched the perimeter until I was relieved of my duties by another Squad at approximately 0842 hours.

END of Supplement 7

Supplement number: 8 CCN: MP-16-116598 Author: 000383 - Cameron Beman

Supplement of Off C.Beman #000383 on 04/04/2016 09:23

On 4/4/2016 at around 0615 hours I was working squad 121 in full MPD uniform with my partner, Officer Glavan #2296. I was told by squad 104 that we were being held over to assist with this incident if needed. Squad 104 later ordered us to report to HCMC for a detail.

On arrival at HCMC, I met with squad 104 inside the stab room. I was told to watch the victim, COLEMAN, and follow him until I was released. I was also told to brief 104 of anything that occurred with COLEMAN. I stayed with COLEMAN in the stab room until he was moved to Team Center A, room 10. I was told that from there COLEMAN was to be transported to NMMC. I was told by medical staff at HCMC that this transport was needed because NMMC had a particular specialist surgeon who was best suited to repair the injuries to COLEMAN'S hand. A nurse at HCMC also gave me a ziplocked plastic bag containing some of COLEMAN'S belongings. I later property inventoried this bag.

COLEMAN was still at HCMC in that same room when squad 104 told me that I was released.

END of Supplement 8

Supplement number: 9 CCN: MP-16-116598 Author: 002296 - Michael Glavan

Supplement of Off M.Glavan #002296 on 04/04/2016 09:26

On 04/04/2016, at approx. 0717 hours, while working uniformed patrol as squad 121, Officer BEMAN and I were requested per squad 104 to responded to the HCMC ER.

Upon arrival we were informed to take over guarding the victim/ COLEMAN so other officers could go give their statements. COLEMAN was initially in the STAB room when we arrived and was then brought to Team Center A10 for the remainder of our detail.

My partner and I were then advised by squad 104 that we were no longer needed to stay with COLEMAN.

We then left the hospital to property inventory a bag of COLEMAN'S belongings at the City Hall property inventory.

END of Supplement 9

Supplement number: 10 CCN: MP-16-116598 Author: 000268 - Shannon Barnette

Supplement of Sgt S.Barnette #000268 on 04/04/2016 10:31

On 04/04/2016, I was working in the 5th Precinct assigned to the Day watch as Squad 502. I was aware that squads from 5th Precinct Dogwatch were assisting in the 3rd Precinct on a HELP call. I monitored the radio traffic and could hear officers asking to a Swat Negotiator and also asking for one to be called if one was not available.

A short time later I heard an officer air that they needed ambulance and rescue Code 3 and needed more ambulance rigs for other victim and an injured officer. A short time later, I heard a 3rd Precinct supervisor ask for two additional Sergeants to respond to the scene. I aired that I would be responding from the 5th Precinct.

I arrived on scene of the incident and made contact with Sgt. Buege. I was advised that there were 3 witness officers that needed to go down to Rm 108. It was decided that I would transfer recruit officer Graupner while his FTO, Officer Perkins would drive their squad downtown. I drove Recruit Officer Graupner downtown and walked with him to Rm 108 were DC Glampe and Investigators from 108 were able to find separate interview rooms for each witness officer.

I then left and went to HCMC to see if Sgt. Rivard needed any additional assistance with officers who were at HCMC. I found Officer Woods and his recruit in the Stab room. They had several evidence bags. I spoke to one of the physicians treating the stabbing victim and was advised that he would possibly have to be transferred to NMMC for surgery on his hand. The body of the of the person who was shot by officers was also in the stab room along with his personal items. The body was in a body bag and the personal items were in a bag near the gurney in which the body was on.

I spoke to DC Glampe who was in contact with the BCA investigators and was advised to have the witness Officers Woods and his recruit to come to Rm 108 and bring the evidence they had in their possession with them to Rm 108 to give to the BCA investigators. When two Pct 1 officers arrived to stand by in the Stab room for the stabbing victim, Officer Woods and his recruit then left to go to Rm 108.

I was asked by one of the Stab room nurses if the identity of the Dead party had been ID'd. I advised her that he had not but gave a possible name of Raul Marques that I had seen in the computer from the call

history. I called S01 and asked them to look at the call history where it appeared that this same individual had called earlier for police, to another location and the callers name was Raul Marques. S01 was able to give me that address and with this information, the nurse was able to look through the HCMC computer and found a male from the same address with the same name. The name in the HCMC computer was: Marques-Heraldes, Raul DOB: 09/13/1965. I called and relayed this information to DC Glampe. The Medical Examiner then arrived in the STAB room and I passed on this information to him as well. The ME advised me that they would be taking the clothing and anything in the evidence bag of the deceased with them.

As I was leaving HCMC, I was flagged down by a HCMC paramedic who was trying to find the injured officer. I found the BCA agent in the stab room and escorted him to the treatment room where Officer Robins was. I then was approached by a nurse who advised me that they had not gotten the vitals on Officer C. Stewart when he was treated for the blood exposure and they needed him to come back to HCMC to do this so they could clear his chart. I advised the nurse that I would have him return.

I then went back to Room 108 and advised DC Glampe of this and he advised me that they would be transporting Officer Stewart back to HCMC after he was done speaking to the BCA investigators. I then cleared and went back in service in Pct 5.

END of Supplement 10

Supplement number: 11 CCN: MP-16-116598 Author: 005775 - Kyle Pond

Supplement of Off K.Pond #005775 on 04/04/2016 10:32
SUPPLEMENT OF OFFICER POND #5775, ON 4/4/2016, CCN 16-116598, TYPED BY KP

On 4/4/2016 at approximately 0521 hours I officer POND was working squad 221 with my partner Officer NOBLE when we heard over the air that an officer needed help at 2120 Minnehaha Ave S. Myself and my partner self-assigned to this call and arrived at approximately 0526 hours.

Upon arrival I observed approximately 8 officers directly inside the entryway of the listed apartment complex. For approximately 15 to 20 minutes I heard officers on scene talking to Suspect1 trying to get him to come outside of apartment number 1.

A short time later Sgt. GREAVES arrived on scene and asked if any officers on scene were CIT. Officer MALMBERG stated that he was in fact CIT and from that point on spoke to S1 while S1 was still inside the apartment.

I heard multiple times officer MALMBERG tried to get S1 to come out of apartment number 1 and for S1 to drop the knife.

During this time S1 continuously stated that he wanted officers to call his wife. Sgt. GREAVES attempted to call the wife of S1 but got voicemail. After S1 asked officers multiple times to call his wife he then stated that his wife and children were dead, contradicting his previous statements.

During the time that officer MALMBERG was speaking to S1 Sgt. GREAVES asked me if anyone had visual on the north facing windows of the apartment complex. I stated that I was unsure and both me and Sgt. GREAVES exited out the front doors of the apartment complex.

Immediately upon exiting the apartment complex I observed a male attempting to get out of the first floor window of apartment 1. This window was facing eastbound.

Myself and Sgt. GREAVES assisted the male, later ID'd as GEORGE DAN WUKOTICH, DOB [REDACTED] getting him out of the window. While assisting the male he stated that S1 did not know that he was inside the room. It should be noted that GEORGE WUKOTICH appeared to be extremely frightened and scared regarding the male that was inside the room holding Victim1 hostage with a knife.

Immediately after getting GEORGE WUKOTICH out of the window I heard a several gunshots from inside the apartment.

I immediately asked GEORGE WUKOTICH if he was ok and if he needed medical attention. GEORGE refused. GEORGE was then placed in the back of squad 221, P#76675. MVR was activated during this time.

After securing GEORGE WUKOTICH in the rear of the squad I walked back to the front of the apartment complex to assist officers inside.

Upon making entry into the apartment complex Sgt. RIVARD asked me to speak with TRICIA ANN KAPAUN, DOB [REDACTED] who lives in apartment 8 located on the second floor of listed address. TRICIA was escorted to a squad 321 on scene to gather further information regarding the incident. After TRICIA was placed in the rear of the squad the MVR was activated.

While in the rear of the squad TRICIA stated that at approximately 3:30 AM while she was inside of her apartment (apartment 8), she thought she heard someone pounding on the front security doors of the apartment complex.

TRICIA stated that she exited her apartment where she observed the manager of the building, TERRY LEE HAIGLER in the front entryway with S1, who she ID'd as "RAUL". She also stated that she had no previous contact with S1 and that she recently moved into the apartment complex on February 1st, 2016. TRICIA stated that she observed S1 show TERRY a hand written note yellow in color that said that his family was going to be killed. TRICIA stated that TERRY went back inside of his apartment to get a shirt and at this time TRICIA said she could observe a long knife in the rear left pocket of S1's jeans. TRICIA stated that she could not see the entire blade of the knife but described the handle as being of a light colored wood.

TRICIA said that a short time later V1 (ID'd by TRICIA as "AL") exited his apartment, (apartment 1), to get mail out of the mailbox located directly inside the front door. After V1 exited the apartment she heard S1 continuously say "help me, they're trying to kill me".

TRICIA stated that AL then went back inside of his apartment and she went back into hers. After a short while she heard more "pounding" at the front door of the apartment complex and stated that she believed it was the cops and they were pounding on the door because they were locked out. TRICIA stated that she exited her apartment to assist officers in getting inside and at this time observed S1 get on his hands and knees and crawl into V1's apartment. It should be noted that TRICIA stated S1 had the knife in his hand at this time but could not state which hand the knife was in. After seeing S1 crawl into the apartment officers told her to go back inside of her apartment for her own safety.

TRICIA described S1 as being 5'5 to 5'7 in height, bald, approx. 40 to 45 years old, of Spanish ethnicity. TRICIA stated S1 was wearing a grey shirt and jeans.

It should be noted that during the time TRICIA observed S1 she stated S1 may have been on "something" and that S1 was "tripping out". TRICIA also stated that S1 kept repeating "help me, help me", and that S1 was "babbling stuff".

Sometime during the incident TRICIA stated S1 kept saying that there was a van located outside and that someone had a rifle. TRICIA said she looked outside and did not see any van. After seeing that there was no van located outside TRICIA said she told S1 that there was no van out there but S1 was insistent that there was. After gathering this information I exited the squad and no longer spoke to TRICIA about the incident. The last time I observed TRICIA she was still located in the rear of squad 321.

After speaking with TRICIA I returned to my squad where my partner and I transported GEORGE WUKOTICH to City Hall room 108 to speak with investigators regarding the incident. After arriving at City Hall GEORGE was escorted to room 108 where he was placed in an interview room alone. During the time in which GEORGE was inside the interview room I was located directly outside the door. I continuously watched over GEORGE until I was relieved to give my statement regarding the incident.

END of Supplement 11**Supplement number: 12 CCN: MP-16-116598 Author: 007865 - Shawn Woods**

Supplement of Off S.Woods #007865 on 04/04/2016 10:34
STATEMENT OF OFFICER S WOODS
POFM SERGEANT STENERSON PRESENT
TYPED BY ST

On 04-04-2016 I was assigned to Marked Squad 521 (P Number 76691) along with my partner, OFFICER PENA, who was driving at the time. At approximately 0515 hours we responded to a report of a help call at 2120 Minnehaha Avenue South. The remarks in the call stated the following:

4/4/2016 05:13:30 CT123098 Response [1] SEE CLR OTS IN FRT. TENNANT IN APT #1 HAS A GUEST OVER AND ISNT ALLOWED TO HAVE ANYBODY ELSE THERE.. THE GUEST IS VERY DK AND IS ARGUING WITH MY CLR AND SUGGESTING HE WANTS TO FIGHT. CLR WANTS HIS REMOVED
4/4/2016 05:14:29 CT124930 Response [2] Duplicate call appended to incident at 05:14:29
4/4/2016 05:14:49 CT124930 Response [3] CLR CB .. STATES UNWANT HAS **KNIFE IN BACK POCKET .. THIS IS NOW *PERWEAP*
4/4/2016 05:14:52 CT124930 Response [4] [Notification] [POLICE]-Problem changed from Unwanted Person (P) to Person with a Weapon (P) by POLICE
4/4/2016 05:15:02 CT124930 Response [5] UNK DESC OF KNIFE
4/4/2016 05:15:15 CT124930 Response [6] SUSP IS STANDING IN HALLWAY
4/4/2016 05:16:22 CT124930 Response [7] SUSP HAS NOT TAKEN KNIFE OUT .. TRYNG TO TELL CLR THAT SOMEONE IS TRYING TO KILL HIS FAMILY .. TELLING HIM HIS FAMILY IS AT 816 PORTLAND AV
4/4/2016 05:17:56 CT124930 Response [8] SOUNDS LIKE REL TO CCN 16-116574 (ASLT) .. CLR WAS RAUL AND NOT ON SCENE WHEN OFCR'S ARRIVED
4/4/2016 05:18:44 109664 Response [9] HISPM 504 BALD...GRY SHIRT BLK PANTS NAME RAUOL MARQUES
4/4/2016 05:19:34 109664 Response [10] CLR STATING THE GUY IS NOT AN ISSUE AT THIS TIME....PRETTY COOP. CLR IS WITH HIM IN THE FRT
4/4/2016 05:21:36 119080 Response [11] S01/S02 ACK
4/4/2016 05:21:39 121178 Response [12] 341 AS CIT
4/4/2016 05:21:45 121178 Response [13] [Notification] [POLICE]-Problem changed from Person with a Weapon (P) to Officer Needs Help (P)
4/4/2016 05:22:06 121178 Response [14] Multi-Agency EMS Incident #: 16022499
4/4/2016 05:22:06 121178 Response [15] ***EMS CODE 2 TO STAGE IN AREA*** [Shared]
4/4/2016 05:22:24 121178 Response [16] 311 MALE ARMED WITH A KNIFE IN APT [Shared]
4/4/2016 05:26:07 121178 Response [17] FOR EMS: EMS TO STAGE IN AREA/NO REPORTED INJURIES AT THIS TIME --- APPEARS TO BE EMOTIONALLY DISTURBED PERSON ARMED WITH KNIFE INS APT UNIT [Shared]

We responded to the call with full lights and sirens. The response to the call is video recorded on an MVR.

Upon arrival at the above location, I entered the hallway of the apartment building where I could hear officers speaking to a male, who was later identified as the suspect. I was given information that the negotiating officer was speaking to the suspect who was armed with a knife and holding a person as a hostage. A short time later I was told by the on scene Lieutenant to attempt to find a way to see inside the apartment so we could see what was happening . I exited the apartment building and attempted to find a way into the back yard where the windows of the apartment were located. My partner (OFFICER PENA) was with me. The back yard was fully fenced.

Prior to finding a way to see in the apartment, my partner and I were called back into the apartment building

to speak with a resident in a different apartment who only spoke Spanish. My partner (OFFICER PENA) is a Spanish speaking officer which is why we were called back into the apartment.

Upon reentering the building, OFFICER PENA and I stepped into the apartment which is located just to the left of the front door of the building. We spoke to the resident of that apartment who was able to tell my partner in Spanish that the person holding the knife was named RAUL and he does not live in the building. The gentleman also told us that RAUL had come to his apartment door and he thought that RAUL was holding a comb.

After speaking to the gentleman in the apartment we returned to the hallway. I could hear officers continuing to speak to the suspect in attempts to get him to come out of the apartment. At one point during the negotiation the suspect said he wanted to speak to his wife, GLORIA, and the negotiating officer was able to get a telephone number for her. Multiple attempts were made to call GLORIA, which were unsuccessful.

A short time later I could hear a commotion inside the incident apartment but I was unable to decipher what it was. It was my impression that this was no longer a negotiating scene and there was an emergency inside the apartment which required officers to make immediate entry. I then saw OFFICER MALMBERG kick the door of the apartment open and officers entered and I immediately heard what I believe to be several gunshots.

After hearing the initial shots, I heard someone say, "He's got a knife in his back" and I saw a man exit the apartment walking towards me and I heard officers saying that he's been stabbed. I could see that the man had blood running down his face and it appeared that his left thumb was hanging on only by muscle. I then grabbed him by the right arm and along with my partner (OFFICER PENA), escorted him outside building. We called for the ambulance which was staging down the block to come to the front of the building. I could see the ambulance down the block but it was not moving so I put my flashlight on the strobe function and flashed it at the ambulance in an attempt to get their attention.

The ambulance came to our location and I assisted the paramedics in caring for the victim. As the paramedics were cutting off the victim's jacket, I could see the knife, which was a fixed blade knife, with approximately a five inch blade and a wooden handle. The knife was sticking in the victim's back located approximately at his right clavicle. The knife entered his back at an upward angle and the only part of the knife that was sticking out was the handle.

After the paramedics cut off the victim's coat and shirt, I could also see a stab wound in his left ribcage area which was located approximately three inches to the left of the mid-point of his back and approximately halfway between his waist and his shoulder. I could also see on the top of the victim's head a severe laceration which was approximately 2 ½" long and a half inch wide. The victim was bleeding profusely from his head wound. Further examination while helping the paramedics revealed the victim also had a penetrating wound to his upper left chest just below his shoulder.

I assisted the paramedics in stabilizing the knife in place and covering his head wound. Once this was done, the paramedics said they were ready to transport. At this point I told OFFICER PENA to ride with the ambulance to HCMC and I drove the squad escorting the ambulance to the hospital. The trip to the hospital was recorded on the MVR.

Upon arrival at HCMC I assisted the paramedics and my partner in taking the victim out of the ambulance. Once the victim was clear of the ambulance in an effort to secure his clothing for property inventory, I found a bag and had OFFICER PENA put his clothes in the bag. The bag was then secured in the back seat of our squad and the squad was locked. OFFICER PENA and I then went into the Stab Room to stay with the victim while he was being tended to by HCMC Staff.

While the doctors and nurses were working on the victim they pulled the knife out of him and it was set on the floor by hospital staff. I watched the knife until it was bagged by hospital staff and sealed with evidence tape. OFFICER PENA then took custody of the knife. OFFICER PENA stayed with the victim while I went to speak to a supervisor who was at HCMC to get further information on how to proceed. I was instructed by a sergeant that my partner and I were to stay with the victim until relieved.

My partner and I stayed in the stab room with the victim until a First Precinct Squad came to relieve us. While in the stab room with the victim, doctors told me they have pronounced the suspect dead. We were then instructed by the on scene sergeant to report to Room 108 at City Hall to give our statements. I asked the sergeant what we needed to do with the evidence we had collected that was in our possession and we were instructed to bring it with us to Room 108, keep it in our possession until we were able to turn it over to the BCA. I was with OFFICER PENA while he turned the evidence over to BCA OFFICER PHILL.

This is a good faith summary based on the events as I can recall them at this time.

END of Supplement 12

Supplement number: 13 CCN: MP-16-116598 Author: 005515 - David Pena

Supplement of Off D.Pena #005515 on 04/04/2016 10:35
STATEMENT OF OFFICER PENA
POFM SERGEANT STENERSON PRESENT
TYPED BY ST

On Monday, 03-04-16 I was assigned to Marked Squad 521 (P Number 76691) with my partner (OFFICER WOODS). At approximately 0517 hours, I self-assigned to a help call at 2120 Minnehaha Avenue South. The call remarks stated:

4/4/2016 05:13:30 CT123098 Response [1] SEE CLR OTS IN FRT. TENNANT IN APT #1 HAS A GUEST OVER AND ISNT ALLOWED TO HAVE ANYBODY ELSE THERE.. THE GUEST IS VERY DK AND IS ARGUING WITH MY CLR AND SUGGESTING HE WANTS TO FIGHT. CLR WANTS HIS REMOVED
4/4/2016 05:14:29 CT124930 Response [2] Duplicate call appended to incident at 05:14:29
4/4/2016 05:14:49 CT124930 Response [3] CLR CB .. STATES UNWANT HAS **KNIFE IN BACK POCKET .. THIS IS NOW *PERWEAP*
4/4/2016 05:14:52 CT124930 Response [4] [Notification] [POLICE]-Problem changed from Unwanted Person (P) to Person with a Weapon (P) by POLICE
4/4/2016 05:15:02 CT124930 Response [5] UNK DESC OF KNIFE
4/4/2016 05:15:15 CT124930 Response [6] SUSP IS STANDING IN HALLWAY
4/4/2016 05:16:22 CT124930 Response [7] SUSP HAS NOT TAKEN KNIFE OUT .. TRYNG TO TELL CLR THAT SOMEONE IS TRYING TO KILL HIS FAMILY .. TELLING HIM HIS FAMILY IS AT 816 PORTLAND AV
4/4/2016 05:17:56 CT124930 Response [8] SOUNDS LIKE REL TO CCN 16-116574 (ASLT) .. CLR WAS RAUL AND NOT ON SCENE WHEN OFCR'S ARRIVED
4/4/2016 05:18:44 109664 Response [9] HISPM 504 BALD...GRY SHIRT BLK PANTS NAME RAUOL MARQUES
4/4/2016 05:19:34 109664 Response [10] CLR STATING THE GUY IS NOT AN ISSUE AT THIS TIME....PRETTY COOP. CLR IS WITH HIM IN THE FRT
4/4/2016 05:21:36 119080 Response [11] S01/S02 ACK
4/4/2016 05:21:39 121178 Response [12] 341 AS CIT
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4/4/2016 05:22:24 121178 Response [16] 311 MALE ARMED WITH A KNIFE IN APT [Shared]
4/4/2016 05:26:07 121178 Response [17] FOR EMS: EMS TO STAGE IN AREA/NO REPORTED INJURIES AT THIS TIME --- APPEARS TO BE EMOTIONALLY DISTURBED PERSON ARMED WITH KNIFE INS APT UNIT [Shared]

We arrived at the above address and entered through the front door of the apartment complex. I spoke with

MANUEL SANCHEZ to see if I could find out any further information on the suspect. The reason I spoke to MANUEL was because he spoke limited English and I am fluent in Spanish. MANUEL stated that he only knew the suspect as RAUL but he did not know his last name or where he lived. MANUEL stated that prior to going into the apartment that he was currently in, RAUL tried to enter into MANUEL'S apartment by pushing himself through the door. MANUEL was able to close the door and locking it.

I was standing in the hallway that leads to the apartment where the suspect was and where the victim(s) or hostage(s) were. I heard screaming coming from inside the apartment and I believed the victim(s) were being stabbed or injured by the suspect. I felt concern for the safety of the victim(s) and I believed immediate action needed to be taken to ensure the safety of the victim(s). I then saw officers kick in the door and I heard somebody say, he's got a knife as the screaming coming from inside the room continued. The screaming sounded as if someone was in pain or serious trouble. I heard somebody cry out in pain and heard somebody yell "aahh!". Due to the fact that we knew the suspect had a knife, I believed a victim was being stabbed or cut with a knife. I believe there was a need for immediate action. I saw officers kick in the door. After entering the door shots were fired. This happened very quickly. I then heard an officer say, he's got a knife in his back and I saw the victim exit the door. I immediately moved towards the victim with my weapon drawn. I could see blood dripping from his head and I holstered my weapon and grabbed the victim by his left arm. I escorted the victim by his arm outside to the ambulance. The victim stated, "He stabbed me."

As I walked him out to the ambulance I saw a knife sticking out of his back. I helped EMS load him into the back of the ambulance and immediately put on gloves to assist the paramedics. I helped the paramedics cut the blood soaked clothing. I could see his left thumb was hanging and just being held by a piece of his skin. I also saw a large gash on the top of his head on the left side that was bleeding profusely. A paramedic asked me to grab a gauze pad and assist him in wrapping the knife in place. The knife looked to be like a hunting knife and it was sticking out of the middle of his upper back. The knife looked to be inserted deep into the victim's back. The victim appeared to be seriously injured by a knife attack. I rode in the back of the ambulance all the way to HCMC with the victim and assisted the paramedics by covering up his wounds and holding him up to prevent him from falling on his back and onto the knife. While in the back of the ambulance I was able to get the victim's information. The victim told me his name was ALAN ROBERT COLEMAN or GOLDMAN, (Date of Birth: [REDACTED]), TELEPHONE NUMBER [REDACTED] and that his apartment number is Apartment 2.

When we arrived at HCMC I secured the victim's bloody clothing that was cut off his body, placed it in a bag and secured it the back seat of Marked Squad 521 which was locked. I then stayed with the victim while he was being treated by HCMC. I saw medical personnel place the knife that was taken out of the victim's back into a bag and seal it with red evidence tape. I saw him label it "knife". I also saw the medical personnel take the rest of the victim's blood soaked clothing and place it in a bag and seal it with red evidence tape. The medical personnel had me sign for the evidence and I placed both bags into a bigger plastic bag.

After being properly relieved I was told to report to Room108 at City Hall. I brought the evidence which was in my possession and the evidence which was locked in a squad to Room 108. At 0836 hours I handed over all the evidence to SPECIAL AGENT MICHAEL PHILL of the BUREAU OF CRIMINAL APPREHENSION (BCA).

On 03-04-16 at 0932 hours, I gave this good faith summary to the best of my recollection at this time.

END of Supplement 13

Supplement number: 14 CCN: MP-16-116598 Author: 007026 - John Sysaath

Supplement of Off J.Sysaath #007026 on 04/04/2016 11:11

I was working marked squad 511 (P76717) when I was dispatched to 2120 Minnehaha Ave on an officer need help call. Prior to arriving to the scene I heard through the radio that it was code 4 but more squads were needed at the scene. Upon arrival to the location, I assisted by securing the perimeter with police tape. I was later advised by Lt. Gross to transport Witness/HAIGLER to room #108. I stayed with HAIGLER in room #108 until I was properly relieved by Ofc. Hubert #3171

END of Supplement 14

Supplement number: 15 CCN: MP-16-116598 Author: 002421 - Charles Greaves

Supplement of Off C.Greaves #002421 on 04/04/2016 11:44

SUPPLEMENT OF OFFICER GREAVES ON 4/4/2016, TYPED BY KP, CCN 16-116598

On 4/4/16 I was assigned to squad 307 along with Sgt. RIVARD. At approx. 0520 hours Officer PERKINS from squad 311 radioed that he needed assistance code3 to 2120 Minnehaha Ave S. Sgt. RIVARD and I then responded to the scene. While en route officers radioed for further assistance for EMS to be staged in the area.

Officers arrived and parked in front of the address. I proceeded to the front door and entered the multi-unit building. Once inside I found several officers holding positions in a hallway that ran east and west. Officer PERKINS then advised me of the situation.

Officer PERKINS explained that a male with a knife had forced his way into an apartment that was not his. The apartment was the northeast apartment on the first floor. The front door was closed. He had taken a party apparently hostage and would not release that party and was holding him at knifepoint. I then contacted dispatch and asked if they could locate a negotiator. I then asked the officers on scene if anyone was CIT. Officer MALMBERG advised that he was.

I then asked Officer MALMBERG to try to establish a conversation with the party inside the apartment. And he did. MALMBERG was talking to the party who identified himself as RAUL. Eventually RAUL requested that we call his wife GLORIA. RAUL provided that phone number to us through the door. And I called the number on my cell phone. Nobody picked up the call. It went to voicemail and I left a voicemail for GLORIA to return my call.

While officer MALMBERG was trying to establish a rapport with RAUL, I became aware of a Spanish speaking party in the southeast apartment who may have information regarding RAUL. Officer PENA who was at the scene, I was advised was a Spanish speaking officer. I asked officers to get in contact with PENA to have him talk to the party in the apartment to gather more information on RAUL.

While MALMBERG was still speaking with RAUL, I decided to go outside to see if I could see into the apartment through a window to find out the location of RAUL and the party being held. I exited the apartment building with officer POND. As we walked to the north from the front steps a white male came to the window of the northeast apartment and asked us to get him a ladder to help him get out of the building. I immediately advised to him to just jump out the window and we would help him. That party then exited the window. POND and I helped him down to the ground.

As officer POND and I were assisting this party I heard several shots fired and a commotion inside the apartment. I then left the party with POND and returned inside the building. As I was entering the front door and beginning my way down the hallway, officers were escorting a male with severe injuries and a knife sticking out of his back, down the hallway.

I proceeded into the northeast apartment and found officers still struggling with RAUL. Officers were in the bathroom and RAUL was being pinned against the bathtub and floor near the toilet. Officers were having a difficult time handcuffing the party. I then advised officers what I wanted them to do. One officer took control of each arm and another officer took control of RAUL's body and we pulled him out into the entryway into the apartment. RAUL was then placed in handcuffs.

Officer STEWART and another officer handcuffed RAUL and checked him for more weapons. Officers then began checking RAUL for injuries. Officers determined that RAUL had been shot. I then asked the officers to remove the handcuffs. The handcuffs were removed. Officer STEWART then cut the shirts open on RAUL. Officers observed a bullet wound to the upper part on the right side of RAUL's chest. Officers then placed a

occlusive dressing on that wound. I radioed to dispatch for EMS to come into the building for a gunshot wound victim.

Officers continued to do first aid until Minneapolis Fire Department arrived and took over. I remained and provide light for them until another officer took over that duty for me.

I then spoke with Lt FOSSUM. Lt. FOSSUM advised me that he was going to handle the scene so that I could be an escort officer for Officer MALMBERG. MALMBERG was in the northeast apartment and he and I then left shortly after EMS took RAUL from the building.

Officer MALMBERG and I then went to squad 341 and drove back to the 3rd Precinct. Once at the 3rd Precinct Officer MALMBERG asked if he could remove his shirt and vest. I advised him that that was ok. The shirt and vest had blood on it. Officer MALMBERG took off his duty belt, shirt and vest. The shirt and vest were placed in a clear plastic bag and the duty belt remained outside of the bag. Officer MALMBERG and I remained at the station until I was notified by Inspector SULLIVAN to transport MALMBERG to City Hall room 108.

While officer MALMBERG and I were sitting in the Sgt.'s office at the 3rd Precinct I received a phone call from GLORIA. GLORIA is the wife of RAUL who I had called while we were out at the scene negotiating with RAUL. I briefly spoke with her. She stated her name was GLORIA REYES-MARQUEZ and that she lived at 3816 Portland Ave S apartment 2 and her phone number is [REDACTED]

GLORIA began explaining to me that RAUL is on medication and that he had been taking too much of it. The medication was causing RAUL to act erratically and it caused GLORIA to remove RAUL from their home. On 4/3/2016 at approx. 1900 hours GLORIA stated that she became afraid for her and her children and transported RAUL to a friend's house on Minnehaha Ave near Taco Bell.

GLORIA went on to say when RAUL begins acting this way it's too painful for their family to have him home and that she worries about what he might do. I advised GLORIA that I was going to have an investigator call her as soon as possible.

Officer MALMBERG and I left the 3rd Precinct station in squad 341 and came directly to City Hall and proceeded to room 108. Once at room 108 we were directed to interview room T where we remained until BCA investigators arrived and began processing Officer MALMBERG. After the BCA investigator was finished I then drove officer MALMBERG back to the 3rd Precinct station. I escorted him inside the building to get his personal belongings then out to his personal car.

I then was returning to City Hall to complete a supplement and was contacted again by GLORIA. I advised her that she'd be contacted shortly by investigators. I then contacted Lt. ZIMMERMAN by phone and asked him if he could advise BCA investigators at City Hall that GLORIA had contacted me again.

END of Supplement 15

Supplement number: 16 CCN: MP-16-116598 Author:

**007961 - Richard
Zimmerman**

Homicide

END of Supplement 16

Supplement number: 17 CCN: MP-16-116598 Author:

000061 - Robert Allickson

Supplement of Off R.Allickson #000061 on 04/04/2016 12:12

On 4/4/2016 I was walking up from the pct lockerroom prior to the start of my shift, when Sgt Lardy informed me that I was to respond to 2120 Minnehaha Av S, to assist on the scene of a Officer needs help/shooting

call.

I arrived, and made contact with Sgt Buege. He requested that I escort Officer J Stewart, who was being transported to HCMC via ambulance. I was told that Officer Stewart had a significant blood exposure, and was being assisted/treated/cleaned up by the Paramedics. Sgt Buege told me to follow in my squad.

I followed the ambulance carrying Officer Stewart, and the two Paramedics. I maintained sight of the rig all the way to HCMC, and exited my squad as Officer Stewart exited the ambulance. I walked into the ER with Officer Stewart, and stayed with him as he was seen by the medical staff in the ER. This included drawing blood, for purposes of the exposure.

After medical staff were finished with Officer Stewart, I was advised to transport him down to City Hall, room 108. At this time I drove Officer Stewart to City Hall, and went up to room 108 with him. I stayed with Officer Stewart until I was relieved by investigators, who took charge of him.

While I was with Officer Stewart, we kept separate from other officers, and our conversations centered on his needs and safety, and small talk about family and so on.

END of Supplement 17

Supplement number: 18 CCN: MP-16-116598 Author: 003171 - Debra Hubert

Supplement of Off D.Hubert #003171 on 04/04/2016 13:44

On 4-4-16, I was working Squad 8519 Able. I was in a marked squad car (8519, P#76684) and in full uniform.

At approximately 1015 hours I was contacted by Sgt. Barnette (Squad 502) and told to respond to Room 108 to relieve P5 Officer J. Sysaath. I arrived at Room 108 and made contact with Officer Sysaath. He said his witness, Terry Haigler, was being interviewed. I waited until Haigler was released by investigators and told him I would be transporting him home.

Before leaving Room 108 with Haigler, I was asked to transport another witness, George Wukotich, back to the incident address. Both Haigler and Wukotich were placed in the rear of my squad car. The MVR was put in record mode. I transported both males to 2120 Minnehaha Av.

Once at 2120 Minnehaha Av, I spoke to Sgt. Buege and told him that I had two witnesses who wanted to go back inside the incident address. He told me that he would check to see if this was okay. After checking, Sgt. Buege told me that the investigation was not complete inside the apartment building and to move the two witnesses into Officer Do's (Squad 512) squad.

I returned to my squad and told the two witnesses that the investigation wasn't complete and that they were moving to Officer Do's squad. Wukotich was placed in Officer Do's squad. Haigler was upset and wanted to go to his apartment to get his dog and his medication. He remained in my squad while I spoke to Sgt. Buege. Sgt. Buege then spoke to Haigler. A short while later, Sgt. Buege and a BCA investigator escorted Haigler from my squad.

I cleared the scene.

It should be noted that I was on the sidewalk and the street in front of 2120 Minnehaha Av. I never went inside the apartment building.

END of Supplement 18

Supplement number: 19 CCN: MP-16-116598 Author: 005315 - Scott Olson

Supplement of Sgt S.Olson #005315 on 04/04/2016 14:02
ASSIST IN ROOM 108

While working in Room 108 this morning, I heard the door bell ring. I found an officer in the waiting area. He told me that they had brought a male down to Room 108 who was part of a critical incident. He then told me that the incident was an officer involved shooting. I told him to bring the male up. Once they came up, I activated the video system in Interview Room F. The male witness was provided several cups of coffee by me.

As officers began arriving, I helped get them placed in separate rooms.

Once command staff arrived in the office I advised what had been done and went back to my regular duties. The witness did come out of the room several time to ask how much longer it would take, if he could use the bathroom, and asking for more coffee. My desk is by the interview room so I was easy to find for the witness.

END of Supplement 19

Supplement number: 20 CCN: MP-16-116598 Author: 006483 - Richard Sheldon

Supplement of Sgt R.Sheldon #006483 on 04/04/2016 15:09

On today's date, I was working as the Daywatch Supervisor in the 1st Pct. I responded to HCMC to assist Sgt. Rivard in managing resources. Squad 121 was called to watch the Victim until he was moved to North Memorial Medical Center for treatment on his left hand.

The officers that initially were watching the Victim (stabbing) and Suspect (Listed as Victim of Murder/Critical Incident) were instructed to respond to Room 108 for debriefing by the BCA.

Sgt. Richard Sheldon
1st Pct. - Daywatch

END of Supplement 20

Supplement number: 21 CCN: MP-16-116598 Author: 000563 - Christopher Bishop

Supplement of Off C.Bishop #000563 on 04/04/2016 15:21

Typed by Bishop

On 4/4/2016 I was on duty working uniformed patrol as marked squad 122 able. After our 0600 roll call I was directed by Sgt Sheldon to assist 3rd Pct Squads at 701 Park Ave South, Hennepin County Medical Center. I arrived at HCMC and contacted Sgt Rivard who asked me to sit with Officer Robins who was awaiting medical treatment. I was later redirected by Sgt Sheldon to transport Officer Grout to room 108 of City Hall. From room 108 I was cleared by Sgt Barnette.

I was assigned to 701 Park Ave S under case number 16-116629.

END of Supplement 21

Supplement number: 22 CCN: MP-16-116598 Author: 001553 - Hung Do

Supplement of Off H.Do #001553 on 04/04/2016 15:44

On 04/04/2016, I responded to 2120 Minnehaha Ave south, to released squad 111 at around 0814hr. My responsibility was to secure outside perimeter just north of the address. I was released from the scene at 1527hr.

END of Supplement 22

Supplement number: 23 CCN: MP-16-116598 Author: 006521 - Eric Shogren

Supplement of Sgt E.Shogren #006521 on 04/04/2016 15:58

On this date I responded to 2120 Minnehaha Avenue on an Officer Involved Shooting. I was directed to meet SGT BUEGE at the address to handle the Crime Scene Log.

I arrived and entered the apartment building at 0639 Hours. The log had been started prior to my arrival. The log included names of the Officers that had already left the scene. Their Time In was listed at the start time of the log. Their Time Out time was estimated.

I recorded the names and agency of everyone entering the apartment building after 0639. At 1505, everyone was clear from the interior of the building.

The BCA made a copy of the log. I property inventoried the original.

END of Supplement 23

Supplement number: 24 CCN: MP-16-116598 Author: 000858 - Randy Buege

Supplement of Sgt R.Buege #000858 on 04/04/2016 16:46

On above date and time, I was working squad 305 in full uniform, and I responded to above location to assist with scene security.

Upon arriving, I requested additional squads to assist with perimeter control and so that other Witness officers could respond to rm 108. I also requested Officer Shogren to assist with the crime scene log on scene.

Officer Stewart needed to go to HCMC for a significant blood exposure and I asked that Officer Allickson assist him as needed. I also arranged for several civilian witnesses to be transported separately to rm 108 for interviews.

I assisted with on scene security until the BCA arrived, where I helped brief them on the situation.

I also requested Officer Willis do a full canvass of all the apartments in the building so as not to miss any possible witnesses.

Inside the main hallway, I observed blood splatter leading from apartment 2, and heading out the front door down the steps and out into the street. I also saw several spent shell casings, and a black colored empty knife sheath lying on the floor. There was also several empty first-aid type packages on the floor. The hallway seemed to be somewhat narrow and not very well lit. I also observed the door to apartment 2 to be damaged.

I remained outside until the BCA was finished with photographing the scene, and collecting evidence. The perimeter was then stripped of yellow tape and I allowed the response cars from other precincts to secure. I then secured for reports.

END of Supplement 24

Supplement number: 25 CCN: MP-16-116598 Author: 003639 - Kyle Joseph

Supplement of Off K.Joseph #003639 on 04/05/2016 02:12

While working squad 531 as passenger with my partner Off J.Peterson, we had self-assigned to a help call that was aired in 3rd precinct.

Prior to our arrival, the officers on scene had said code four. A 3rd precinct daywatch sgt had aired that he would be sending daywatch squads to assist on the help call.

We then drove back to 5th precinct, and self-assigned to another call that was pending.

END of Supplement 25

Supplement number: 26 CCN: MP-16-116598 Author: 007905 - Deanna Rivard

Supplement of Sgt D.Rivard #007905 on 04/05/2016 04:09

On April 4, 2016 I was assigned as Sergeant #307, Sgt D. Rivard driving marked squad #303, P#76647. At approx. 0522 hours, I heard Officer Perkins from squad #311 air he had a subject armed with a knife and the dispatcher aired a tone for officers need help. This help tone went city wide and requested any and all available squads to assist with this call.

Squad #311, Officer Perkins and his Recruit, Officer Graupner, were dispatched to an UNWANT party which became a PERSON WITH A WEAPON call when the caller stated the UNWANT was now armed with a knife in his pocket.

Sgt. Greaves and myself, me driving, drove to the incident location at 2120 Minnehaha Av. Upon arrival I observed a flashing light at one of the apartments rear doors, alerting me to come to the back door. I observed Sgt Greaves go to the front entrance. I tried to alert Sgt. Greaves to the rear but he did not hear me.

Once at the rear apartment, I observed a large dalmation dog and three Minneapolis Police Officers, Officers Oachs, Graupner and Cape. Officer Graupner approached me and told me, "Hey Sarge, he came at me with a butcher knife." When I observed Officers Cape and Oachs standing at a doorway leading into the hall, peeking out, I asked where the suspect was. Officers advised me the suspect was inside apartment number 2 (kitty corner across the hall) and I could hear him yelling. I could not discern what he was yelling about.

I left these Officers posted at the door and went to investigate the scene further. The apartment building consisted of eight individual units, four on the first level and four on the second level. At the front entrance to the apartment, I observed several officers already on scene. I observed and heard Officer Malmberg speaking with the suspect in apartment 2. I heard the suspect being called Raoul (unknown spelling). The only thing I did hear was the suspect asking to speak with his wife. I did not stay in the front entrance way much longer. One officer was speaking with the residents in the apartment 1, southeast corner unit first level. It appeared they may have been familiar with the suspect, but again, I did not listen to the whole conversation.

General layout of this building made things very difficult. The first level with four units, apartment 1 through 4, all shared the front hallway with the stairwell leading to the second level. The rear apartment, number 3 southwest corner, also had a secondary access, stairwell with exterior door. This allowed officers to observe

suspects apartment from two angles inside.

It should be noted that Sgt Greaves did request over the air for a Negotiator to the scene. No Negotiator was available in the city so dispatch requested one outside MPD and paged out all MPD Negotiators until one became available.

I then went outside to get the layout of the exterior. I went around to the north side of the building and observed two officers, both behind trees for cover, maintaining visual on the windows. I was checking for accessibility of a ladder truck or lights to see into the suspects apartment unit. I believed the scene may be awhile and possibly considered it a barricaded suspect Operation 100 (MPD term for all SWAT callout). As I advised the officers to hold guard, I walked around the rear of the unit and then heard gun shots. I believe I heard four in rapid succession but can not say for sure. I ran up the rear stairwell access, yelled to the resident and his dalmation to move and ran directly into the hallway. I observed officers in the threshold doorway and bathroom of apartment number 2. I cannot discern which officers were all there. They were all struggling in the small doorway/bathroom area in an effort to handcuff the suspect. I could see and hear officers trying to gain the suspects hands. At one point they pulled him into the front doorway more to lay him out. The front doorway of apartment number 2 was narrow and when you entered you immediately had the bathroom to the right. The bathroom was again narrow, sink, toilet and tub/shower. Once the male was secure, I heard an officer request medical code 3. I went in behind Lt. Fossum and cleared the rest of the apartment. No other occupants inside.

It should be noted there were several officers on scene and many that I am not familiar with by name.

As I exited the apartment building, I observed a blood trail leading out the front door. I asked where the blood trail was from and heard, "The guy that guy stabbed." I asked if it was our guy and he replied no, the victim from the apartment had been stabbed and still had a knife in his back. That victim was with EMS personnel. A second EMS rig was requested to the scene for the suspect.

I advised Graupner to start the Crime Scene Log, I advised two other Officers to start posting yellow crime scene tape and found additional officers to check on other residents inside the apartment complex. At this time I had Officer Robins come to me holding his left hand raised up in the air. He told me, "It's broken, I'm pretty sure it's broken." I asked if he was an involved officer and he told me yes he had shot his weapon. I cannot recall if he said he had fired 2 or 3 times, the scene was very chaotic. Identifying him as an involved officer, per MPD policy, I immediately placed him into my squad and advised him I would get him an ambulance or drive him to the hospital myself. I advised dispatch we needed additional resources, sergeants and officers ASAP. Third Precinct daywatch was signing on soon and any response cars were requested as well. It should be noted it was shift change hours for most of the city.

At this time, Sgt Greaves advised me he had Officer Malmberg, an involved officer as well, and he was taking him to the precinct. With 3301, Lt Fossum on scene as Incident Commander, I left and drove Officer Robins to the hospital. There is not squad MVR in my squad so none was activated. I did not speak with Officer Robins about his involvement in the event.

We arrived at HCMC and Officer Robins was placed in treatment room B-8.

I called a Federation Rep for Officer Robins and Sgt Sherral Schmidt was requested to the hospital. While at the hospital, I had several officers approach me. Officers standing guard with the suspect and victim were all in the STAB room. They requested me to come there which I did. I had Senior Officer Chris Bishop stay with Officer Robins for a short period of time. Officers asked about evidence from both parties (suspect and victim) and advised them to allow hospital staff to bag it as needed and the BCA would collect it. I advised them to stand by there with the evidence, maintaining chain of custody, until the BCA arrived to collect.

Sgt Sheldon arrived at HCMC and assisted me there. He gathered the status of all the officers at HCMC and discovered one officer had been witness officer and I immediately sent Senior Officer Chris Bishop to be with him and transport to Room 108 if necessary.

Medical staff wanted to start medical treatment for Robins and I contacted Sgt Schmidt if this was allowed.

After consulting with Lt. Halvorson, she advised me to no longer delay any treatment. My concern was that Officer Robins be allowed pain medication if needed but drug test had not yet been completed.

Lt. Halvorson, Sgt Sherral Schmidt and the BCA Investigator all arrived at HCMC.

I also contacted Lt. Lund while at HCMC to advise her of the incident.

Officer Robins did suffer a broken hand and was released/discharged. I transported Robins back to the Third Precinct and he was met by his family member.

While at HCMC, HCMC EMS Deputy Chief Charles Barrette [REDACTED] asked about the status of his EMS Rigs. I advised him I would speak with Lt Fossum and get back to him. Lt Fossum advised me that both EMS rigs would be released to go back in service. I advised Barrette of this. Barrette also provided me with all contact information for his EMS Personnel on scene and from transport.

DEPUTY CHIEF HCMC EMS CHARLES BARETTE [REDACTED]

EMILY RANEY #414 [REDACTED]

CLAIRE D'AGOSTINO #414 [REDACTED]

STEPHEN MICHELS #413 [REDACTED]

TODD KNUTSON #413 [REDACTED]

SARAH GRIMES #433 [REDACTED]

THOMAS STEPHNEY #433 [REDACTED]

IOD forms were completed back at the precinct for Officer Robins (injured hand) and Officer Stewart (blood exposure).

END of Supplement 26

Supplement number: 27 CCN: MP-16-116598 Author: 002492 - Todd Gross

Supplement of Lt T.Gross #002492 on 04/05/2016 06:33

On 4-4-16 I was working in full uniform as 5501. I responded to the OIS in the 3rd pct. I drove P#76761/squad 525 to the scene. I drove north on Minnehaha Ave to 22st and then went west. I parked my squad across 22st, facing southbound, to block west bound traffic.

As i walked up to the building I saw an officer inside an apartment on the south west corner of the building. I entered and learned that the IC was at the front of the building. A male inside the apartment was a witness.

I made conact with Lt. Fossum inside the front entrance to the building to assist. I learned that Officer Perkins and his recruit were witness officers. I directed Sgt. Barnette to escort Officer Perkins and his recruit from the scene.

A female was sitting in a squad in front of the address. I spoke with her briefly and learned that she was a witness. Officer B. Madich became her escort and moved the witness to her squad car.

I then directed officers to expand the perimeter to the south side of 22st and Minnehaha and approximately 1/2 block north of the address. Officers were advised to run crime scene tape to secure the east side of Minnehaha ave.

I directed Officer Sysath to stay with the witness that was in the rear apartment. He did so and was then directed to drive the witness to city hall.

I crime scene taped off the rear of the address. I then directed Officer K. Schroeder to move a squad to my squads location and to secure the west side of the perimeter. I then checked with Sgt. Buege and Sgt. Lardy and left the scene.

Additional officers were requested to relieve officers on scene. I directed Officer Do to report to Sgt. Buege.

END of Supplement 27

End of report for case MP-16-116598. Print ID: c08ba7f0-dfd3-4db0-a476-cb169d276e16

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/27

Report Date: 04/07/2016

Primary Information	
Description:	Mpls PD Reports 28-30
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/07/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 20:29
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/07/2016 20:29

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 28**Author:** 002618 - Joel Hagen**Date Printed:**

Apr 6, 2016

Supplement of Off J.Hagen #002618 on 04/05/2016 15:58

On 04/04/2016 I was working in full uniform in a fully marked Minneapolis Police Squad car as squad 561 with my partner Officer Joe Grout.

At approximately 0522 my partner and I heard an officer needs help call come out over the radio at the address of 2120 Minnehaha Av. and self-assigned ourselves to assist. The call stated that there was a male with a knife.

When my partner and I arrived at the call we made entry to the front door of the apartment complex. Once inside I could see a number of officers on scene in the main floor hallway covering apartment 1 where the suspect was inside of, some with their firearms and some with Tasers. The door was closed and officers were attempting to get the male (S1) to come outside of the apartment into the hallway and to do so without the knife. I could hear S1 inside yelling that he wanted to call his wife. Officers informed arriving officers (myself included) that this was a hostage situation and that they believed S1 was holding a party (V1) inside against his will. I could hear S1 still yelling about calling his wife. Officers attempted to get S1 out of the apartment by saying that we could call his wife with him if he would come out of the apartment but S1 refused to do so. Officers were eventually able to get the phone number of S1's wife and there was an attempt to call her but she did not answer.

Officers continued to try and get S1 out of the apartment but S1 refused to do so multiple times. I then heard S1 say something to the effect of "he's dying, he's dying" it should be noted that it was hard to understand what S1 was saying because of my position in the hallway, the fact that S1 was yelling through a door and the fact that S1 had an accent. After S1 made the comment I could hear a loud crash and what sounded like someone trying to yell.

Officers that were closer to the door in the apartment building ran up to the door and forced entry into the apartment because V1 was in distress. Officers successfully forced entry into the apartment and I could hear multiple shots being fired. At the time I had my Taser out and transitioned to my sidearm. I was still in the hallway near the opening to the door. Officers from inside of the apartment told me that V1 was stabbed and to get him outside to the ambulance that was staging. I then saw V1 come out from inside of the apartment with a knife in his upper back. V1 looked shocked and was slumped over. I could see that V1 was dripping blood on the ground as I escorted V1 down the hallway and to the entrance of the apartment. I was met by another officer at the steps of the apartment who then escorted V1. I turned around and went back inside of the apartment building and back into the hallway. I saw that a sergeant was going into the apartment to clear the room and I followed. I assisted by making sure that no one else was in the apartment.

Once the apartment was cleared I walked back towards the hallway and could see that officers were still struggling to secure S1 inside of the bathroom. Due to the small space and a number of officers being inside I exited the apartment to give them more room. I saw a Taser on the ground that was not secured. I picked the Taser up and gave it to another officer in the hallway. I was then instructed by Sgt. Rivard to go outside and set up crime scene tape.

I went outside and was setting up tape when Sgt. Greaves asked me to ride in the ambulance with S1.

I could see S1 on the stretcher inside of the ambulance and got in the ambulance. I rode in the ambulance to HCMC. S1 did not make any statements while I rode with him in the ambulance. Once we arrived at HCMC, S1 was taken into the STAB room. The doctors in the STAB room informed me that S1 was dead and I called the incident commander and informed him that S1 was dead. I stayed with S1 and his clothing in the STAB room until being relieved by Sgt. Sheldon.

End of Supplement report for case MP-16-116598. Print ID: {58CEE8C0-803B-45D4-B0C6-0280AAD61C16}

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 29**Author:**

109079 - Alison Murray

Date Printed:

Apr 6, 2016

Supplement of CFVA A.Murray #109079 on 04/05/2016 22:53
Crime Lab Unit, Work Order Request

Per a work order received in the Crime Lab Unit on 4/4/16, on 4/4/16 I retrieved the following digital squad video from the L3 Communications server at the request of Sgt Grahn on behalf of BCA Agent Phill:

File 692082: P# 76709 on 4/4/16 at 0627 hours

File 692083: P# 76709 on 4/4/16 at 0718 hours

File 692118: P# 76691 on 4/4/16 at 0522 hours

File 692119: P# 76691 on 4/4/16 at 0550 hours

File 692125: P# 76675 on 4/4/16 at 0525 hours

File 692130: P# 76675 on 4/4/16 at 0542 hours

File 692107: P# 76372 on 4/4/16 at 0523 hours

File 692108: P# 76372 on 4/4/16 at 0614 hours

File 692167: P# 76684 on 4/4/16 at 1102 hours

I created one copy of the recorded footage on two DVDs (Disc 1 of 2 & Disc 2 of 2). The above video is set to archive with the L3 Communications system.

On 4/5/16 I retrieved the following digital squad video from the L3 Communications server:

File 692111: P# 76756 on 4/4/16 at 0521 hours

File 692109: P# 76756 on 4/4/16 at 0610 hours

File 692045: P# 76724 on 4/4/16 at 0523 hours

File 692046: P# 76636 on 4/4/16 at 0603 hours

File 692074: P# 76636 on 4/4/16 at 0626 hours

File 692116: P# 76717 on 4/4/16 at 0644 hours

File 692179: P# 76761 on 4/4/16 at 0606 hours

File 692181: P# 76761 on 4/4/16 at 0657 hours

I created one DVD copy of the recorded footage. The above video is set to archive with the L3 Communications system.

The set of DVD copies created on 4/4/16 and the DVD copy created 4/5/16 were labeled and the Sgt Grahn was notified they were available to be picked up in the Crime Lab Unit.

End of Supplement report for case MP-16-116598. Print ID: {45C6FBEC-6AC0-47B3-8E71-99EB677F2E60}

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 30**Author:**

005622 - Jeffrey Peterson

Date Printed:

Apr 6, 2016

Supplement of Off J.Peterson #005622 on 04/06/2016 04:07

STATEMENT OF OFFICER PETERSON #5622 TYPED ON 4/06/16 AT 0404 HOURS, CCN 16-116598

On 4/4/16 at approximately 0513 hours I was working squad 531 with my partner Officer Joseph #3639 and we self assigned to an officers needs help call at 2120 Minnehaha Av S. While enroute officers aired that they had enough cars on scene and that other squads could slow to code 2. Prior to arriving it was aired that no further squads were needed and that only several supervisors squads were needed. We cleared from the call without arriving on scene and went back to our precinct to answer calls.

End of Supplement report for case MP-16-116598. Print ID: {0B5A0549-058D-4BF4-8823-DB44112B8157}

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/28

Report Date: 04/07/2016

Primary Information	
Description:	Mpls PD Reports 31-33
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/07/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/07/2016 20:29
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/07/2016 20:30

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 31**Author:**

002378 - Michael Grahn

Date Printed:

Apr 6, 2016

Supplement of Sgt M.Grahn #002378 on 04/06/2016 13:13

All squads that were assigned to this call were checked for DVRs and those squad equipped with a DVR were checked to see if the squad DVR was activated during the call. For any squad DVRs that were activated during the call the audio/video recording from that DVR was saved under this CCN on the Digital Squad Video webpage. A request was then made with the Crime Lab for copies of the video/audio recordings. The recordings were downloaded to three discs and the discs were picked up at the Crime Lab, room 316 City Hall, on 4/6/2016 and turned over to BCA Special Agent Phill later that morning in room 108, City Hall. Information gathered by Sgt. Willner was also given to Special Agent Phill at that time.

The following squads were assigned to the call:

Dogwatch Shift squads-

341 P#76708
311 P#76741
321 P#76756
331 P#76758
521 P#76691
561 P#76372
531 P#76724
221 P#76675
307 P#76647
511 P#76717
211 P#76709
111 P#76706

Daywatch Shift squads-

502 P#76638
310 P#76636
5501 P#76761
113 P#76734
340 P#76752
360 P#76705
460 P#76715
220 P#76782
512 P#76613
352 P#76713
302 P#76649
8519 P#76684

Of these squads, squads 307, 502 and 302 are not furnished with a DVR or MVR recording device. The DVRs to squads 341 (P#76708), 311 (P#76741), 331 (P#76758), 111 (P#76706), 113 (P#76734), 340 (P#76752), 360 (P#76705), 460 (P#76715), 220 (P#76782), 512 (P#76659), and 352 (P#76713) were not activated/recording during the call.

End of Supplement report for case MP-16-116598. Print ID: {19791658-7A8A-4DAC-95B0-9F7A776B6050}

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 32**Author:**

007783 - William Willner

Date Printed:

Apr 6, 2016

Supplement of Sgt W.Willner #007783 on 04/06/2016 13:46

On 04/04/2016, I was working Car 710 Days with Sgt. Grahn when Cmdr. Granger requested I gather information for the BCA. The information consisted of CAPRS queries, MDC messages, and radio transmissions related to this case.

I contacted Scott Peterson from MECC and requested MDC messages and on 04/06/2016 he emailed me the information.

I contacted Penny Hicks from MECC and requested the incident detail report, 911 calls, and radio transmissions.

On 04/05/2016, I received an email from Nancy Pelletier from MECC with this information. I also picked up two sealed dvds from MECC with this information.

I did a query in CAPRS of the addresses 2120 Minnehaha Ave. S., and 3816 Portland Ave. S., the Victim RAUL MARQUEZ, and the cases listing the Victim. I printed out this information.

On 04/06/2016, I gave Sgt. Grahn the printed out MDC messages from Scott Peterson, two DVDs from MECC, and printouts of CAPRS queries above.

End of Supplement report for case MP-16-116598. Print ID: {CE371BC1-36B8-4085-8E70-A7C981DFC5C3}

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 33**Author:** 002378 - Michael Grahm**Date Printed:** Apr 6, 2016

Supplement of Sgt M.Grahm #002378 on 04/06/2016 14:03

It should be noted, Daywatch Shift squad 306 (P#75803) was also assigned to the call. This squad is not equipped with a DVR or MVR.

Squad 113 was inadvertently listed under the Daywatch Shift squads column in supplement 31. Squad 113 was assigned to a Dogwatch shift at the time of the call.

End of Supplement report for case MP-16-116598. Print ID: {780B29BA-9294-4E81-A0FA-C146635D47C3}

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/29

Report Date: 04/11/2016

Primary Information

Description: Evidence Transfer - Items 13.1, 14.1, 15.1, and 16.1
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/11/2016
Approved By: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/11/2016 15:31
Last Update Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/11/2016 15:36

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 11, 2016, SA Olson transferred the following audio statements to SA Phill.

- 13.1 – Lt. Mike Fossum
- 14.1 – Officer Charles Cape
- 15.1 – Officer Jeffrey Perkins
- 16.1 – Victim Alan Coleman

See attached Property Release.

End report.

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/13

Case Agent: OLSON, Chris

Item	Quantity	Description
1	1.00	Audio CD - Lt. Mike Fossum statement

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Address

City/State

Telephone

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

Owner/For Owner

Released By Olson, Christopher (Minnesot

Verified By

4/11/16

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/14

Case Agent: OLSON, Chris

Item	Quantity	Description
1	1.00	Audio CD - Officer Charles Cape

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

4/11/16

Owner/For Owner

Address

City/State

Telephone

Released By Olson, Christopher (Minnesot

Verified By

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/15

Case Agent: OLSON, Chris

Item	Quantity	Description
1	1.00	Audio CD - Officer Jeffrey Perkins - statement

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

4/11/16

Owner/For Owner

Address

City/State

Telephone

Released By Olson, Christopher (Minnesot

Verified By

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/16

Case Agent: OLSON, Chris

Item	Quantity	Description
1	1.00	Audio CD - Alan Coleman (victim statement)

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Date Received

Owner/For Owner

Address

City/State

Telephone

Released By Olson, Christopher (Minnesot

Verified By

4/11/16

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/30

Report Date: 04/11/2016

Primary Information

Description: Acquisition of Mpls PD IA Public Blue Cards
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/11/2016
Approved By: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/11/2016 18:08
Last Update Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/11/2016 18:10

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

MPD Internal Affairs Public Summary

Malmberg, Eric

Existence	Status	Policy Violation for which Discipline was Issued
14-02104	Closed with no Discipline	
14-24070	Open	

The above is inclusive of data MPD maintains involving IA cases or cases involving final discipline

MPD Internal Affairs Public Summary

Robins, David

Existence	Status	Policy Violation for which Discipline was Issued
14-24753	Closed with no Discipline	
15-23265	Closed with no Discipline	

The above is inclusive of data MPD maintains involving IA cases or cases involving final discipline

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/31

Report Date: 04/07/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Evidence from Mpls PD Det Sgt Grahn
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/07/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/19/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 6th 2016, SA Phill acquired evidentiary discs from Mpls PD Det Sgt Grahn related to the OIS on April 4th at 2120 Minnehaha Av. Acquired was 31.1 (3 CDs of Squad Videos), 31.2 (CD of 911 Calls, Dispatch Audio and CAD Report for 2120 Minnehaha), and 31.3 (CD of 911 Calls, Dispatch Audio and CAD Report for 3816 Portland).

Address #1 - Occurred #1 - 350 S 5TH ST

Primary Information

Address: 350 S 5TH ST, Minneapolis, Minnesota 55415

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404, United States

Subject #1 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406, United States

Subject #2 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/31

Report Date: 04/07/2016

Subject #2 - SUBJECT #2 - Robins, David [REDACTED] - Continued

Primary Information - Continued

Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship Address

BUSINESS LOCATION 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

Relationship Address

HOME ADDRESS 3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CDs Containing Mpls PD Squad Videos from April 4th 2016

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CDs Containing Mpls PD Squad Videos from April 4th 2016
Quantity: 3
Control Number: 2016-213/31.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/31

Report Date: 04/07/2016

Property #1 - CDs Containing Mpls PD Squad Videos from April 4th 2016 - Continued

Primary Information - Continued

Collected Date/Time: 04/06/2016 00:00

Property #2 - CD Containing 911 Calls, Dispatch Audio, and CAD Reports from 2120 Minnehaha on April 4 2016

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing 911 Calls, Dispatch Audio, and CAD Reports from 2120 Minnehaha on April 4 2016
Quantity: 1
Control Number: 31.2
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/06/2016 00:00

Property #3 - CD Containing 911 Calls, Dispatch Audio and CAD Report for 3816 Portland on April 4 2016

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing 911 Calls, Dispatch Audio and CAD Report for 3816 Portland on April 4 2016
Quantity: 1
Control Number: 31.3
UCRDamaged: NO
Submitted To PES: Property & Evidence
Remote Bin: Locker
Disposition: SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time: 04/06/2016 00:00

Officers

LEO
Grahn, Michael (Detective Sergeant / Minneapolis Police Department)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/11/2016 18:23
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/19/2016 12:31

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/31

Report Date: 04/07/2016

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.


On April 6th 2016, Special Agent (SA) Phill met with Minneapolis Police Detective Sergeant (Det Sgt) Grahn at Minneapolis' downtown headquarters. The meeting was for SA Phill to acquire evidence in the April 4, 2016 officer involved shooting at 2120 Minnehaha Av S.

Det Sgt Grahn provided 3 CDs containing squad videos from the incident. Those 3 CDs were labeled item # 31.1 in ACISS. Also received was a CD containing 911 calls, Dispatch audio and the CAD report from the 2120 Minnehaha incident. SA Phill labeled that disc evidence item 31.2. Finally, SA Phill received a CD containing 911 calls, Dispatch audio and the CAD report from a related call on April 4th from 3816 Portland Av in Minneapolis. SA Phill labeled that item evidence # 31.3.

All three items were reviewed and retained by SA Phill at the Bureau of Criminal Apprehension Headquarters in St Paul.

Bureau No. 2016-213	Laboratory No. 516-03518	Evidence No.
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from: Michael Grahm #2378

Date/Time 4/6/16	Signature 	Storage Site BCA
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[illegible]

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/32

Report Date: 04/14/2016

Primary Information	
Description:	Medical Records - North Memorial / Alan Coleman
Reporting LEO:	OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/14/2016
Approved By:	OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/14/2016 11:37
Last Update Operator:	OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/14/2016 11:39

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/33

Report Date: 04/15/2016

Primary Information	
Description:	Mpls PD Report #34
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/15/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/15/2016 16:53
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/15/2016 16:54

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Case Supplement**Minneapolis Police Department****CCN: MP-16-116598****Supplement Number:** 34**Author:** 004307 - James Lynch**Date Printed:**

Apr 15, 2016

Supplement of Off J.Lynch #004307 on 04/08/2016 13:45

On 4/4/16 I was working squad 220A. At 0808 hours I was dispatched to assist Officers at the 3rd Pct with a help call at 2120 Minnehaha Av S. Arriving I met with Sgt Buege who assigned me to keep the public out of the crime scene.

I positioned my squad to block traffic going north on Minnehaha Av S at E 22nd St. The scene had already been sectioned off with crime scene tape. I stayed at this position until the scene was done being processed by the BCA Crime Lab.

End of Supplement report for case MP-16-116598. Print ID: {1F3FBA03-8850-4389-AB00-F8568D6527A8}

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/34

Report Date: 04/15/2016

Primary Information

Description: Lab Report #2, No Alcohol found in Ofc Robins' blood
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/15/2016
Approved By: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/15/2016 16:58
Last Update Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/15/2016 17:01

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 2

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 04/14/2016

Laboratory Number: S16-03518
Section Reporting: Toxicology
Case Type: Officer Involved Shooting/with a Death
Principal: David [REDACTED] Robins

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin
Date of Birth: [REDACTED]

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Kit Number</u>	<u>Description/Source</u>	<u>Date/Time Collected</u>
13	Sealed BCA DWI blood collection kit	B383596	David [REDACTED] Robins	04/04/2016 09:10

Results of Laboratory Examination:

Analysis failed to reveal the presence of ethyl alcohol.

Pursuant to Minn. Statute 634.15, I have analyzed at the Minnesota Bureau of Criminal Apprehension Forensic Science Laboratory, using an approved gas chromatographic procedure, this sealed sample of blood identified to me as having been obtained from the above individual. I hereby certify that I am trained in the analysis and interpretation of blood and urine tests for alcohol pursuant to Minn. Rule 7502.0600 and that the above is true and accurate.

Vanessa Perez
Forensic Scientist

Disposition: Additional toxicology report(s) to follow.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/35

Report Date: 04/18/2016

Primary Information

Description: Interview of Manuel Sanchez on April 4, 2016.
Reporting LEO: May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)
Backup LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/19/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

SAs Jake May and Michelle Frascone interviewed Manuel Sanchez in his apartment on April 4, 2016 regarding his interaction with Raul prior to a Minneapolis Police Officer Involved Shooting. At the conclusion of the interview, Sanchez signed a MN BCA Consent to Search Form (Spanish version.) No evidence was generated by virtue of this report.

Address #1 - Occurred #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Subject #1 - WITNESS #1 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Officers

LEO

Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/18/2016 10:25
Last Update Operator: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/19/2016 08:50

Reporting LEO	Date	Supervisor	Date
May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page

MINNESOTA BUREAU OF CRIMINAL APPREHENSION - Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

05/13/2016 11:00

Page 1 of 4

1. SSA Gary Swanson contacted SA Jake May (a Spanish-speaking agent) at approximately 8a.m. and requested SA May's assistance conducting an interview regarding a Minneapolis Police Officer Involved Shooting at 2021 Minnehaha Avenue South, Minneapolis.
2. SA May arrived at 2021 Minnehaha Avenue South and met with SSA Swanson. SSA Swanson asked SA May to interview a neighbor who had contact with the suspect, Raul Marquez. At approximately 8:55a.m., SSA Swanson escorted SA May to the apartment #1 where SA May met Manuel Sanchez DOB/ [REDACTED].
3. SA May introduced himself to Sanchez, and SA May observed a pile of miscellaneous clothing and a white cellular telephone on the table next to the door where SA May entered. SA May began the interview by obtaining biographical information from Sanchez. Sanchez spoke broken English, and he preferred to speak with SA May in Spanish. SA Frascone digitally recorded the interview. Sanchez told SA May that he has lived in the apartment for approximately two years, and he did not have a current telephone number.
4. SA May told Sanchez that SA May wanted to speak to Sanchez about what happened earlier in the morning. Sanchez told SA May that he heard a loud knock on his apartment door around 4 a.m. Sanchez told SA May that it was a forceful knock on the door, and he thought it might be the police. Sanchez told investigators that he opened the door slightly and a man, whom Sanchez later identified as "Raul," forced his way in the apartment.
5. Sanchez told investigators that "Raul" had a bottle in his hand, and "Raul" wanted Sanchez to drink with him, but Sanchez told "Raul" to leave. According to Sanchez, "Raul" became upset and pushed Sanchez in the chest. Sanchez stated the push to the chest forced him down to his knee. SA May observed an abrasion on Sanchez' right knee. Sanchez told SA May that he thought "Raul" was drunk and, possibly, on drugs; "Raul" was acting "very crazy." Sanchez stated that he was in fear that "Raul" was going to hit him with the bottle or kick

him when he was down on his knee. Sanchez stated that he told "Raul" to leave, and "Raul" left the apartment.

6. According to Sanchez, the manager of the apartment building arrived shortly after "Raul" exited Sanchez' apartment. Sanchez told SA May that the manager said she was going to call the police, and Sanchez returned to his apartment. Sanchez stated he could hear "Raul" knocking loudly on apartment #2 when Sanchez returned inside his apartment. The police arrived approximately 10-15 minutes after Sanchez returned to his apartment.
7. Sanchez pointed out that the police parked on the west and east sides of the building as if to keep "Raul" from leaving. Sanchez stated he could hear the police in the entryway of the building, but he could not understand what the police were saying due to his limited English skills. Sanchez told SA May that he looked out the door, and the police officers instructed him to return inside his apartment. Sanchez stated he thought four to six officers were in the entryway, and they were knocking loudly on the door to apartment #2 and saying things, but Sanchez could not understand what they were saying.
8. SA May recapped his conversation with Sanchez who stated he did not know where "Raul" lives. Sanchez stated that when "Raul" entered his apartment he was carrying a bottle, and he did not have a knife with him. Sanchez stated that he does not know what happened inside of apartment #2.
9. SA May obtained a MN BCA Consent to Search form (Spanish version,) and SA May filled out the form in front of Sanchez. SA May read the form to Sanchez who signed the form and gave SAs May and Frascone permission to search his apartment and take possession of some clothing and a cellular telephone that were near the doorway when SA May entered the apartment. SA Frascone took possession of the signed Consent to Search form and of the miscellaneous clothing and cellular telephone.

10. For further information, refer to the digital recording of the interview produced by SA Frascone.

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/36

Report Date: 04/21/2016

Primary Information	
Description:	Lab Report #3, Nothing found in Ofc Robins' Blood
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/21/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/21/2016 13:39
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/21/2016 13:42

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory - St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-*International* ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 3

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 04/21/2016

Requesting Agency: BCA St. Paul
Case Type: Officer Involved Shooting/with a Death
Principal: David [REDACTED] Robins

Agency Case Number: 2016213
County: Hennepin
Date of Birth: [REDACTED]
Section Reporting: Toxicology

Description of Submitted Evidence

<u>Item</u>	<u>Type and Packaging</u>	<u>Kit Number</u>	<u>Description/</u>	<u>Date/Time Collected</u>
13	Sealed BCA DWI blood collection kit	B383596	David [REDACTED] Robins	04/04/2016 09:10

Results of Laboratory Examination

The following are presumptive screening results obtained by immunoassay:

Type of Drug:

cannabinoids	Not Detected
cocaine metabolite	Not Detected
opiates	Not Detected
amphetamines	Not Detected
phencyclidine (PCP)	Not Detected
barbiturates	Not Detected
benzodiazepines	Not Detected
methadone	Not Detected
carisoprodol	Not Detected
zolpidem	Not Detected

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Edward Gorr
Forensic Scientist

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Toxicology 04/21/2016

MINNESOTA DEPARTMENT OF PUBLIC SAFETY
Bureau of Criminal Apprehension - Forensic Science Laboratory

Lab No. S16-03518
Report No. 3

The associated expanded uncertainty is expressed to a 95.45% level of confidence.

For drug scheduling information, visit <https://dps.mn.gov/divisions/bca/bca-divisions/forensic-science/Pages/toxicology-alcohol.aspx>

Disposition: This evidence is being returned to your agency by delivery service.

Distribution:BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/37

Report Date: 04/21/2016


Primary Information

Description: **Mpls PD Call History for 2120 Minnehaha and 3816 Portland Av**
Reporting LEO: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **04/21/2016**
Approved By: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **04/21/2016 13:42**
Last Update Operator: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **04/21/2016 13:45**

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016





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Incidents Search (Advanced)

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Data Source: Report Server ▼

From Date: 01/01/2015 

To Date: 4/13/2016 

Agency: POLICE ▼

Incident #:

Case #:

Address: 2120 minnehaha av

Location:

City:

Unit:


Problem: Select All Unselect All
☐ Abandoned Child (P)
☐ Aggressive Dog (P)
☐ Aircraft Alert - Notify (PFE)
☐ Aircraft Alert - Standby (PFE)
☐ Aircraft Crash In City (PFE)
☐ Alcohol Violation (UM)

Jurisdiction: Select All Unselect All
☒ Include Blank Jurisdictions
☒ Fort Snelling/SPFD/SPFD
☒ MPD Personnel
☒ MPD/MFD/HCMC
☒ MPD/MFD/North

Division: Select All Unselect All
☒ Include Blank Divisions
☒ Admin
☒ MPD Personnel
☒ MSP/MFD/HCMC
☒ MSP/MFD/North
☒ Out of Jurisdiction

- Use * as wildcard except for Unit.
- If complete incident number is specified, then other fields will be ignored.
- If complete case number is specified, then other fields will be ignored.

Incident	Units	Priority	Problem	Agency	Address	City	Response Date
15-004903	380	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/5/2015 12:51:28 PM
15-005014	320	P1	Fight (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/5/2015 3:09:01 PM
15-005471	395	P3	Miscellaneous (P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	1/5/2015 10:26:09 PM
15-006686	340	P2	Narcotics (Drug) Activity (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/6/2015 10:53:44 PM
15-012236	320	P2	Narcotics (Drug) Activity (P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	1/12/2015 11:39:20 AM
15-020718	340	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	3/18/2015 11:19:51 AM
15-118882	320	P2	Disturbance (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	4/5/2015 7:09:33 PM
15-135732	340	P2	Check the Welfare (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	4/17/2015 11:02:44 AM
15-141853	360	P2	Tenant Trouble (P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	4/21/2015 3:18:32 PM
15-153776	343	P2	Domestic (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	4/30/2015 1:57:42 AM
15-154895	340	P3	Retrieve Prop/Dam Situation(P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	4/30/2015 8:29:51 PM
15-155635	340	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/1/2015 3:58:52 PM
15-160249	307	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/8/2015 11:40:48 PM
15-177902	360	P2	Attempt Pick-Up (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/17/2015 8:17:57 PM
15-179039	0200	P3	Parking Problem (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/18/2015 4:55:34 PM
15-179533	341	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/18/2015 11:28:57 PM
15-184306	340	P3	Notification (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	5/22/2015 1:18:12 PM
15-206253	340	P2	Unknown Trouble (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	6/5/2015 8:05:02 PM
15-233941	340	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	6/25/2015 5:18:09 PM
15-288958	340	P2	Check the Welfare (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	8/2/2015 10:15:40 PM
15-332329	341	P1	Assist EMS Personnel (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	9/2/2015 9:39:27 PM
15-420688	9200	P3	Parking Problem (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	11/12/2015 8:40:16 PM
15-457591	300	P3	Theft - Report Only (P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	12/18/2015 12:49:54 PM
15-005009	341, 343	P2	Domestic (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/5/2016 10:47:08 PM
15-010903	310, 330, 340, 630	P1	Person with a Weapon (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/11/2016 3:13:08 PM
15-011394	310, 340	P2	Unwanted Person (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	1/12/2016 12:06:55 AM
15-054937	340	P2	Unwanted Person (P)	POLICE	2120 MINNEHAHA AV	MINNEAPOLIS	2/25/2016 7:17:12 AM
06, 111, 113, 211, 211, 220, 221, 302, 305, 306, 307, 310, 311, 321, 330,							
15-118598	3301, 331, 340, 341, 352, 360, 460, 502, 511, 512, 521, 531, 5501, 561, 60, 8519	P0	Officer Needs Help (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	4/4/2016 5:13:17 AM
15-110848	512	P2	Threats (P)	POLICE	2120 Minnehaha Av	MINNEAPOLIS	4/4/2016 12:10:50 PM



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Incidents Search (Advanced)

Data Source:	Report Server
From Date:	01/01/2015
To Date:	4/13/2016
Agency:	POLICE
Incident #:	
Case #:	
Address:	3818 portland Av
Location:	
City:	
Unit:	


- Use * as wildcard except for Unit.
- If complete incident number is specified, then other fields will be ignored.
- If complete case number is specified, then other fields will be ignored.

Problem:
Select All Unselect All
☐ Abandoned Child (P)
☐ Aggressive Dog (P)
☐ Aircraft Alert - Notify (PFE)
☐ Aircraft Alert - Standby (PFE)
☐ Aircraft Crash in City (PFE)
☐ Alcohol Violation (UM)

Jurisdiction:
Select All Unselect All
☒ Include Blank Jurisdictions
☒ Fort Snelling/SPFD/SPFD
☒ MPD Personnel
☒ MPD/MFD/HCMC
☒ MPD/MFD/North

Division:
Select All Unselect All
☒ Include Blank Divisions
☒ Admin
☒ MPD Personnel
☒ MSP/MFD/HCMC
☒ MSP/MFD/North
☒ Out of Jurisdiction

Incident	Units	Priority	Problem	Agency	Address	City	Response Date
15-245152	310, 320	P2	Disturbance (P)	POLICE	3818 Portland Av	MINNEAPOLIS	7/3/2015 1:35:53 PM
15-408644	320, 361	P1	Unknown Trouble (P)	POLICE	3818 PORTLAND AV	MINNEAPOLIS	11/1/2015 1:15:24 AM
16-118574	311, 331, 341	P1	Assault in Progress (P)	POLICE	3818 Portland Av	MINNEAPOLIS	4/4/2016 3:09:44 AM



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Incidents Search (Advanced)

Data Source: Report Server

From Date: 01/01/2012

To Date: 01/31/2015

Agency: POLICE

Incident #:

Case #:

Address: 2908 16 av s

Location:

City:

Unit:

- Use * as wildcard except for Unit.
- If complete incident number is specified, then other fields will be ignored.
- If complete case number is specified, then other fields will be ignored.

Problem: Select All Unselect All

- ☐ Abandoned Child (P)
- ☐ Aggressive Dog (P)
- ☐ Aircraft Alert - Notify (PFE)
- ☐ Aircraft Alert - Standby (PFE)
- ☐ Aircraft Crash in City (PFE)
- ☐ Alcohol Violation (UM)


Jurisdiction: Select All Unselect All

- ☒ Include Blank Jurisdictions
- ☒ Fort Snelling/SPFD/SPFD
- ☒ MPD Personnel
- ☒ MPD/MFD/HCMC
- ☒ MPD/MFD/North

Division: Select All Unselect All

- ☒ Include Blank Divisions
- ☒ Admin
- ☒ MPD Personnel
- ☒ MSP/MFD/HCMC
- ☒ MSP/MFD/North
- ☒ Out of Jurisdiction

Incident	Units	Priority	Problem	Agency	Address	City	Response Date
12-135648	310	P2	Suspicious Vehicle (P)	POLICE	2908 16 Av S	MINNEAPOLIS	5/5/2012 8:27:55 PM
12-185879	311	P2	Disturbance (P)	POLICE	2908 16 Av S	MINNEAPOLIS	8/17/2012 4:21:55 AM
12-342384	311	P2	Burglary Dwling - Report (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/31/2012 9:58:15 PM
13-281385	310, 312, 354, 360	P1	Robbery of Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	3/2/2013 12:13:50 PM
13-288821	310, 324, 360	P1	Indecent Exposure (P)	POLICE	2908 16 Av S	MINNEAPOLIS	3/8/2013 10:58:57 PM
13-198229	320, 658	P1	Burglary Dwling In Progress (P)	POLICE	2908 16 Av S	MINNEAPOLIS	6/23/2013 1:00:54 PM
13-226731	311	P2	Suspicious Vehicle (P)	POLICE	2908 16 Av S	MINNEAPOLIS	7/15/2013 4:09:50 AM
13-317440	360	P9	Unwanted Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	9/28/2013 12:10:10 AM
13-332838	311	P2	Unwanted Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/8/2013 2:37:48 AM
13-333813	360	P2	Unwanted Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/8/2013 10:25:09 PM
13-337348	683	P2	Narcotics (Drug) Activity (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/11/2013 11:44:49 AM
13-385089	310	P1	Indecent Exposure (P)	POLICE	2908 16 Av S	MINNEAPOLIS	11/2/2013 1:58:28 PM
13-402722	310, 312, 320	P1	Theft (P)	POLICE	2908 16 Av S	MINNEAPOLIS	12/4/2013 12:39:34 AM
14-102983	8312	P2	Suspicious Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	3/31/2014 8:15:00 PM
14-110664	311	P2	Narcotics (Drug) Activity (P)	POLICE	2908 16 Av S	MINNEAPOLIS	4/7/2014 1:39:38 AM
14-195715	311, 320	P1	ShotSpotter Activation (P)	POLICE	2908 16 Av S	MINNEAPOLIS	6/10/2014 1:03:07 AM
14-318031	360	P1	Down Outside-One (PE)	POLICE	2908 16 Av S	MINNEAPOLIS	9/7/2014 10:18:38 PM
14-330019	8310, 8312	P2	Suspicious Person (P)	POLICE	2908 16 Av S	MINNEAPOLIS	9/16/2014 11:32:48 PM
14-373748		P2	Suspected Prostitute (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/21/2014 12:40:48 AM
14-373747	310	P2	Suspected Prostitute (P)	POLICE	2908 16 Av S	MINNEAPOLIS	10/21/2014 12:41:18 AM
14-434437	312	P3	Receive Information (P)	POLICE	2908 16 Av S	MINNEAPOLIS	12/12/2014 9:05:24 AM
14-435764	341, 383	P2	Unknown Trouble (P)	POLICE	2908 16 Av S	MINNEAPOLIS	12/13/2014 5:37:11 AM
14-435988	302, 310, 312, 320, 322, 332, 354, 360	P1	Person with a Gun (P)	POLICE	2908 16 Av S	MINNEAPOLIS	12/13/2014 11:13:30 AM
14-436887	312, 330, 361, 362	P2	Disturbance (P)	POLICE	2908 16 Av S	MINNEAPOLIS	12/14/2014 1:05:13 AM



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Incidents Search (Advanced)

Data Source: Report Server ▼

From Date: 03/01/2007

To Date: 01/31/2012

Agency: POLICE ▼

Incident #:

Case #:

Address: 2625 quincy st ne

Location:

City:

Unit:

- Use * as wildcard except for Unit.
- If complete incident number is specified, then other fields will be ignored.
- If complete case number is specified, then other fields will be ignored.

Problem:

☐ Abandoned Child (P)
☐ Aggressive Dog (P)
☐ Aircraft Alert - Notify (PFE)
☐ Aircraft Alert - Standby (PFE)
☐ Aircraft Crash in City (PFE)
☐ Alcohol Violation (UM)

Jurisdiction:

☒ Include Blank Jurisdictions
☒ Fort Snelling/SPFD/SPFD
☒ MPD Personnel
☒ MPD/MFD/HCMC
☒ MPD/MFD/North

Division:

☒ Include Blank Divisions
☒ Admin
☒ MPD Personnel
☒ MSP/MFD/HCMC
☒ MSP/MFD/North
☒ Out of Jurisdiction

Incident	Units	Priority	Problem	Agency	Address	City	Response Date
07-354876	226, 228	P2	Unwanted Person (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	10/25/2007 2:58:21 PM
08-096585	8220	P2	Disturbance (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	4/4/2009 8:02:35 PM
10-249424		P2	Lost Child (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	8/17/2010 12:09:57 PM
10-250079	263	P2	Domestic (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	8/17/2010 9:52:57 PM
10-262163	200	P3	Theft - Report Only (P)	POLICE	2625 QUINCY ST NE	MINNEAPOLIS	8/19/2010 5:55:04 PM
10-345561	262	P2	Check Hazard (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	11/13/2010 3:35:36 PM
10-380406	222, 262	P3	Miscellaneous (P)	POLICE	2625 Quincy St Ne	MINNEAPOLIS	12/23/2010 5:42:21 PM
11-010364	200	P3	Theft - Report Only (P)	POLICE	2625 QUINCY ST NE	MINNEAPOLIS	1/12/2011 1:19:43 PM

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http://170.159.130.7/VisiNetBrowser/Search/IncidentSearch.aspx

4/13/2016

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/38

Report Date: 04/21/2016

Primary Information	
Description:	Training Records and Range Records for Ofcs Malmberg and Robins
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/21/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/21/2016 13:45
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/21/2016 13:49

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Training Records

Training History for: David Robins

Employee Id: 006046

Total Continued Education Credits: 1151.0

Total Instructor Credits: 0.0

 (Add training that are not associated with an existing Event/TimeSlot)

		Course	Start Date	End Date	Grade	Continued Education Credits	Instructor Credits	Make	Model	Serial #	Comment
Edit	Delete	2016 Procedural Justice, Module 1	2/25/2016	2/25/2016	Not Applicable	7.00					
Edit	Delete	2016 Annual Gas Mask Fit Testing only	1/28/2016	1/28/2016	PASS	1.00					
Edit	Delete	2016 Annual Semi-Automatic Handgun Qualification only	1/5/2016	1/5/2016	PASS	1.00					
Edit	Delete	2015 EVOC Fall Training program, various training dates	10/14/2015	10/14/2015	PASS	8.00					
Edit	Delete	2015 Shotgun Training and Handgun Development, September 8-24, 2015	9/15/2015	9/15/2015	PASS	4.00					
Edit	Delete	2015 Field Training Recruit Debriefing (Jul 21)	7/21/2015	7/21/2015	Not Applicable	2.00					
Edit	Delete	2015 Fair and Impartial Policing, 3rd Precinct, June 2, 2015	6/2/2015	6/2/2015	Not Applicable	4.00					
Edit	Delete	2015 Defensive Tactics Quarter 2	4/20/2015	4/20/2015	Not Applicable	2.00					
Edit	Delete	2015 Patrol In-Service Training Program	3/24/2015	3/25/2015	Not Applicable	9.00					
Edit	Delete	2015 February Semi-Automatic Handgun Qualification and Gas Mask Fit Testing	2/5/2015	2/5/2015	PASS	1.00					
Edit	Delete	2014 In-Service Defensive Tactics	10/9/2014	10/9/2014	PASS	1.00					
Edit	Delete	2014 Sirchie-Mark II Progressive System of Drug ID (various)	8/18/2014	8/18/2014	PASS	0.00					
Edit	Delete	2014 Professional Peace Officer Program	7/18/2014	7/18/2014	PASS	0.00					
Edit	Delete	2014 Cadet to Recruit Academy (Mar 3-Sep 9)	3/3/2014	9/9/2014	PASS	1096.00					
Edit	Delete	2010 FEMA IS-00800.b National Response Framework-An Introduction	3/11/2010	3/11/2010	PASS	3.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00100.a Introduction to Incident Command System (ICS-100)	3/4/2010	3/4/2010	PASS	0.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00200.a ICS for Single Resources and Initial Action Incidents	3/4/2010	3/4/2010	PASS	9.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00700.a NIMS-An Introduction	3/4/2010	3/4/2010	PASS	3.00					Prior to employment with MPD.

Training Records

Training History for: David Robins

Employee Id: 006046

Total Continued Education Credits: 1151.0

Total Instructor Credits: 0.0

Add

(Add training that are not associated with an existing Event/TimeSlot)

		Course	Start Date	End Date	Grade	Continued Education Credits	Instructor Credits	Make	Model	Serial #	Comment
Edit	Delete	2016 Procedural Justice, Module 1	2/25/2016	2/25/2016	Not Applicable	7.00					
Edit	Delete	2016 Annual Gas Mask Fit Testing only	1/28/2016	1/28/2016	PASS	1.00					
Edit	Delete	2016 Annual Semi-Automatic Handgun Qualification only	1/5/2016	1/5/2016	PASS	1.00					
Edit	Delete	2015 EVOG Fall Training program, various training dates	10/14/2015	10/14/2015	PASS	8.00					
Edit	Delete	2015 Shotgun Training and Handgun Development, September 8-24, 2015	9/15/2015	9/15/2015	PASS	4.00					
Edit	Delete	2015 Field Training Recruit Debriefing (Jul 21)	7/21/2015	7/21/2015	Not Applicable	2.00					
Edit	Delete	2015 Fair and Impartial Policing, 3rd Precinct, June 2, 2015	6/2/2015	6/2/2015	Not Applicable	4.00					
Edit	Delete	2015 Defensive Tactics Quarter 2	4/20/2015	4/20/2015	Not Applicable	2.00					
Edit	Delete	2015 Patrol In-Service Training Program	3/24/2015	3/25/2015	Not Applicable	9.00					
Edit	Delete	2015 February Semi-Automatic Handgun Qualification and Gas Mask Fit Testing	2/5/2015	2/5/2015	PASS	1.00					
Edit	Delete	2014 In-Service Defensive Tactics	10/9/2014	10/9/2014	PASS	1.00					
Edit	Delete	2014 Sirchie-Mark II Progressive System of Drug ID (various)	8/18/2014	8/18/2014	PASS	0.00					
Edit	Delete	2014 Professional Peace Officer Program	7/18/2014	7/18/2014	PASS	0.00					
Edit	Delete	2014 Cadet to Recruit Academy (Mar 3-Sep 9)	3/3/2014	9/9/2014	PASS	1096.00					
Edit	Delete	2010 FEMA IS-00800.b National Response Framework-An Introduction	3/11/2010	3/11/2010	PASS	3.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00100.a Introduction to Incident Command System (ICS-100)	3/4/2010	3/4/2010	PASS	0.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00200.a ICS for Single Resources and Initial Action Incidents	3/4/2010	3/4/2010	PASS	9.00					Prior to employment with MPD.
Edit	Delete	2010 FEMA IS-00700.a NIMS-An Introduction	3/4/2010	3/4/2010	PASS	3.00					Prior to employment with MPD.

Training Records

Training History for: Eric Malmberg

Employee Id: 004370

Total Continued Education Credits: 215.0

Total Instructor Credits: 0.0

 (Add training that are not associated with an existing Event/TimeSlot)

		Course	Start Date	End Date	Grade	Continued Education Credits	Instructor Credits	Make	Model	Serial #	Comment
Edit	Delete	2016 Procedural Justice, Module 1	2/11/2016	2/11/2016	Not Applicable	7.00					
Edit	Delete	2016 Annual Semi-Automatic Handgun Qualification and Gas Mask Fit Testing	1/27/2016	1/27/2016	PASS	1.00					
Edit	Delete	2015 C.I.T. Training Program, October 26-30, 2015	10/26/2015	10/26/2015	Not Applicable	35.00					
Edit	Delete	2015 EVOC Fall Training program, various training dates	10/14/2015	10/14/2015	PASS	8.00					
Edit	Delete	2015 Shotgun Training and Handgun Development, September 8-24, 2015	9/17/2015	9/17/2015	PASS	4.00					
Edit	Delete	2015 Defensive Tactics Quarter 2	5/11/2015	5/12/2015	Not Applicable	2.00					
Edit	Delete	2015 Patrol In-Service Training Program	3/4/2015	3/5/2015	Not Applicable	9.00					
Edit	Delete	2015 Gas Mask Fit Testing only (various)	2/17/2015	2/17/2015	PASS	1.00					
Edit	Delete	2015 Handgun Qual only (various dates)	2/16/2015	2/16/2015	PASS	1.00					
Edit	Delete	2014 In-Service Defensive Tactics	10/6/2014	10/6/2014	PASS	1.00					
Edit	Delete	2014 Annual Shotgun Qual, Training & Handgun Skill Development	9/15/2014	9/15/2014	PASS	2.00					
Edit	Delete	2014 EVOC Fall Training Program	9/9/2014	9/9/2014	PASS	8.00					
Edit	Delete	2014 Handgun Skill Development, various dates	5/29/2014	5/29/2014	PASS	1.00					
Edit	Delete	2014 In-Service Training Program, Patrol Officers Only	3/25/2014	3/25/2014	Not Applicable	8.00					
Edit	Delete	2014 Handgun Qualification and Gas Mask Fit Testing, multiple dates	1/21/2014	1/21/2014	PASS	1.00					
Edit	Delete	2014 CPR/Heartsaver Training Program	1/21/2014	1/21/2014	PASS	2.00					
Edit	Delete	2013 Fall Defensive Tactics 1 hour (var Sep-Dec)	10/17/2013	10/17/2013	Not Applicable	1.00					
Edit	Delete	2013 Fall EVOC Training Program	9/19/2013	9/20/2013	PASS	8.00					
Edit	Delete	2013 Counter Ambush/Shotgun Training	8/27/2013	8/27/2013	PASS	0.00					
Edit	Delete	2013 FEMA: IS-00200.b ICS for Single Resources and Initial Action Incident	7/7/2013	7/7/2013	PASS	0.00					
Edit	Delete	2013 FEMA: IS-00700.a Introduction to National Incident Management System	7/7/2013	7/7/2013	PASS	0.00					
		2013 FEMA: IS-00800.b National Response									

Edit	Delete	Framework, An Introduction	7/7/2013	7/7/2013	PASS	0.00					
		2013 FEMA: IS-00100.LEb Introduction to Incident Command System for Law Enforcement									
Edit	Delete		7/4/2013	7/4/2013	PASS	0.00					
Edit	Delete	2013 Gas Mask Fitting	5/16/2013	5/16/2013	PASS	0.00					C50-L
Edit	Delete	2013 Recruit Academy (Apr- Jul)	4/8/2013	7/30/2013	Not Applicable	115.00					



Weapon / Mounted Light Declaration Form

Name Eric Malmberg Badge 4370

Weapon Make Sig

Weapon Model P320

Serial Number 58A051928

Brand of Light SureFire

Model of Light X300 Ultra



DECLARATION OF DUTY HANDGUN

The handgun identified below is a weapon I am certified to carry as a duty handgun.

NAME Eric Malmberg BADGE # 4370

MAKE Sig Sauer MODEL P320 sub compact

SERIAL NUMBER 58A029475 CALIBER 9

WEAPON MOUNTED LIGHT: YES / NO

Manufacture _____ MODEL _____

SIGNATURE [Signature] DATE 3/3/16

MPD Range Instructor L Penner DATE 3/3/2016

Minneapolis Police Department
Range Training Attendance Log

☒ Handgun Qual. (HQ) ☐ Shotgun Qual. (SQ) ☐ Skill Development (SD) ☐ BUG Qual. (BUG) ☐ Carbine Qual. (CQ)

MPD POST#:	DATE:	TRAINING SESSION HOURS:	TRAINING LOCATION:
	1/27/2016		MPD Range
INSTRUCTOR(S) NAME(S):		TRAINING COURSE NAME:	
		Annual Handgun Qualification 2016	

CODE: ATTENDEE NAME: POST#: BADGE #: PCT/DIV: WEAPON MAKE/MODEL: CALIBER: PASS/FAIL:

PAGE:	DATE:	TRAINING COURSE NAME:
5		

RANK: ATTENDEE NAME: POST#: BADGE #: PCT/DIV: WEAPON MAKE/MODEL: CALIBER: PASS/FAIL:

Sgt	Eric Malberg	21852	9370	3	5.9 320	45	P



DECLARATION OF DUTY HANDGUN

The handgun identified below is a weapon I am certified to carry as a duty handgun.

MAKE S & W MODEL M&P 9mm

SERIAL NUMBER HSN 4732

NAME David Robins EMPLOYEE # 6046
(print)

SIGNATURE [Signature] DATE 7-31-2014

☒ Handgun Qual. (HQ) ☐ Shotgun Qual. (SQ) ☐ Skill Development (SD) ☐ BUC Qual. (BUC) ☐ Carbine Qual. (CQ)

MPD POST#	DATE	TRAINING SESSION HOURS:	TRAINING LOCATION:
	4/05/2016		MPD Range
INSTRUCTOR(S) NAME(S):		TRAINING COURSE NAME:	
		Annual Handgun Qualification 2016	

[illegible]

PAGE: 5	DATE:	TRAINING COURSE NAME:
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RANK:	ATTENDEE NAME:	POST#:	BADGE #:	PCT/DIV:	WEAPON MAKE/MODEL:	CALIBER:	PASS/FAIL:
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alt	David Robins	(H) 22618	6096	3	sqw M99	9	P
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Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/39

Report Date: 04/18/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Return of Mpls PD Badges to 3rd Pct
Occurrence From: 04/18/2016 00:00
Occurrence To: 04/18/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/25/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 18th 2016, SA Phill returned Officers Malmberg and Robins' badges to the 3rd Pct. No new items of evidence acquired.

Address #1 - Occurred #1 - 3000 MINNEHAHA AVE S

Primary Information

Address: 3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States
Description: Minneapolis Police Department

Subject #1 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 41 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #2 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/39

Report Date: 04/18/2016

Subject #2 - SUBJECT #2 - Robins, David [REDACTED] - Continued

Primary Information - Continued

Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Record Status Information

Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/21/2016 13:50
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/25/2016 10:13

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On April 18th 2016, Special Agent (SA) Phill returned the badges and nameplates of Officers Malmberg and Robins to the Minneapolis Police 3rd Precinct. Robins' badge #6046 with name tag and Malmberg's badge #4370 with name tag and Army pin were retrieved by Bureau of Criminal Apprehension (BCA) Crime Scene Team (CST) Leader Cooksley. This occurred after scientists in the lab had time to examine both officers' uniform shirts.

Cooksley wanted them to look for blood spatter or other bio material that might prove explanatory in the shooting that occurred at 2120 Minnehaha on April 4th 2016. SA Phill asked Cooksley on behalf of Mpls PD administration if the badges could be released back to the officers. Cooksley told SA Phill that no evidence was found on the badges or name tags and they were cleared to be returned to the officers.

Per Officer Malmberg's request, SA Phill turned the badges over to the 3rd Precinct desk sergeant, Sgt Segulia, who signed for the items. Sgt Segulia said he would return them to the officers.

Bureau No. 2016-213	Laboratory No. S15-03518	Evidence No.
------------------------	-----------------------------	--------------

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

CHAIN OF CUSTODY

[illegible]

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/40

Report Date: 04/18/2016

Primary Information

Description: Return of wallet and money to Alan Coleman
Occurrence From: 04/18/2016 00:00
Occurrence To: 04/18/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/25/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On April 4th 2016, SA Phill returned evidence item 5.7 and a paper bag of Coleman's wallet contents to him at the Golden Living Center in South Mpls. No new items of evidence acquired.

Address #1 - Occurred #1 - 2106 2ND AVE S

Primary Information

Address: 2106 2ND AVE S, MINNEAPOLIS, Minnesota 55404

Address #2 - RELATED #1 - 2120 MINNEHAHA AVE S

Primary Information

Address: 2120 MINNEHAHA AVE S, MINNEAPOLIS, Minnesota 55404

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #2 - SUBJECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/40

Report Date: 04/18/2016

Subject #2 - SUBJECT #1 - Heraldes, Raul Salvador Marquez - Continued

Primary Information - Continued

Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/21/2016 14:27
Last Update Operator: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/25/2016 10:14

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

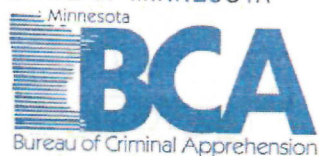
Narrative begins on the following page.

On April 18th 2016, Special Agent (SA) met with Alan Coleman where he was recovering from being stabbed on April 4th. Coleman had an apartment at 2120 Minnehaha Av S until Raul Heraldes attacked him on April 4th, causing the Minneapolis Police to rescue him and fatally shoot Heraldes.

Coleman was first treated at Hennepin County Medical Center (HCMC) but was quickly transferred to North Memorial Medical Center for reconstructive hand surgery. He was then sent to the Golden Living Center in South Minneapolis to recover from his injuries.

Coleman had previously requested his wallet contents from his hospital bed but SA Phill had to first allow Crime Scene Team Leader Cooksley to have Coleman's clothing examined for evidence and photographed before anything could be released. On April 15th, Cooksley released the items to SA Phill for return to Coleman.

The items were ACISS item #5.7 (bag of Coleman's money, keys and tokens) and #5.3A (paper bag of Coleman's ID card and wallet contents). Coleman signed for possession of both bags and told SA Phill he is recovering well and hoped to return home soon.




DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVE. EAST, ST. PAUL, MINNESOTA 55106

EVIDENCE RECEIPT

Bureau No. 2016-213	Laboratory No. 516-03518	Evidence No.
------------------------	-----------------------------	--------------

Item No.	S. W. Item No.	Lab Item No.	Quantity	Name of Person From Whom Property is Obtained	Purpose For Which Obtained
				RAUL HERALDES	MALES Q15
DESCRIPTION OF ARTICLES					
5.7			1	BAG OF \$5.10 + 2 BUS TONKES AND KEY RING FROM COLMAN'S POCKET	
5.3A			1	PAPER BAG OF COLMAN'S WALLET COIN	
<p>RECEIVED FROM SON LOOKS OF 7, CST</p>					

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time 4/18/2016	Signature 	Storage Site BCL HQ
------------------------	--	------------------------

CHAIN OF CUSTODY

[illegible]

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/41

Report Date: 04/04/2016

Primary Information

Description: Digitally Recorded Interview of Manuel Sanchez
Occurrence From: 04/04/2016 00:00
Occurrence To: 04/04/2016 00:00
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Backup LEO: May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

Special Agent's Jake May and Michelle Frascone obtained a digitally recorded statement from witness, Manuel Sanchez. The interview was conducted by SA May in Spanish and recorded by SA Frascone. By virtue of this report exhibits 2016-213/41.1 was obtained. A copy of the transcription is attached to this report.

Address #1 - Occurred #1 - 2120 Minnehaha Ave S

Primary Information

Address: 2120 Minnehaha Ave S #1, Minnesota , United States

Subject #1 - WITNESS #1 - Sanchez, Manuel

Primary Information

Subject Name: Sanchez, Manuel
Record Type: Person
Bio: 74 yr. old, Hispanic, Male
Birth Date: [REDACTED]
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Ave S #1, Minnesota , United States

Property #1 - CD Containing Downloaded Interview of Manuel Sanchez

Primary Information

Property Class: Evidence
Property Type: CD, DVD, DISC, TAPE
Description: CD Containing Downloaded Interview of Manuel Sanchez
Quantity: 1
Submitted To PES: Property & Evidence
Remote Bin: Locker
Collected Date/Time: 04/26/2016 00:00

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/41

Report Date: 04/04/2016

Officers

LEO

May, Jake (1334 / DEA Task Force / Minnesota Bureau of Criminal Apprehension)

Record Status Information

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

Record Origination Date: **04/26/2016 13:29**

Last Update Operator: **Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Last Update Date: **05/13/2016 10:39**

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On 4/4/16, at approximately 0855hrs, Special Agent's Jake May and Michelle Frascone conducted a digital interview involving witness Manuel Sanchez [REDACTED]. The interview was conducted in Sanchez's apartment located at 2120 Minnehaha Ave South, Minneapolis. SA May spoke to Sanchez in Spanish and SA Frascone recorded the interview. For specific details of the interview including exact words and verbiage, please refer to SA May's report and/or transcription that is attached to this report.

As a result of this activity, exhibits 2016-213/41.1 was acquired.

Nothing further to report at this time.

SA Frascone/

1 **TRANSCRIPTION AND TRANSLATION OF RECORDED CONVERSATION**
2 **WITH MANUEL SANCHEZ**
3 **AND SPECIAL AGENT JACOB MAY**
4 **BCA CASE NUMBER 2016-213**
5

6 **Important note:**

7 ***ITALIC TEXT*** is a transcription of what was said in **ENGLISH**. **NON**
8 **ITALIC PLAIN TEXT** is a transcription of what was said in **SPANISH**, and
9 **is followed by an ENGLISH TRANSLATION in BOLD TEXT.**

10 **The format used in this document is designed so that any English-**
11 **speaking person can read the conversation said in English and the**
12 **English translation of the conversation said in Spanish if the BOLD**
13 **TEXT, BOTH ITALIC AND NON ITALIC is read.**
14
15

16 **MAY:** **SPECIAL AGENT JACOB MAY**
17 **SANCHEZ:** **MANUEL SANCHEZ**
18 **FRASCONI:** **SPECIAL AGENT MICHELLE FRASCONI**
19 **SWANSON:** **SENIOR SPECIAL AGENT GARY SWANSON**
20
21

22 **[BEGINNING OF RECORDED CONVERSATION]**

23 **SANCHEZ:** ...[inaudible/unintelligible] *the guy pushed me too*
24 *hard, huh?*

25 **MAY:** ***Oh!***

26 **SANCHEZ:** Mira. *Pushed me too hard. But [inaudible/unintelligible] run*
27 *away and I push outside. Huh?*

28 ***Look. Pushed me too hard. But***
29 ***[inaudible/unintelligible] run away and I push***
30 ***outside. Huh?***

31 **MAY:** ***Uh-huh.***

32 **SANCHEZ:** *Y me closed the door. Y this time my manager coming, you*
33 *know. He said, "I'm gonna call the police." Y the guy goes*
34 *knock one more, one more, one more apartment...*
35 **SANCHEZ:** ***And me closed the door. And this time my manager***
36 ***coming, you know. He said, "I'm gonna call the***
37 ***police." And the guy goes knock one more, one more,***
38 ***one more apartment...***
39 **MAY:** ***Uh-huh.***
40 **SANCHEZ:** *...Y the guy opened the door y the guy go inside. He's inside*
41 *now. The police waiting for the guy.*
42 **SANCHEZ:** ***...And the guy opened the door and the guy go inside.***
43 ***He's inside now. The police waiting for the guy.***
44 **MAY:** ***Okay.***
45 **SANCHEZ:** *The police been waiting for the guy.*
46 **SANCHEZ:** ***The police been waiting for the guy.***
47 **MAY:** *¿Qué prefieres? ¿Hablar en español o inglés? ¿O los dos?*
48 **MAY:** ***What do you prefer? To speak Spanish or English? Or***
49 ***both?***
50 **SANCHEZ:** *Poquito.*
51 **SANCHEZ:** ***A little bit.***
52 **MAY:** *¿Poquito de los dos?*
53 **MAY:** ***A little bit of both?***
54 **SANCHEZ:** *Poquito inglés. *Spanish too much.**
55 **SANCHEZ:** ***A little bit of English. *Spanish too much.****
56 **MAY:** ***Okay.***
57 **SANCHEZ:** *Mucho.*
58 **SANCHEZ:** ***A lot.***
59 **MAY:** *Es como yo hablo español...*
60 **MAY:** ***That's how I speak Spanish...***
61 **SANCHEZ:** ***Yeah.***
62 **MAY:** *...muy poquitito.*
63 **MAY:** ***...very little.***

64 **SANCHEZ:** *Yeah. It's okay.*
65 **MAY:** *Hahaha! It's okay? Hahaha!*
66 **SANCHEZ:** *It's okay. It's okay. No problema.*
67 ***It's okay. It's okay. No problem.***
68 **MAY:** Okay. Necesito escribir unas notas cuando estemos
69 platicando, ¿Okay?
70 **Okay. I need to take some notes while we are talking.**
71 **Okay?**
72 **SANCHEZ:** No, no, no, no, no, no. Usted haga....*Do your work. Okay?*
73 **No problem. Do your...Do your work. Okay?**
74 **MAY:** *Okay.*
75 **SANCHEZ:** *Don't put attention to me.*
76 **MAY:** Necesito pagar atención a ti.
77 **I need to pay attention to you.**
78 **SANCHEZ:** *No, no, no, no, no...*
79 **MAY:** ¡Jajajajaja! Es por eso que estoy aquí.
80 ***Hahahaha! That's what I'm here for.***
81 **SANCHEZ:** *...No, don't put attention to me.*
82 **MAY:** Okay. Okay. Pos primero necesito tu nombre completo.
83 **Okay. Okay. First, I need your full name.**
84 **SANCHEZ:** Okay. Manuel Sanchez.
85 **Okay. Manuel Sanchez.**
86 **MAY:** ¿Tienes identificación?
87 **Do you have an ID?**
88 **SANCHEZ:** Sí.
89 **Yes.**
90 **MAY:** ¿Sí?
91 **Yes?**
92 **SANCHEZ:** Sí tengo.
93 **Yes, I do.**
94 **MAY:** ¿Dónde?
95 **Where?**

96 **SANCHEZ:** *In my wallet.*

97 **MAY:** ¡Ah! No te preocupes. Siéntate por favor.

98 **Ah! Don't worry. Please sit down.**

99 **SANCHEZ:** *No, it's in my pocket. Okay.*

100 **MAY:** ¿Manuel...?

101 **Manuel...?**

102 **SANCHEZ:** Manuel Sánchez. Okay.

103 **Manuel Sanchez. Okay.**

104 **MAY:** Sánchez... ¿Y Sánchez es—

105 **Sanchez... And Sanchez is—**

106 **SANCHEZ:** [REDACTED].

107 **MAY:** [REDACTED]!?

108 **SANCHEZ:** Yes. [REDACTED].

109 **MAY:** *Hahahahaha!*

110 **SANCHEZ:** [REDACTED]. [REDACTED] Okay?

111 **MAY:** *Okay.*

112 **SANCHEZ:** *Yeah.*

113 **MAY:** Okay. Siéntate por favor.

114 **Okay. Please sit down.**

115 **SANCHEZ:** *Yeah. [inaudible/unintelligible]. I don't have no*

116 *license.*

117 **MAY:** No, está bien.

118 **No, that's fine.**

119 **SANCHEZ:** *I no, I no drivers.*

120 **MAY:** *Okay.*

121 **SANCHEZ:** *Okay.*

122 **MAY:** ¿Y Sánchez es apellido de tu padre o de tu madre?

123 **Is Sanchez your father's or your mother's last name?**

124 **SANCHEZ:** *Huh?*

125 **MAY:** ¿Sánchez es apellido de quién? ¿De tu padre?

126 **Whose last name is Sanchez? Your father's?**

127 **SANCHEZ:** De mi madre.

128 **My mother's.**

129 **MAY:** ¿De tu madre?

130 **Your mother's?**

131 **SANCHEZ:** *Yeah.*

132 **MAY:** ¿No es de tu padre?

133 **It's not your father's?**

134 **SANCHEZ:** Mi padre no...*no put attention never in me.*

135 **My father never...no put attention never in me.**

136 **MAY:** *Okay.*

137 **SANCHEZ:** *Me no going to school.*

138 **MAY:** *Okay.*

139 **SANCHEZ:** *Me no going to school...*

140 **MAY:** *Uh-huh.*

141 **SANCHEZ:** ...porque *in México need to pay the money, the people that*

142 *going to school.*

143 **...because in Mexico need to pay the money, the**

144 **people that going to school.**

145 **MAY:** Si.

146 **Yes.**

147 **SANCHEZ:** Y me no going to school, me going to work, dice.

148 [inaudible/inintelligible] *school.*

149 **And me no going to school, me going to work, he said.**

150 [inaudible/unintelligible] *school.*

151 **MAY:** Uh-huh.

152 **SANCHEZ:** *I can't understand reading.*

153 **MAY:** *Okay.*

154 **SANCHEZ:** *I can understand putting my name like this.*

155 **MAY:** Right.

156 **SANCHEZ:** *Me put the...the...the newspaper my name, you know.*

157 **MAY:** Mjm. No puedes leer.

158 **Uh-huh. You can't read.**

159 **SANCHEZ:** No, no puedo. *My name, look... aquí tengo uno. Look... my*
160 *friend...my name...put it like this, okay? I can only put it...*
161 **No, I can't. My name, look... here's one. My**
162 ***friend...my name...put it like this, okay? I can only put***
163 ***it...***

164 **MAY:** Sí.
165 **Yes.**

166 **SANCHEZ:** ***...Yeah. Manuel.***

167 **MAY:** Okay. No, está bien, Manuel.
168 **Okay. No, that's fine, Manuel.**

169 **SANCHEZ:** ***Yeah....you know.***

170 **MAY:** ¿Cuál es la dirección aquí?
171 **What is the address here?**

172 **SANCHEZ:** Es Minnehaha...
173 **It's Minnehaha...**

174 **MAY:** ***Uh-huh.***

175 **SANCHEZ:** ***Minnehaha 21 and 20.***

176 **MAY:** ¿2021?
177 **2021?**

178 **SANCHEZ:** 2021.
179 **2021.**

180 **MAY:** Sí. ¿Minnehaha?
181 **Yes. Minnehaha?**

182 **SANCHEZ:** ***Minnehaha. Apartment number 1.***

183 **MAY:** ¿Número 1?
184 **Number 1?**

185 **SANCHEZ:** Sí, señor.
186 **Yes, sir.**

187 **MAY:** Ándale. ¿Cuánto tiempo tienes aquí en este departamento?
188 **Okay. How long have you lived here in this**
189 **apartment?**

190 **SANCHEZ:** Dos (2) años.

191 **Two (2) years.**

192 **MAY:** ¿En este departamento dos (2) años?

193 **Two (2) years in this apartment?**

194 **SANCHEZ:** *Yeah. The programa it pays for me everything. Okay?*

195 **Yeah. The program it pays for me everything. Okay?**

196 **MAY:** ¿Mande?

197 **What?**

198 **SANCHEZ:** Estoy en un programa.

199 **I'm in a program.**

200 **MAY:** ¿Cómo?

201 **What do you mean?**

202 **SANCHEZ:** En un programa. Estoy en un programa.

203 **In a program. I'm in a program.**

204 **MAY:** ¿Programa?

205 **Program?**

206 **SANCHEZ:** Sí.

207 **Yes.**

208 **MAY:** Okay. ¿Cuál programa?

209 **Okay. What program?**

210 **SANCHEZ:** *It pays, it pays, me no pay nothing.*

211 **MAY:** Sí.

212 **Yes.**

213 **SANCHEZ:** *Me no pay no light, no gas, nothing. The programa—*

214 ***Me no pay no light, no gas, nothing. The program—***

215 **MAY:** ¿El programa paga todo?

216 **The program pays for everything?**

217 **SANCHEZ:** **Yes.**

218 **MAY:** **Okay.**

219 **SANCHEZ:** *Y the guys who work in the programa come in*

220 *[inaudible/unintelligible] give me some food...*

221 **And the guys who work in the program come in**

222 **[inaudible/unintelligible] give me some food...**

223 **MAY:** *Uh-huh.*

224 **SANCHEZ:** *...[inaudible/unintelligible] he give me some food*
 225 *every...*

226 **MAY:** *Sí.*

227 *Yes.*

228 **SANCHEZ:** *...every month.*

229 **MAY:** *Okay.*

230 **SANCHEZ:** *No only... maybe in three (3) place.*

231 **MAY:** *Okay.*

232 **SANCHEZ:** *[inaudible/inintelligible]...*
 233 *[inaudible/unintelligible]...*

234 **MAY:** *Uh-huh.*

235 **SANCHEZ:** *...got a little bit of food maybe for one week.*

236 **MAY:** *Right.*

237 **SANCHEZ:** *Pero he got three (3), three (3), three (3), three (3) partes*
 238 *donde me go every month.*
 239 *But he got three (3), three (3) places where me go*
 240 *every month.*

241 **MAY:** *Okay.*

242 **SANCHEZ:** *You know what I mean?*

243 **MAY:** *Yeah.*

244 **SANCHEZ:** *Yeah.*

245 **MAY:** *Okay. ¿Y tienes teléfono o no?*

246 *Okay. Do you have a phone or not?*

247 **SANCHEZ:** *Sí tengo teléfono, pero, el teléfono me lo dieron de Obama.*
 248 *I have a phone, but, the phone was given to me by*
 249 *the Obama program.*

250 **MAY:** *¿Sí?*

251 **SANCHEZ:** *Sí.*

252 **MAY:** *¿Es un Obamaphone?*
 253 *Is it an Obamaphone?*

254 **SANCHEZ:** *Yes. Wait, wait, I got it on my bed.*

255 **MAY:** ¿Dónde? ¿En tu cama?

256 **Where? On your bed?**

257 **SANCHEZ:** *Yeah...Wait...*

258 **MAY:** No, está bien, ando contigo.

259 **No, that's fine, I'll go with you.**

260 **SANCHEZ:** *No, come in, come in. No problema.*

261 **No, come in, come in. No problem.**

262 **[SOUNDS LIKE THEY ARE GOING TO A DIFFERENT ROOM AND THERE**

263 **IS A BRIEF INAUDIBLE CONVERSATION IN THE BACKGROUND]**

264 **MAY:** ¿Cuál es el número? ¿Sabes tu número o no?

265 **What is the number? Do you know it?**

266 **SANCHEZ:** *Mire, now, now ya no no work.*

267 **Look, now, now it doesn't work anymore.**

268 **MAY:** ¿No funciona?

269 **It doesn't work?**

270 **SANCHEZ:** No, no.

271 **No, no.**

272 **MAY:** ¿Por qué no? ¿No hay minutos o cómo?

273 **Why not? It ran out of minutes or what?**

274 **SANCHEZ:** *No, pos, before, Obama paid for everything, you know.*

275 **No, well, before, Obama paid for everything, you**

276 **know.**

277 **MAY:** ¿Me permites marcar mi número...

278 **Would you let me call my number...**

279 **SANCHEZ:** Sí.

280 **Yes.**

281 **MAY:** ...para, para probar...?

282 **...to try...?**

283 **SANCHEZ:** *Sí. Do whatever you need to do.*

284 **Yes. Do whatever you need to do.**

285 **MAY:** Gracias, Manuel.

286 **Thank you, Manuel.**

287 **SANCHEZ:** No problema. Aquí traigo el número, pero...
288 **No problem. I have the number here, but...**
289 **SWANSON:** *Why don't we get a bag to put the stuff.*
290 **SANCHEZ:** *No, sit down.*
291 **FRASCONE:** *Thank you.*
292 **SANCHEZ:** Siéntese por favor. *Yeah.*
293 **Please sit down. Yeah.**
294 **MAY:** Veo que no funciona. No sirve.
295 **I see that it doesn't work.**
296 **SANCHEZ:** No, no sirve.
297 **No, it doesn't work.**
298 **MAY:** Pues está bien.
299 **That's fine.**
300 **SANCHEZ:** Y si trabajaba, pero Obama ya lo cortó.
301 **And it used to work, but Obama cut it off.**
302 **MAY:** *Haha!*
303 **SANCHEZ:** Ahí lo tengo en la cama porque a media noche no miro este.
304 **I keep it by my bed because I can't see this one in the**
305 **middle of the night.**
306 **MAY:** ¿Sí? ¡Oh! No puedes mirar. ¿No hay luz?
307 **Yeah? Oh! You can't see. There is no light?**
308 **SANCHEZ:** No, sí hay luz...
309 **No, there's light...**
310 **MAY:** ¿Sí?
311 **Yes?**
312 **SANCHEZ:** ...pero estoy dormido y no quiero prender la luz,
313 **porque—**
314 **...but I don't want to turn the lights on when I'm**
315 **sleeping, because—**
316 **MAY:** Es más fácil para mirar el teléfono.
317 **It's easier to look at the phone.**
318 **SANCHEZ:** El teléfono sí.

319 **Yes, it is.**

320 **MAY:** Es lo que yo hago también.

321 **That's what I do too.**

322 **SANCHEZ:** *Yeah.*

323 **MAY:** *Haha!*

324 **SANCHEZ:** Sí, señor. *Yeah.*

325 **Yes, sir. Yeah.**

326 **MAY:** Okay. ¿Quién más vive aquí contigo?

327 **Okay. Who else lives here with you?**

328 **SANCHEZ:** No, nadie, nadie.

329 **No, nobody, nobody.**

330 **MAY:** ¿Nadie?

331 **Nobody?**

332 **SANCHEZ:** No, yo vivo solo. Necesito una... una, compañera. Necesito

333 una *company*. ¡Jaja!

334 **No, I live by myself. I need a... a roommate. I need**

335 ***company*. Haha!**

336 **MAY:** *You think so?*

337 **SANCHEZ:** Pero, pero no, no, no bueno.

338 **But no, no, not good.**

339 **FRASCONE:** **No.**

340 **SANCHEZ:** No bueno.

341 **Not good.**

342 **FRASCONE:** No bueno.

343 **Not good.**

344 **SANCHEZ:** Mi amigos y amigas *no good*. Mucho...*Too much crazies.*

345 **My friends no good. Too much...Too much crazies.**

346 **MAY:** *Hahaha!*

347 **SANCHEZ:** *You know what I mean?*

348 **MAY:** *Yeah.*

349 **SANCHEZ:** *I'm no drinker, I'm no drinker. No, no, no, me no drinkin.*

350 *Me drink before, no? Pero I'm quit now.*

351 **I'm no drinker, I'm no drinker. No, no, no, me no**
352 **drinkin. Me drink before, no? But I'm quit now.**

353 **MAY: Okay.**

354 **SANCHEZ: Now I'm too old. Seventy-five (75) years now. It's too much**
355 **years, ¿verdad?**

356 **Now I'm too old. Seventy-five (75) years now. It's too**
357 **much years, right?**

358 **MAY: Bastante.**

359 **A lot.**

360 **SANCHEZ: Seventy-five (75).**

361 **MAY: Uh-huh.**

362 **SANCHEZ: [inaudible/unintelligible]**

363 **MAY: Hahahahaha!**

364 **SANCHEZ: Hahaha! Yeah.**

365 **MAY: Okay. Lo que necesitamos hacer es...necesito obtener**
366 **información...**

367 **Okay. What we need to do is...I need to get**
368 **information...**

369 **SANCHEZ: No, no.**

370 **Right.**

371 **MAY: ...sobre lo que pasó anoche o pues...When was it, this**
372 **morning or last night?**

373 **...about what happened last night or... When was it,**
374 **this morning or last night?**

375 **FRASCONE: This morning.**

376 **MAY: Esta mañana.**

377 **This morning.**

378 **SANCHEZ: The guy came in by four o'clock (4:00).**

379 **MAY: Four o'clock (4:00)?**

380 **SANCHEZ: Yes. Y, y...**

381 **Yes. And...**

382 **MAY: ¿Por la mañana?**

383 **In the morning?**

384 **SANCHEZ:** *Yeah. Y the guy is knock too hard. No?*

385 ***Yeah. And the guy is knock too hard. No?***

386 **MAY:** ¿Mande?

387 **What?**

388 **SANCHEZ:** ***And the guy is knock too hard.***

389 **MAY:** ***Oh, he's knocking hard?***

390 **SANCHEZ:** *Yes. Y cuando is knock too hard, "Maybe it is the police,"*

391 *no?...*

392 ***Yes. And when he is knock too hard, "Maybe it is the***

393 ***police," no?...***

394 **MAY:** ***Uh-huh.***

395 **SANCHEZ:** *...I woke up right away, opened the door and the guy come*

396 *in inside. [inaudible/ininteligible] and he*

397 *[inaudible/ininteligible] fight for me porque he has a bottle.*

398 *Dice, "No, I'm no drinkin."*

399 ***...I woke up right away, opened the door and the guy***

400 ***come in inside. [inaudible/unintelligible] and he***

401 ***[inaudible/unintelligible] fight for me because he has***

402 ***a bottle. He said, "No, I'm no drinkin."***

403 **MAY:** ¿Quién era?

404 **Who was it?**

405 **SANCHEZ:** *El mismo, el...el que guy del problema que se metió, se*

406 *metió, se metió a otro apartamento.*

407 ***The same one, the ...the guy in trouble that got inside,***

408 ***got inside the other apartment.***

409 **MAY:** ***Okay.***

410 **SANCHEZ:** *Fué y tocó y se metió, porque el manager le dijo, "Voy a*

411 *pedir la policía." Y the guy fue y tocó ahí y the guy abrió y*

412 *the guy se metió adentro. Ahí está. The police waiting for*

413 *the guy.*

414 He went and knocked and got inside, because the
415 *manager* told him, "I'm going to call the police." And
416 *the guy* went and knocked there and *the guy* opened
417 the door and *the guy* got inside. He's there. *The police*
418 *waiting for the guy.*

419 **MAY:** *Okay.*

420 **SANCHEZ:** *They think he got, he got the knife, pero the guy no got*
421 *nothing, the knife, porque my knife, ahí tengo, ahí tengo my*
422 *knife.*

423 *They think he got, he got the knife, but the guy no got*
424 *nothing, the knife, because my knife, I have my knife*
425 *there.*

426 **MAY:** *Uh-huh.*

427 **SANCHEZ:** *The guy got one, one comb, something like that.*

428 **MAY:** *He got a comb?*

429 **SANCHEZ:** *Yes, he got the comb, y es brown. The comb is brown. ¿No?*
430 *Y la policía decían que es knife. Pero no, he no got no knife.*
431 *He take it out the jacket, dice "No, I don't have no shoes. I*
432 *take it out my shoes." He take it out the shoes and take it*
433 *out the jacket, he got the phone, huh? He got the phone the*
434 *guy. The guy got the phone.*

435 *Yes, he got the comb, and it is brown. The comb is*
436 *brown. Right? And the police said that it is a knife.*
437 *But no, he no got no knife. He take it out the jacket,*
438 *he said "No, I don't have no shoes. I take it out my*
439 *shoes." He take it out the shoes and take it out the*
440 *jacket, he got the phone, huh? He got the phone the*
441 *guy. The guy got the phone.*

442 **MAY:** *Okay.*

443 **SANCHEZ:** *Ese phone es de guy, the guy.*

444 *That's the guy's phone.*

445 **MAY:** *The guy that came here?*

446 **SANCHEZ:** *Yeah.*

447 **MAY:** ¿El teléfono es del *guy* que, que...

448 **SANCHEZ:** *That's the guy's phone, the one that, that...*

449 **SANCHEZ:** *Que come in, que come in—*

450 **SANCHEZ:** *That come in, that come in—*

451 **MAY:** ...que entra aquí?

452 **MAY:** ...that came in here?

453 **SANCHEZ:** [inaudible/unintelligible] *is the guy's too. Huh?*

454 **MAY:** *Okay.*

455 **SANCHEZ:** *Everything.*

456 **MAY:** ¿Entonces como a las cuatro (4:00) por la mañana ...

457 **MAY:** *So, around four (4:00) in the morning ...*

458 **SANCHEZ:** A las cuatro (4:00) de la mañana vino él.

459 **SANCHEZ:** *He came at four (4:00) in the morning.*

460 **MAY:** ...él llegó?

461 **MAY:** ...he came?

462 **SANCHEZ:** *Yeah.*

463 **MAY:** ¿Sabes el nombre de él?

464 **MAY:** *Do you know his name?*

465 **SANCHEZ:** Se llama Raúl.

466 **SANCHEZ:** *His name is Raul.*

467 **MAY:** ¿Raúl?

468 **MAY:** *Raul?*

469 **SANCHEZ:** Pero nomás el nombre lo sé.

470 **SANCHEZ:** *I only know his name.*

471 **MAY:** *Okay.*

472 **SANCHEZ:** Nomás el nombre. Alguien salió a esa hora y cuando

473 **SANCHEZ:** salieron las personas, cuando salieron el *people* de aquí, *the*

474 **SANCHEZ:** *guy come in inside. Huh?*

475 **SANCHEZ:** *Just the name. Somebody left at that time and when*

476 **SANCHEZ:** *the people were leaving, when the people were*

477 **SANCHEZ:** *leaving from here, the guy come in inside. Huh?*

478 **MAY:** ¿Raúl?
479 **Raul?**
480 **SANCHEZ:** *Yeah. Mucho loco. Too much borracho.*
481 **Yeah. Too much crazy. Too much drunk.**
482 **MAY:** ¿Too much borracho?
483 **Too much drunk?**
484 **SANCHEZ:** **Too much drunk.**
485 **MAY:** **Hahaha!**
486 **SANCHEZ:** **Too much drunk the guy.**
487 **MAY:** ¿Raúl estaba borracho?
488 **Raul was drunk?**
489 **SANCHEZ:** *Yes! ¡Mucho! Something more. Maybe...*
490 **Yes! Too much! Something more. Maybe...**
491 **MAY:** ¿Cómo?
492 **What do you mean?**
493 **SANCHEZ:** **...Maybe taking the drugs too.**
494 **MAY:** ¿Drogas?
495 **Drugs?**
496 **SANCHEZ:** *Maybe. Porque es too much crazy. You know what I mean?*
497 **Maybe. Because he's too much crazy. You know what**
498 **I mean?**
499 **MAY:** **Uh-huh. Huh?**
500 **SANCHEZ:** *¡Mucho loco! Very, very loco! Jajaja! Yeah.*
501 **Too much crazy! Very, very crazy! Hahaha! Yeah.**
502 **MAY:** ¿Y normalmente es loco o no?
503 **Is he normally crazy or not?**
504 **SANCHEZ:** **Crazy.**
505 **MAY:** ¿Lo conoce bien?
506 **Do you know him well?**
507 **SANCHEZ:** No.
508 **No.**
509 **MAY:** ¿Lo conoce bien?

510 **Do you know him well?**

511 **SANCHEZ:** No.

512 **No.**

513 **MAY:** ¿No?

514 **No?**

515 **SANCHEZ:** *Is the first time que, que see the guy.*

516 ***Is the first time that, that I see the guy.***

517 **MAY:** ¿Cuánto tiempo tiene que tú has conocido a Raúl?

518 **How long have you known Raul for?**

519 **SANCHEZ:** No. Es la primera vez que viene. *Is the first time.*

520 **No. It's the first time he comes. *Is the first time.***

521 **MAY:** ¿Hoy es la primera?

522 **Today is the first time?**

523 **SANCHEZ:** ***First time.***

524 **MAY:** ¿Primera vez?

525 **First time?**

526 **SANCHEZ:** Primera vez. *I no, I no like him. He wanted me drink, le*

527 *dije, "No, I no drinkin."*

528 **First time. *I no, I no like him. He wanted me drink, I***

529 **said, "No, I no drinkin."**

530 **MAY:** ¿Cuándo?

531 **When?**

532 **SANCHEZ:** *In the morning que come in.*

533 ***In the morning when he came in.***

534 **MAY:** ¿A las cuatro (4:00)?

535 **At four (4:00)?**

536 **SANCHEZ:** Que mi *drinkin*. Me dice, "No, I no drinkin."

537 **That I *drinkin*. I said, "No, I no drinkin."**

538 **MAY:** ***Okay.***

539 **SANCHEZ:** *Yeah. Hey! The phone is the guy's.*

540 ***Yeah. Hey! The phone is the guy's.***

541 **FRASCONE:** ***The phone...***

542 **MAY:** *This Raul's phone.*

543 **FRASCONE:** *...the white phone right here is also his phone?*

544 **SANCHEZ:** *Yeah.*

545 **SWANSON:** *Okay. Sounds good.*

546 **MAY:** ¿Qué dijiste a Raúl cuando él entró aquí?

547 **What did you tell Raul when he came in here?**

548 **SANCHEZ:** Yo le dije, " Tú no...tú no puedes entrar *in here*. *Huh?* You

549 *can't come in in here. Huh? You no living here."* "Wow!"

550 **I told him, " You can't...you can't come in here. Huh?**

551 **You can't come in in here. Huh? You no living here."**

552 **"Wow!"**

553 **MAY:** Okay. ¿Y qué, qué dice él? ¿Él qué hizo?

554 **Okay. And what did he say? What did he do?**

555 **SANCHEZ:** Se enojó. *The guy mad at me too much, you know. Dice,*

556 *no, no, no, y con el bottle in the hand, él me dice "No". I'm*

557 *scared que throw away the bottle in my face. You know*

558 *what I mean?*

559 **He got mad. The guy mad at me too much, you know.**

560 **He said, no, no, no, and with the bottle in the hand, he**

561 **says "No". I'm scared that he throw away the bottle**

562 **in my face. You know what I mean?**

563 **MAY:** *Uh-huh.*

564 **SANCHEZ:** *Yeah.*

565 **MAY:** ¿Entonces más o menos estabas...tenías miedo de él con la

566 botella?

567 **So you were kind of scared of him with the bottle?**

568 **SANCHEZ:** ¡Sí! Sí, pues—

569 **Yes! Yes, I mean—**

570 **MAY:** ¿Y él estaba enojado porque tú le dijiste, "¡Hey! ¡Vete,

571 **vete!"?**

572 **And he was mad because you told him, "Hey! Go**

573 **away, go away!"?**

574 **SANCHEZ:** *No, no... Dice, "No, I want to drink me and you," "No, no, me*
575 *no drinking. No. Go, go!"*
576 **SANCHEZ:** *No, no... He said, "No, I want to drink me and you,"*
577 *"No, no, me no drinking. No. Go, go!"*
578 **MAY:** *Go, go?*
579 **SANCHEZ:** *He pushed me too hard. Huh?*
580 **MAY:** ¿Te empujó?
581 **SANCHEZ:** He pushed you?
582 **SANCHEZ:** Sí, me empujó.
583 **SANCHEZ:** Yes, he pushed me.
584 **MAY:** ¿Dónde?
585 **SANCHEZ:** Where?
586 **SANCHEZ:** Aquí adentro.
587 **SANCHEZ:** Here inside.
588 **MAY:** ¿Aquí en tu pecho?
589 **SANCHEZ:** Here on your chest?
590 **SANCHEZ:** Sí. Me puchó así, así fuerte, así.
591 **SANCHEZ:** Yes. He pushed me like this, hard like this, like this.
592 **MAY:** ¿Cuando él intenta entrar te empujó?
593 **SANCHEZ:** He pushed you when he tried to get in?
594 **SANCHEZ:** Cuando él entró me puchó aquí, y yo me levanté rápido...
595 **SANCHEZ:** When he came in he pushed me here, and I got up
596 quickly...
597 **MAY:** Uh-huh.
598 **SANCHEZ:** ...¿Eh? Me levanté. Y lo...y abrí la puerta y lo agarré y lo
599 aventé pa afuera. Y loqueé la puerta. Y knock otra vez too
600 hard. The manager come in in this time. The manager. The
601 manager lives next door.
602 **SANCHEZ:** ...Huh? I got up. And I...and I opened the door and
603 grabbed him and threw him outside. And I locked the
604 door. And knock again too hard. The manager come in

605 *in this time. The manager. The manager lives next*
606 *door.*

607 **MAY:** *Okay.*

608 **SANCHEZ:** *Y the guy dice, the manager dice, "I'll call the police." Y the*
609 *guy go and knock one more door. And the one more door,*
610 *the guy go inside the one more door. The guy is inside now.*
611 *You know what I mean?*

612 *And the guy says, the manager says, "I'll call the*
613 *police." And the guy go and knock one more door. And*
614 *the one more door, the guy go inside the one more*
615 *door. The guy is inside now. You know what I mean?*

616 **MAY:** *Uh-huh.*

617 **SANCHEZ:** *Yeah. Is for the police wait..wait...waiting for the guy.*

618 **MAY:** *¿Cuándo te caíste? ¿Cómo, cómo...*
619 *When did you fall? How, how...*

620 **SANCHEZ:** *¿Eh?*
621 *Huh?*

622 **MAY:** *...te doliste tu rodilla? ¿Cómo pasó? ¿Cuando él te empujó?*
623 *...how did you hurt your knee? How did it happen?*
624 *Was it when he pushed you?*

625 **SANCHEZ:** *Me puchó fuerte...*
626 *He pushed me hard..*

627 **MAY:** *Sí.*
628 *Yes.*

629 **SANCHEZ:** *...y yo no quería venirme hasta acá de ahí y puse la rodilla.*
630 *Caí incado. No caí acostado, caí incado. Metí esta parte ahí,*
631 *aquí en el floor, aquí. Aquí fue donde me raspé aquí. ¿Eh?*
632 *...and I didn't want to end up all the way here and I*
633 *put my knee down. I fell on my knee(s). I didn't fall*
634 *on my back, I fell on my knee(s). I landed on the floor*
635 *like this with this part and here is where I got a*
636 *scratch. Huh?*

637 **MAY:** Okay. Cuando él te empujó...

638 **Okay. So when he pushed you...**

639 **SANCHEZ:** **Yes.**

640 **MAY:** ...te caiste y—

641 **...you fell and—**

642 **SANCHEZ:** Me puchó *too hard*. Yo no quería darle un trancazo tampoco

643 porque él traía la botella en la mano. ¿Eh? *He had the bottle*

644 *in the hand.*

645 **He pushed me *too hard*. I didn't want to hit him**

646 **because he had the bottle in his hand. Huh? *He had***

647 ***the bottle in the hand.***

648 **MAY:** ¿Cuál mano? ¿Derecha? ¿Izquierda? ¿Te acuerdas?

649 **Which hand? Right? Left? Do you remember?**

650 **SANCHEZ:** ¡Jajaja!

651 **Hahaha!**

652 **MAY:** No, está bien.

653 **No, that's fine.**

654 **SANCHEZ:** *I do not remember.* Y dije, "*No. Get out!*" Y lo agarré yo de

655 la...lo agarré fuerte, ¿no? Y lo aventé pa afuera y cerré la

656 puerta. En eso empezó a tocar recio, y vino, en ese instante

657 vino el *manager*, el *manager* de aquí.

658 ***I do not remember. I said, "No. Get out!" And I***

659 ***grabbed him from the...I grabbed him firmly, and I***

660 ***threw him outside and closed the door. Then he***

661 ***started knocking hard and at that moment the***

662 ***manager came.***

663 **MAY:** ¿Cuándo vino el *manager*, dónde estaba Raúl? ¿Adentro o

664 afuera?

665 **When the *manager* came, where was Raul? Inside or**

666 **outside?**

667 **SANCHEZ:** Estaba afuera.

668 **He was outside.**

669 **MAY:** ¿Afuera? Okay.

670 **Outside? Okay.**

671 **SANCHEZ:** Estaba afuera. Estaba afuera. Entonces el *manager* dijo,

672 "Hey, you get out, get out of here!" ¿Eh? Y *the guy talking*

673 *the manager too hard. Too much arguing. You know what I*

674 *mean?*

675 **He was outside. He was outside. Then the *manager***

676 **said, "Hey, you get out, get out of here!" Huh? And**

677 ***the guy talking the manager too hard. Too much***

678 ***arguing. You know what I mean?***

679 **MAY:** Sí.

680 **Yes.**

681 **SANCHEZ:** Dijo, "*I'm gonna call the police.*" Y *the guy* fue a tocar otra

682 puerta, y le abrieron la puerta y se metió pa adentro.

683 **He said, "*I'm gonna call the police.*" And *the guy***

684 **went to knock on another door, and they opened the**

685 **door to him and he went inside.**

686 **MAY:** ¿A cuál apartamento?

687 **In which apartment?**

688 **SANCHEZ:** En el apartamento que está aquí a la vuelta. Es el número

689 2.

690 **Inside the apartment that is just around the corner.**

691 **Number 2.**

692 **MAY:** ¿Número 2?

693 **Number 2?**

694 **SANCHEZ:** ***The guy...***

695 **MAY:** ¿Raúl se metió?

696 **Raul went in?**

697 **SANCHEZ:** Tocó...

698 **He knocked...**

699 **MAY:** ¿Tocó?

700 **He knocked?**

701 **SANCHEZ:** ...y abrió. Abrió. El que vive ahí es un señor grande igual
702 que yo. Y ahí está adentro. Ahí está. Él está adentro.
703 **...and opened the door. The guy who lives there is an**
704 **older man just like me. And he's inside. He's in there.**
705 **He's inside.**

706 **MAY:** Sí. Okay.
707 **Yes. Okay.**

708 **SANCHEZ:** ***Hey! Put it— Take it, take it, take this bag! Look. Huh?***
709 **MAY:** ***All that?***

710 **SANCHEZ:** ***Yes, take it, take it, take it. Is more, is more, more***
711 ***nice.***

712 **MAY:** ***Okay.***

713 **SANCHEZ:** ***Look, this is more nice.***

714 **MAY:** [inaudible/unintelligible]

715 **SANCHEZ:** ***This is more nice.***

716 **SWANSON:** ***No, no, no. This is fine.***

717 **SANCHEZ:** ***Okay. No problema.***

718 **FRASCONE:** ***Okay. [inaudible/unintelligible]***

719 **SANCHEZ:** ***Everything. The [inaudible/unintelligible] and***
720 ***everything.***

721 **MAY:** Por favor, Manuel, siéntate.
722 **Please sit down, Manuel.**

723 **SANCHEZ:** Por favor *sit*. ***Hahaha! Yeah. Yeah.***
724 **Please sit. Hahaha! Yeah. Yeah.**

725 **FRASCONE:** [inaudible/unintelligible]

726 **MAY:** Okay. ¿Y entonces Raúl se metió en el apartamento número
727 2? ¿Sí?
728 **Okay. So Raul went inside apartment number 2?**
729 **Right?**

730 **SANCHEZ:** Sí. Ahí está adentro.
731 **Yes. He's in there.**

732 **MAY:** ¿Sí? ¿Y qué pasó allá?

733 **Yes? And what happened there?**

734 **SANCHEZ:** Ahí está todavía. *He's inside now.*

735 **He's still in there. He's inside now.**

736 **MAY:** *Okay.*

737 **SANCHEZ:** Pero *the guy* que vive ahí es *more*, es *too old*, *same thing*

738 *like me.*

739 **But *the guy* who lives there is *more*, is *too old*, *same***

740 ***thing like me.***

741 **MAY:** *He's older? ¿Más viejo?*

742 ***He's older? Older?***

743 **SANCHEZ:** ¡Más viejo que yo!

744 **Older than me!**

745 **MAY:** *Okay.*

746 **SANCHEZ:** Yo creo lo tiene amenazado que no abra la puerta. *You*

747 *understand?*

748 **He must have threatened him not to open the door.**

749 ***You understand?***

750 **MAY:** *Uh-huh.*

751 **SANCHEZ:** *Maybe he said, "No. You no open the door." Y the police*

752 *understand que got the knife, pero he no got no knife, is*

753 *comb. Huh?*

754 ***Maybe he said, "No. You no open the door." And the***

755 ***police understand that he got the knife, but he no got***

756 ***no knife, is comb. Huh?***

757 **MAY:** *Okay.*

758 **SANCHEZ:** *Is a comb.*

759 **MAY:** ¿Raúl no tenía cuchillo?

760 **Raul didn't have a knife?**

761 **SANCHEZ:** No, no tenía nada.

762 **No, he didn't have anything.**

763 **MAY:** ¿Una navaja?

764 **A knife?**

765 **SANCHEZ:** No. Yo tengo tres (3) cuchillos y ya miré. No agarró nada. *I*
766 *got one more knife but* [inaudible/ininteligible]...

767 **No. I have three (3) knives and I already checked. He**
768 **didn't take anything. *I got one more knife but***
769 **[inaudible/unintelligible]...**

770 **MAY:** ***Uh-huh.***

771 **SANCHEZ:** *...I got one more knife* [inaudible/ininteligible]. Pero de ahí
772 *no takin nothing.*

773 ***...I got one more knife* [inaudible/unintelligible]. But**
774 **from there *no takin nothing.***

775 **MAY:** ¿De aquí?

776 **From here?**

777 **SANCHEZ:** ***No. No takin nothing.***

778 **MAY:** ***Okay.***

779 **SANCHEZ:** *And the guy no have no knife. Only the bottle. Only the*
780 *bottle. Yo tenía miedo que tenía the bottle.*

781 ***And the guy no have no knife. Only the bottle. Only***
782 ***the bottle. I was afraid 'cause he had the bottle.***

783 **MAY:** ¿Entonces él no tiene navaja cuando llegó aquí?

784 **So he didn't have a knife when he got here?**

785 **SANCHEZ:** No.

786 **No.**

787 **MAY:** ¿Sóamente botella en la mano?

788 **Only a bottle in his hand?**

789 **SANCHEZ:** La botella. Pero no me amenazó con la botella. La botella no
790 la movía. Pero sí me puchó fuerte. ¿Eh?

791 **The bottle. But he didn't threaten me with the bottle.**
792 **He wasn't moving the bottle. But he pushed me hard.**
793 **Huh?**

794 **MAY:** ***Uh-huh.***

795 **SANCHEZ:** Yo no pensaba que me iba a hacer eso.

796 **I didn't think he was going to do that to me.**

797 **MAY:** Sí.
798 **Right.**
799 **SANCHEZ:** Por eso estaba descuidado. ¿Eh?
800 **That's why I was careless. Huh?**
801 **MAY:** *Uh-huh.*
802 **SANCHEZ:** Si ha de decir que me va a puchar, yo lo pucho primero,
803 ¿no?
804 **Had I known he was going to push me, I would have**
805 **pushed him first. Right?**
806 **MAY:** Sí.
807 **Yes.**
808 **SANCHEZ:** Pero, *too late now! Haha!*
809 **But, too late now! Haha!**
810 **MAY:** Sí. Poquitito.
811 **Yes. A little.**
812 **SANCHEZ:** *Too late. Yeah.*
813 **MAY:** Y entonces, cuando Raúl se fue, ¿qué pasó allá? ¿Sabes? ¿O
814 estabas adentro aquí?
815 **So when Raul left, what happened over there? Do you**
816 **know? Or, were you in here?**
817 **SANCHEZ:** Yo aquí estaba adentro.
818 **I was in here.**
819 **MAY:** ¿Oíste algo o viste algo?
820 **Did you hear or see anything?**
821 **SANCHEZ:** *No, the manager told me, the manager told me que the guy*
822 *se metió, que the guy se metió al apartamento...*
823 **No, the manager told me, the manager told me that**
824 **the guy went inside, that the guy went inside**
825 **apartment...**
826 **MAY:** ¿Dos (2)?
827 **Two (2)?**
828 **SANCHEZ:** ...número 2.

829 ...number 2.

830 **MAY:** *Okay.*

831 **SANCHEZ:** *The guy tiene amenazado al señor que no abra la puerta,*
832 *que no open the door.*
833 **The guy has threatened the man not to open the door,**
834 **no open the door.**

835 **MAY:** *Uh-huh.*

836 **SANCHEZ:** ¿Eh? Sí entiende, ¿verdad?
837 **Huh? You understand, right?**

838 **MAY:** Sí.
839 **Yes.**

840 **SANCHEZ:** *That's it, no más. ¡Jajaja! No más.*
841 **That's it, no more. Hahaha! No more.**

842 **MAY:** ¿No más?
843 **No more?**

844 **SANCHEZ:** No más. *Yeah, ya más English, ya no. Ya no más English.*
845 *¡Jaja! ¡Ja! Yeah.*
846 **No more. Yeah, no more English. No more English.**
847 **Haha! Ha! Yeah.**

848 **MAY:** ¿Y qué pasó adentro del apartamento número 2? ¿Sabes?
849 **And what happened inside apartment number 2? Do**
850 **you know?**

851 **SANCHEZ:** No.
852 **No.**

853 **MAY:** ¿No?
854 **No?**

855 **SANCHEZ:** No. Yo no miré nada, yo estaba aquí adentro. Y el *manager,*
856 *el manager told me what he did.*
857 **No. I didn't see anything, I was in here. And the**
858 **manager, the manager told me what he did.**

859 **MAY:** *Okay.*

860 **SANCHEZ:** *He said, "The guy go around y the guy opened y the guy go*
861 *inside."*

862 **SANCHEZ:** ***He said, "The guy go around and the guy opened and***
863 ***the guy go inside."***

864 **MAY:** ***Uh-huh.***

865 **SANCHEZ:** *Is more old me, the guy que vive en number 2. I don't*
866 *understand the name. Allah...Allah...something like this, the*
867 *guy. I don't know, I don't know—*

868 **SANCHEZ:** ***Is more old me, the guy that lives in number 2. I don't***
869 ***understand the name. Allah...Allah...something like***
870 ***this, the guy. I don't know, I don't know—***

871 **MAY:** *¿Que vive en número 2?*

872 **SANCHEZ:** ***The guy who lives in number 2?***

873 **SANCHEZ:** *Yeah. Es él, pero no sé, no sé su mero nombre, ¿eh?*

874 **SANCHEZ:** ***Yeah. That's him, but I don't know his real name.***

875 **SANCHEZ:** ***Huh?***

876 **MAY:** *Sí. ¿Es como Alán?*

877 **SANCHEZ:** ***Yes. Is is something like Alan?***

878 **SANCHEZ:** *Allah, Alán. **He's got the name** ahí en el mailbox.*

879 **SANCHEZ:** ***Allah, Alán. He's got the name** there in the mailbox.*

880 **MAY:** ***In the mailbox?***

881 **SANCHEZ:** *Yeah. Ahí got the name the guy.*

882 **SANCHEZ:** ***Yeah. There he's got the name, the guy.***

883 **MAY:** *Podemos chequear.*

884 **SANCHEZ:** ***We can check.***

885 **SANCHEZ:** ***One time he tell me, he tell me the name. It's too***
886 ***hard.***

887 **MAY:** ***It's too hard?***

888 **SANCHEZ:** ***Me no putting too much attention, you know.***

889 **MAY:** *¿Sí?*

890 **MAY:** ***Yes.***

891 **SANCHEZ:** *His name is Allah. He tell me different. I said, "Ah! Maybe*
892 *you is terrorista," ijaja! Porque the name is like terrorista,*
893 *you know.*

894 **SANCHEZ:** ***His name is Allah. He tell me different. I said, "Ah!***
895 ***Maybe you is a terrorist," haha! Because the name is***
896 ***like a terrorist's, you know.***

897 **MAY:** ***Is it Allah?***

898 **SANCHEZ:** *Yeah. You know, Allah es [inaudible/inintelligible]*
899 ***Yeah. You know, Allah is [inaudible/unintelligible]***

900 **MAY:** *Sí.*
901 ***Yes.***

902 **SANCHEZ:** *Pero es Allah, Alal...*
903 ***But it is Allah, Alal...***

904 **MAY:** ***Alal?***

905 **SANCHEZ:** *...something like this.*
906 ***...something like this.***

907 **MAY:** ***Okay.***

908 **SANCHEZ:** ***Yeah.***

909 **MAY:** *¿Cómo Allan?*

910 **FRASCONE:** ***Allan, Allan Cole.***

911 **SANCHEZ:** *Come in. Come in pa que you see the name.*
912 ***Come in. Come in so you see the name.***

913 **MAY:** ***Okay.***

914 **SANCHEZ:** ***Come in. Leave your bags.***

915 **MAY:** ***Okay.***

916 **[GOING SOMEWHERE ELSE]**

917 **SANCHEZ:** ***Hey?***

918 **MAY:** ***Okay.***

919 **SANCHEZ:** *Maybe is a terrorista. I don't know. Hahaha!*
920 ***Maybe is a terrorist. I don't know. Hahaha!***

921 **MAY:** *No creo que él es un terrorista.*
922 ***I don't think he is a terrorist.***

923 **SANCHEZ:** A terrorista. *Don't close the door. Leave it open.*
924 **A terrorist. Don't close the door. Leave it open.**
925 **MAY:** *Yeah.*
926 **SANCHEZ:** *Leave it open the door. Yeah.*
927 **MAY:** ¿Y Raúl, le conoces o no? ¿Él vive aquí?
928 **Do you know Raul? Does he live here?**
929 **SANCHEZ:** No, él no.
930 **No, he doesn't.**
931 **MAY:** ¿En el apartamento o no?
932 **In the apartment or not?**
933 **SANCHEZ:** No, él no vive aquí.
934 **No, he doesn't live here.**
935 **MAY:** ¿No? ¿Dónde vive?
936 **No? Where does he live?**
937 **SANCHEZ:** No sé.
938 **I don't know.**
939 **MAY:** ¿No sabes?
940 **You don't know?**
941 **SANCHEZ:** No, no sé. No sé dónde viva ese, ese individuo. *At four*
942 *(4:00) o'clock me wake up, Oh my god!*
943 **No, I don't know. I don't know where that individual**
944 **lives. At four (4:00) o'clock me wake up, Oh my god!**
945 **MAY:** ¿Cómo?
946 **What do you mean?**
947 **SANCHEZ:** *Last night me stay in here hasta eleven (11:00) watching*
948 *T.V., you know?*
949 **Last night me stay in here until eleven (11:00)**
950 **watching T.V., you know?**
951 **MAY:** *Uh-huh.*
952 **SANCHEZ:** Por eso *maybe, maybe me go lay down again. Okay? But I*
953 *want to see what happened con el guy. Do you know what I*
954 *mean?*

955 **That's why maybe, maybe me go lay down again.**
 956 **Okay? But I want to see what happened to the guy.**
 957 **do you know what I mean?**

958 **MAY:** *Right. Yeah. ¿No sabes qué pasó con, con Allan?*
 959 **Right. Yeah. Do you know what happened to Allan?**

960 **SANCHEZ:** *The guy is there inside. El vive en...¿Eh? Every morning*
 961 *wake up and go buy some coffee by the, by the, by the*
 962 *store.*
 963 **The guy is there inside. He lives on...¿Eh? Every**
 964 **morning wake up and go buy some coffee by the, by**
 965 **the, by the store.**

966 **MAY:** **Uh-huh.**

967 **SANCHEZ:** *Pero, now [inaudible/inintelligible] Maybe the guy say no*
 968 *open the door. Huh? Oh, man! ¡Mucho loco!*
 969 **Pero, now [inaudible/unintelligible] Maybe the guy**
 970 **say no open the door. Huh? Oh, man! Too crazy!**

971 **MAY:** *¡Mucho loco!*
 972 **Too crazy!**

973 **SANCHEZ:** *Y the guy he like it drinkin. The guy. The guy he like drinkin.*
 974 *Porque sometimes viene y ask me for—*
 975 **And the guy he like it drinkin. The guy. The guy he**
 976 **like drinkin. Because sometimes he comes and ask me**
 977 **for—**

978 **MAY:** **Raul?**

979 **SANCHEZ:** **No, no. The one—**

980 **MAY:** **Allan?**

981 **SANCHEZ:** *Yeah. I say, no, no, no drinkin here. No, no, no, no. Me no*
 982 *drinkin. Pero the guy come in, sometimes come in con the*
 983 *beer in the hand, y ask me por, por cigarette, por cigarette.*
 984 *¿Eh?*
 985 **Yeah. I say, no, no, no drinkin here. No, no, no, no. Me**
 986 **no drinkin. But the guy come in, sometimes come in**

987 **with the beer in the hand, and ask me for, for**
 988 **cigarette, for cigarette. Huh?**

989 **MAY:** **Uh-huh.**

990 **SANCHEZ:** **Yeah.**

991 **MAY:** ¿Y cuándo, cuándo llegaron la policía?
 992 **And when did the police arrive?**

993 **SANCHEZ:** En ese...*Maybe about ten (10), ten (10) or fifteen (15)*
 994 *minutes.*

995 **At that...*Maybe about ten (10), ten (10) or fifteen***
 996 ***(15) minutes.***

997 **MAY:** **Okay.**

998 **SANCHEZ:** **The police come in right away. Huh?**

999 **MAY:** Okay. ¿Y qué pasó cuando ellos llegaron?
 1000 **Okay. And what happened when they arrived?**

1001 **SANCHEZ:** Ellos llegaron y tocaron la puerta y, y yo de volada abrí,
 1002 ¿no? *"Who's the guy..." "No, no. The guy is over there." The*
 1003 *manager talkin, talkin, tell everything a la police, ¿no?*
 1004 **They got here and knocked on the door and I opened**
 1005 **it right away. "Who's the guy..." "No, no. The guy is**
 1006 ***over there." The manager talkin, talkin, tell***
 1007 ***everything to the police.***

1008 **MAY:** **Okay.**

1009 **SANCHEZ:** **The manager.**

1010 **MAY:** **The manager talked to the police?**

1011 **SANCHEZ:** **Yeah. Yeah. His name is Terry. He lives next door.**

1012 **MAY:** **Okay.**

1013 **SANCHEZ:** **His name is Terry.**

1014 **MAY:** ¿Tú hablaste con la policía o no?
 1015 **Did you talk to the police or not?**

1016 **SANCHEZ:** Sí. También, también me pidieron mi nombre y todo. Lo
 1017 apuntaron en un papel.

1018 **Yes. They asked me for my name and everything.**
 1019 **They wrote it down on a piece of paper.**
 1020 **MAY:** Sí, pero, ¿inmediatamente cuando llegaron?
 1021 **Yes, but, right away when they got here?**
 1022 **SANCHEZ:** Yeah, llegaron y tocaron aquí.
 1023 **Yeah, they came and knocked here.**
 1024 **MAY:** ¿Tocaron en tu puerta los policías? ¿Tocaron?
 1025 **The police knocked on your door? They did?**
 1026 **SANCHEZ:** Yo la tenía, la tenía cerrada, no la tenía loqueada. Dije,
 1027 "Come in!" Y, y, y no entró, ¿no?...
 1028 **It was closed but not locked. I said, "Come in!" And**
 1029 **he didn't come in...**
 1030 **MAY:** Okay.
 1031 **SANCHEZ:** ...Yo me levanté de aquí de la silla y abrí la puerta. *He said,*
 1032 *"I want to talk, I want to talking to you."* Le digo, "Okay,
 1033 *come in."* *He said, "You stay aquí all day?"* Le digo, "Sí, yo
 1034 no tengo a dónde ir," ¿no?
 1035 **...So I got up from the chair and opened the door. He**
 1036 **said, "I want to talk, I want to talking to you." I said,**
 1037 **"Okay, come in." He said, "You stay here all day?" I**
 1038 **said, "Yes, I don't have anywhere else to go," right?**
 1039 **MAY:** Uh-huh.
 1040 **SANCHEZ:** Aquí me estoy todos los días aquí, aquí adentro. Yo no
 1041 puedo andar en la calle, está peligroso. *Too much*
 1042 *problemas, ¿eh?*
 1043 **I'm here all day. I cannot be out on the streets, it's**
 1044 **too dangerous. Too much problems, huh?**
 1045 **MAY:** Sí.
 1046 **Yes.**
 1047 **SANCHEZ:** [inaudible/inintelligible], *oh man! Too much bandidos.*
 1048 **[inaudible/unintelligible], oh man! Too much bandits.**
 1049 **MAY:** **Bandits?**

1050 **SANCHEZ:** [inaudible/unintelligible]. *Huh?*

1051 **MAY:** Okay. Eh...¿Y la policía andaron para encontrar a Raúl o
1052 cómo?

1053 **Okay. Uh... And the police went to look for Raul or**
1054 **what?**

1055 **SANCHEZ:** Sí, pos ahí está, ahí está, ahí están todavía.
1056 **Yes, they're there, they are still there.**

1057 **MAY:** Okay. ¿Todavía están en el número 2?
1058 **Okay. They are still inside number 2?**

1059 **SANCHEZ:** Sí. Ya estaba adentro. Y *the guy...I don't know, the police,*
1060 *but the guy no open the door when they knocked, I don't*
1061 *know. I don't know nothing. The police is over there. One*
1062 *car de police is over there.*

1063 **Yes. He was already inside. And the guy... I don't**
1064 **know, the police, but the guy no open the door when**
1065 **they knocked. I don't know. I don't know nothing. The**
1066 **police is over there. One police car is over there.**

1067 **MAY:** *Uh-huh.*

1068 **SANCHEZ:** [inaudible/inintelligible] *is over there* pa que *the guy no, no*
1069 *could open the window, you know.* [inaudible/inintelligible].
1070 *He's waiting for the guy.*

1071 **[inaudible/unintelligible] is over there so that the guy**
1072 **no, no could open the window, you know.**

1073 **[inaudible/unintelligible]. He's waiting for the guy.**

1074 **MAY:** Pero, ¿la policía...
1075 **But, the police...**

1076 **SANCHEZ:** *Yeah.*

1077 **MAY:** ...estaba afuera esperando a los lados?
1078 **...was waiting outside on the sides?**

1079 **SANCHEZ:** *Yeah.* Exactamente.
1080 **Yeah. Exactly.**

1081 **MAY:** ¿Y después que llegaron la policía qué oíste? ¿Disparos o
1082 cómo así?
1083 **What did you hear after the police arrived? Gunshots**
1084 **or what?**
1085 **SANCHEZ:** Yo oí, pero yo no entiendo lo que— *I don't understand what*
1086 *they say, you know.*
1087 **I heard something, but I don't undersand what they—**
1088 ***I don't understand what they say, you know.***
1089 **MAY:** ***Okay.***
1090 **SANCHEZ:** ***Me lookin they guys talking, "Blah-blah-blah," But I***
1091 ***don't understand.***
1092 **MAY:** ¿Entonces tú oíste mucho comandos o algo así o órdenes
1093 de hacer algo o cómo?
1094 **So you heard many commands or something like that**
1095 **or orders to do something or what?**
1096 **SANCHEZ:** No, ellos, ellos, ellos vinieron y entraron, entraron y se
1097 pararon ahí en la esquina. No fueron pa allá, no. Ahí
1098 estaban parados. Ahí están todavía. Ahí están todavía
1099 esperando a ver si abre la puerta, a ver si sale el individuo.
1100 **No, they came and got in and stood there in the**
1101 **corner. They didn't go over there, no. They were**
1102 **standing there. They are still there, waiting to see if**
1103 **he opens the door, to see if the individual comes out.**
1104 **MAY:** ¿Y la policía estaban hablando?
1105 **And the police were talking?**
1106 **SANCHEZ:** Estaban hablando. Eran, eran como cuatro (4), *maybe four*
1107 *(4) or six (6) guys. Huh?*
1108 **They were talking. They were about four (4), maybe**
1109 ***four (4) or six (6) guys. Huh?***
1110 **MAY:** ¿Policías?
1111 **Police officers?**
1112 **SANCHEZ:** ***Yeah.***

1113 **MAY:** *Okay.*

1114 **SANCHEZ:** *And me open, me open the door, they police said, "No.*
1115 *You stay inside. Close the door. Okay?" I said, "Okay,*
1116 *okay, okay."*

1117 *Pretty soon, pretty soon me going to take a siesta.*
1118 *hahaha!*

1119 **MAY:** *Pretty soon? Hahaha!*

1120 **SANCHEZ:** *I want to see what happen to the guy, you know.*

1121 **MAY:** No, yo entiendo.

1122 **No, I understand.**

1123 **SANCHEZ:** A ver, a ver qué pasa. Ya que se lo lleven, y entonces ya
1124 cierro mi puerta.

1125 **Let's see what happens. They should take him, then I**
1126 **close my door.**

1127 **MAY:** ¿Quién lo llevan?

1128 **Who should take him?**

1129 **SANCHEZ:** La policía.

1130 **The police.**

1131 **MAY:** ¿Llevan a quién?

1132 **Who should they take?**

1133 **SANCHEZ:** A Raúl.

1134 **Raul.**

1135 **MAY:** ¿A Raúl? ¿Cómo?

1136 **Raul? Why?**

1137 **SANCHEZ:** Pos—

1138 **'Cause—**

1139 **MAY:** Descríbeme qué pasó con la policía y Raúl. Lo que viste o
1140 que tú oíste.

1141 **Describe to me what happened with the police and**
1142 **Raul. What you saw or what you heard.**

1143 **SANCHEZ:** No, pues, yo, *I don't understand nothing. Okay?*

1144 **No, well, I, I don't understand nothing. Okay?**

1145 **MAY:** Okay. Sí.
 1146 **Okay. Yes.**
 1147 **SANCHEZ:** Pero, *the guy stand up in the corner, in the corner.*
 1148 **But, the guy stand up in the corner, in the corner.**
 1149 **MAY:** *In the corner?*
 1150 **SANCHEZ:** *Yeah, inside.*
 1151 **MAY:** *Okay.*
 1152 **SANCHEZ:** *He talk, "Blah-blah-blah"*
 1153 **MAY:** *Raul?*
 1154 **SANCHEZ:** *No, no. The police.*
 1155 **MAY:** *The police?*
 1156 **SANCHEZ:** *The police, the police. Me open the door, one more*
 1157 *police stand up by the door...*
 1158 **MAY:** *Uh-huh.*
 1159 **SANCHEZ:** *...He said, "You okay. Close your door. You stay*
 1160 *inside."*
 1161 **MAY:** *Okay.*
 1162 **SANCHEZ:** [inaudible/inintelligible]. "Okay, okay." Yo quería oír, a ver si
 1163 oía, ¿no? Pero no, no entendí nada. *I don't understand*
 1164 *nothing.* Pero yo que...— *Me stay* ahí y *ask the guys what*
 1165 *happened* o qué pasa. Por qué no *go and knock the door* pa
 1166 que *Allah open*. ¿No? *I don't know. I don't know.* Porque *the*
 1167 *guy...he got...si wanted, wanted broke the door, you know.*
 1168 [inaudible/unintelligible]. "Okay, okay." **I wanted to**
 1169 **hear, to see if I could hear anything, right? But I**
 1170 **couldn't understand anything. I don't understand**
 1171 **nothing. But I wan...— Me stay** here and **ask the guys**
 1172 **what happened, what's going on. Why not go and**
 1173 **knock the door so that Allah open. Right? I don't**
 1174 **know. I don't know. Because the guy...he got...if**
 1175 **wanted, wanted broke the door, you know.**
 1176 **MAY:** ¿La policia?

1177 **The police?**

1178 **SANCHEZ:** Sí, la policía, la policía. Yo he visto en la televisión que no
 1179 abren la puerta y ellos la tumban. ¿Verdad?

1180 **Yes, the police, the police. I have seen on T.V. that**
 1181 **when they don't open the door they knock it down,**
 1182 **right?**

1183 **MAY:** *Uh-huh.*

1184 **SANCHEZ:** Ellos *pushin too hard* y broke it the door. Pa *takin*, pa que
 1185 *takin the guys* que están *inside*. You know what I mean?

1186 **They pushin too hard and broke it the door. So they**
 1187 **takin the guys that are inside. You know what I**
 1188 **mean?**

1189 **MAY:** ¿Que Raúl estaba atacando a Allan?

1190 **That Raul was attacking Allan?**

1191 **SANCHEZ:** No. Él se metió pa adentro. Yo no miré. *I no watchin*
 1192 *nothing, okay?*

1193 **No. He went inside. I didn't see. I no watchin nothing,**
 1194 **okay?**

1195 **MAY:** *Okay.*

1196 **SANCHEZ:** *Raul maybe knocks. Y the guy opened the door y the guy go*
 1197 *inside.*

1198 **Raul maybe knocks. And the guy opened the door and**
 1199 **the guy go inside.**

1200 **MAY:** Mjm. No sabes...

1201 **Uh-huh. You don't know...**

1202 **SANCHEZ:** *No.*

1203 **MAY:** ...pero tú estás pensando que—

1204 **...but you are thinking that—**

1205 **SANCHEZ:** Más o menos, más o menos.

1206 **More or less, more or less.**

1207 **MAY:** Más o menos.

1208 **More or less.**

1209 **SANCHEZ:** *[inaudible/unintelligible] my door, you know.*

1210 **MAY:** *Yeah. Sí, sí. Dame unos minutos para platicar con mi*

1211 *compañera, ¿okay?*

1212 **Yeah. Yes, yes. Give me a few minutes to talk to my**

1213 **partner, okay?**

1214 **SANCHEZ:** *Oh, no, [inaudible/unintelligible].*

1215 **MAY:** *No, está bien, está bien. Pero necesito hablar con ella.*

1216 **No, that's fine, that's fine. But I need to talk to her.**

1217 **SANCHEZ:** *No, no, no.*

1218 **MAY:** *Dame un ratito. No te preocupes.*

1219 **Give me a few minutes. Don't worry.**

1220 **SANCHEZ:** *Go in my room. Okay?*

1221 **MAY:** *Okay.*

1222 **SANCHEZ:** *iNo problema! [inaudible/ininteligible] ¡Jajaja! ¡Jajaja! ¡Ay,*

1223 *ay, ay!*

1224 **No problem! [inaudible/unintelligible] Hahaha!**

1225 **Hahaha! Ooy, ooy, ooy!**

1226 **[ABOUT A MINUTE LATER]**

1227 **MAY:** *Okay. ¿Manuel?*

1228 **Okay. Manuel?**

1229 **SANCHEZ:** *Yeah.*

1230 **MAY:** *Tenemos unas preguntas más. ¿Sabes dónde vive Raúl?*

1231 **We have a few more questions. Do you know where**

1232 **Raul lives?**

1233 **SANCHEZ:** *No sé.*

1234 **I don't know.**

1235 **MAY:** *Okay.*

1236 **SANCHEZ:** *No sé dónde vive. No sé.*

1237 **I don't know where he lives. I don't know.**

1238 **MAY:** *¿Oíste algo como Allan y Raúl golpeando o algo así?*

1239 **Did you hear anything like Allan and Raul hitting or**

1240 **something like that?**

1241 **SANCHEZ:** No, nada, nada.
1242 **No, nothing, nothing.**
1243 **MAY:** ¿Nada? ¿Oíste cuando, cuando dispararon las armas la
1244 policía?
1245 **Nothing? Did you hear when the police fired their**
1246 **weapons?**
1247 **SANCHEZ:** *Nothing. The manager told me que the guy go inside, you*
1248 *know.*
1249 **Nothing. The manager told me that the guy go inside,**
1250 **you know.**
1251 **MAY:** *Uh-huh.*
1252 **SANCHEZ:** Pero, *that's it.*
1253 **But, that's it.**
1254 **MAY:** *That's it?* ¿No oíste nada de eso?
1255 **That's it? You didn't hear any of that?**
1256 **SANCHEZ:** No.
1257 **No.**
1258 **MAY:** ¿De pistolas o algo así?
1259 **Guns or anything like that?**
1260 **SANCHEZ:** No. No, no, no, no. Él *no have no knife, no* pistolas, *no*
1261 *nothing.*
1262 **No. No, no, no, no. He no have no knife, no guns, no**
1263 **nothing.**
1264 **MAY:** No, no Raúl. La policía.
1265 **No, not Raul. The police.**
1266 **SANCHEZ:** Sí, la policía, la policía sí trae, sí *has the gun, you know.*
1267 **Yeah, the police has the gun, you know.**
1268 **MAY:** *Uh-huh.*
1269 **SANCHEZ:** **The guy no has nothing.**
1270 **MAY:** Sí. Pero, ¿cuándo? ¿Cuándo no tenía nada?
1271 **Yes. But, when? When didn't he have anything?**
1272 **SANCHEZ:** ¿Eh?

1273 **Huh?**

1274 **MAY:** ¿Cuando Raúl se metió aquí no tenía nada?

1275 **Raul didn't have anything when he came in here?**

1276 **SANCHEZ:** No. Nomás *the bottle in his hand.*

1277 **No. Just *the bottle in his hand.***

1278 **MAY:** Okay. Pero cuando él estaba en el número 2...

1279 **Okay. But when he was inside number 2...**

1280 **SANCHEZ:** **Yeah.**

1281 **MAY:** ...¿Sabes qué pasó adentro en el número 2?

1282 **...Do you know what happened inside number 2?**

1283 **SANCHEZ:** No, no. No sé nada, no sé nada.

1284 **No, no. I don't know anything. I don't know anything.**

1285 **MAY:** **No? Okay.**

1286 **SANCHEZ:** *I don't understand if he talkin the guy or something. Porque*

1287 *the guy, the guy, sometimes he come in the morning, you*

1288 *know, ask me for one cigarro.*

1289 **I don't understand if he talkin the guy or something.**

1290 **Because the guy, the guy, sometimes he come in the**

1291 **morning, you know, ask me for one cigarette.**

1292 **MAY:** **Uh-huh.**

1293 **SANCHEZ:** *Okay? For one cigarette. He go in the Holiday y buy some*

1294 *coffee.*

1295 **Okay? For one cigarette. He go in the Holiday and buy**

1296 **some coffee.**

1297 **MAY:** **Allan?**

1298 **SANCHEZ:** **Yeah.**

1299 **MAY:** Okay. Okay. ¿Y piensas que... o es tu opina que Raúl atacó a

1300 Allan?

1301 **Okay. Okay. Do you think that...or is it your opinion**

1302 **that Raul attacked Allan?**

1303 **SANCHEZ:** **Maybe.**

1304 **MAY:** *Maybe? ¿Por qué dices eso? ¿Por qué? Está bien*
1305 *[inaudible/inintelligible], ¿pero por qué dices?*
1306 ***Maybe? Why do you say that? Why? It's okay***
1307 ***[inaudible/unintelligible], but why do you say that?***
1308 **SANCHEZ:** *No, yo no sé si habló con él. Yo no sé...Yo no sabía ni a cuál*
1309 *apartment se metió. Pero el manager, el manager told me*
1310 *everything.*
1311 ***No, I don't know if he talked to him. I don't know...I***
1312 ***didn't even know which apartment he went into. But***
1313 ***the manager, the manager told me everything.***
1314 **MAY:** ***Okay.***
1315 **SANCHEZ:** ***Yeah.***
1316 **MAY:** *Okay. Y cuando, cuando Raúl estaba aquí adentro y te*
1317 *empujé, te empujaste...*
1318 ***Okay. And when Raul was inside here and he pushed***
1319 ***you, he pushed you...***
1320 **SANCHEZ:** ***Yeah.***
1321 **MAY:** *...pues te empujó, ¿tú estabas...tú tenías miedo de él porque*
1322 *él estaba muy loco...*
1323 ***...he pushed you, were you scared of him because he***
1324 ***was very crazy...***
1325 **SANCHEZ:** *Sí, sí, sí, sí...*
1326 ***Yes, yes, yes, yes...***
1327 **MAY:** *...de bebidas y posible drogas?*
1328 ***...because of alcohol and posible drugs?***
1329 **SANCHEZ:** *...No, no, no pos, yo sí tenía miedo que me fuera a dar, que*
1330 *me fuera a dar con el bottle on the face, ¿no?*
1331 ***...Well, I was afraid that he would hit me with the***
1332 ***bottle on the face.***
1333 **MAY:** *Sí.*
1334 ***Yes.***
1335 **SANCHEZ:** *Pero, voltié pa allá y luego ipum!, me aventó.*

1336 **But, I looked that way and then, Bam!, he pushed me.**

1337 **MAY:** ***Uh-huh.***

1338 **SANCHEZ:** Pero ya no me fui pa atrás. Metí la rodilla esta ahí...

1339 **But I didn't fall back. I stuck this knee there...**

1340 **MAY:** Sí. Aquí.

1341 **Yes, here.**

1342 **SANCHEZ:** ...Pa no caerme. Digo, si me caigo, *the guy* me va a agarrar

1343 en el suelo, me va...

1344 **...To avoid falling. I thought, if I fall, the guy is gonna**

1345 **get me on the floor, he's gonna...**

1346 **MAY:** Sí.

1347 **Yes.**

1348 **SANCHEZ:** ...a patadas, ¿no?

1349 **...kick me. Right?**

1350 **MAY:** Sí, sí, sí.

1351 **Yes, yes, yes.**

1352 **SANCHEZ:** Yo me levanté—

1353 **I got up—**

1354 **MAY:** ¿Pero no pasó eso? ¿No te había pateado?

1355 **But that didn't happen? He hadn't kicked you?**

1356 **SANCHEZ:** No, no, no, no, no.

1357 **No, no, no, no, no.**

1358 **MAY:** ***Okay.***

1359 **SANCHEZ:** Ya cuando me levanté, se iba a echar un trago, y lo agarré

1360 de la espalda, de aquí, de la espalda, y abrí la puerta y lo

1361 aventé pa afuera.

1362 **When I got up, he was going to have a drink, and I**

1363 **grabbed him from the back, opened the door and**

1364 **threw him out.**

1365 **MAY:** ***Okay.***

1366 **SANCHEZ:** Y lo quí la puerta. En eso que estoy loqueando la puerta

1367 llegó el *manager*. ¿Eh?

1368 **And I locked the door. When I was locking the door**
1369 **the *manager* came. Huh?**
1370 **MAY:** Sí. Y cuando, cuando Raúl llegó a la puerta tuya...
1371 **Yes. And when Raul came to your door...**
1372 **SANCHEZ:** **Yeah.**
1373 **MAY:** ...y tocó muy fuerte...
1374 **..and knocked really hard...**
1375 **SANCHEZ:** Sí.
1376 **Yes.**
1377 **MAY:** ...¿Tú abriste la puerta o cómo?
1378 **...Did you open the door or what happened?**
1379 **SANCHEZ:** Sí.
1380 **Yes.**
1381 **MAY:** ¿O él empujó la puerta abierta?
1382 **Or did he pushed the door open?**
1383 **SANCHEZ:** No, no, no, no.
1384 **No, no, no, no.**
1385 **MAY:** ¿Tu abierta?
1386 **You opened it?**
1387 **SANCHEZ:** Yo le abrí la puerta para mirar, para mirar quién era.
1388 **I opened the door to see who it was.**
1389 **MAY:** Sí. ¿Y cuánto— ¿Cómo abriste la puerta? ¿Como así o como
1390 así, o cómo?
1391 **Yes. How much— How much did you open the door?**
1392 **Like this or like this, or how much?**
1393 **SANCHEZ:** Así, así, así mero.
1394 **Like that.**
1395 **MAY:** ¿Poco a poco para ver?
1396 **Little by little, just to see?**
1397 **SANCHEZ:** Sí. Y *the guy, the guy* tocó aquí en la puerta [knocking
1398 sound] *Like this.*

1399 **Yes. And *the guy, the guy* knocked on the door**
1400 **[knocking sound] *Like this.***

1401 **MAY:** Sí.

1402 **Yes.**

1403 **SANCHEZ:** Y cuando tocan así es *the police*. ¿No?

1404 **And when someone knocks like this, it is *the police,***
1405 **right?**

1406 **MAY:** *Uh-huh.*

1407 **SANCHEZ:** Yo por eso me levanté rápido...

1408 **That's why I got up quickly...**

1409 **MAY:** Sí.

1410 **Yes.**

1411 **SANCHEZ:** ...Porque estaba acostado. Abrí la puerta, cuando abrí la
1412 puerta se metió.

1413 **...'Cause I was laying down. I opened the door, and**
1414 **when I opened the door he got in.**

1415 **MAY:** ¿De inmediato?

1416 **Immediately?**

1417 **SANCHEZ:** Sí. Se metió inmediatamente.

1418 **Yes. He got in immediately?**

1419 **MAY:** ¿Y esta mesa estaba aquí?

1420 **Was this table here?**

1421 **SANCHEZ:** ¿Eh? No—

1422 **Huh? No—**

1423 **MAY:** ¿Estaba aquí cuando él llegó?

1424 **Was it here when he came?**

1425 **SANCHEZ:** Todo eso...él, él, él *no touching nothing.*

1426 **All that...he, he, he *no touching nothing.***

1427 **MAY:** *Okay.*

1428 **SANCHEZ:** Él no movió nada. Nada movió.

1429 **He didn't move anything. He didn't move anything.**

1430 **FRASCONE:** *Okay.*

1431 **MAY:** Muchísimas gracias por tu tiempo, y Manuel...
1432 **Thank you very much for your time, and, Manuel...**
1433 **SANCHEZ:** No, no, no hay cuidado.
1434 **No problem.**
1435 **MAY:** ...Si, si— Gracias.
1436 **...If, if— Thank you.**
1437 **SANCHEZ:** No hay cuidado.
1438 **No problem.**
1439 **MAY:** Muy amable. Si tenemos más preguntas, ¿podemos regresar
1440 para platicar contigo?
1441 **You are very kind. If we have any more questions, can**
1442 **we come back to talk to you?**
1443 **SANCHEZ:** Cuando usted quiera.
1444 **Anytime.**
1445 **MAY:** Okay. Gracias.
1446 **Okay. Thank you.**
1447 **SANCHEZ:** *Anytime.*
1448 **MAY:** Okay. Gracias.
1449 **Okay. Thank you.**
1450 **SANCHEZ:** *Me stay everyday all day in here.*
1451 **MAY:** *Okay.*
1452 **SANCHEZ:** *Me look...If you come in, me look is you, me open the*
1453 *door. Okay?*
1454 **MAY:** Perfecto. *Okay?*
1455 **Perfect. Okay?**
1456 **SANCHEZ:** **Yes.**
1457 **MAY:** Alright. Muchas gracias.
1458 **Alright. Thank you very much.**
1459 **SANCHEZ:** [inaudible/unintelligible]
1460 **[END OF RECORDED CONVERSATION]**

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/42

Report Date: 04/26/2016

Primary Information	
Description:	Lab Report #4, Crime Scene Report
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/26/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/26/2016 16:16
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/26/2016 16:22

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
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AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 4

Attention: SA Mike Phill

RESULTS OF FIELD EXAMINATIONS

Crime Scene Team 04/25/2016

Laboratory Number: S16-03518
Section Reporting: Crime Scene Team
Case Type: Officer Involved Shooting/with a Death
Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
1	One manila envelope containing evidence classified as a bloodstain	from steps of stoop
2	One cardboard box containing evidence classified as an item of evidence	knife sheath
3	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 Auto +P" from hallway
4	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from hallway
5	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from kitchen
6	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom
7	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
8	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom
9	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
10	One manila envelope containing evidence classified as bullet fragment(s)	from bathroom
11	One paper bag containing evidence classified as an item of evidence	gun belt with keepers
12	One paper bag containing evidence classified as clothing	light blue uniform top from Robins
13	Sealed BCA DWI blood collection kit	David [REDACTED] Robins
14	One cardboard box containing evidence classified as a gun	Smith & Wesson MP#HSN4732 9MM w/ mag and loose round
15	One paper bag containing evidence classified as a magazine	2 Smith & Wesson
16	One paper bag containing evidence classified as pants	duty pants from Robins
17	One paper bag containing evidence classified as a right shoe	boot from Robins

18	One paper bag containing evidence classified as a left shoe	boot from Robins
19	One manila envelope containing evidence classified as an item of evidence	voice link #202750
20	One paper bag containing evidence classified as an item of evidence	Right glove from Robins
21	One paper bag containing evidence classified as an item of evidence	Left glove from Robins
22	One paper bag containing evidence classified as hat	from Robins
23	One paper bag containing evidence classified as clothing	uniform and duty belt from Malmberg
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928
25	One paper bag containing evidence classified as clothing	with bls from Coleman
26	One cardboard box containing evidence classified as a knife	from HCMC
27	One paper bag containing evidence classified as clothing	uniform shirt and handcuffs from Stewart
28	One paper bag containing evidence classified as clothing	uniform shirt from Oachs
29	One manila envelope containing evidence classified as a bloodstain	from bathroom
30	One manila envelope containing evidence classified as a bloodstain	from bathroom
31	One manila envelope containing evidence classified as a bloodstain	from bathroom
32	One manila envelope containing evidence classified as a bloodstain	from bathroom
33	One manila envelope containing evidence classified as a bloodstain	from bathroom
34	One manila envelope containing evidence classified as a bloodstain	from bathroom
35	One manila envelope containing evidence classified as a bloodstain	from bathroom
36	One manila envelope containing evidence classified as a bloodstain	from bathroom
37	One manila envelope containing evidence classified as a bloodstain	from bathroom
38	One manila envelope containing evidence classified as a bloodstain	from bathroom
39	One manila envelope containing evidence classified as bullet(s)	from bin in bedroom
40	One manila envelope containing evidence classified as bullet(s)	from bedroom floor
41	One manila envelope containing evidence classified as questioned inked print(s)	Raul Salvador Marquez Heraldes

Results of Crime Scene Examination:

Date of Request: 4/4/2016	Team Members:
Request by: SSA Gary Swanson	Team Leader: FS Joe Cooksley Team Leader in Training: FS Melissa Loren Team Member: FS McKenzie Anderson Photographer/Videographer: SA Cody Horner
BCA Investigative Case: 2016213	
BCA Case Agent: SA Mike Phill	
Agency: Minneapolis Police Department	
Agency Case: 16116598	
Briefed by: SSA Gary Swanson, SA Doug Henning	

Circumstances: The BCA Crime Scene Team was requested to assist with the investigation into an officer involved shooting incident that resulted in the death of Raul Salvador Marquez Heraldes. The incident also involved the reported stabbing of Alan Coleman by Raul Salvador Marquez Heraldes.

Address of Scene: 2120 Minnehaha Ave. Apt. # 2,
Minneapolis, MN

Date/Time Processed: From 07:50 to 15:30 hours on
4/4/2016

Unless otherwise noted, all references to *blood* in this report indicate that a positive presumptive test result was obtained.

Location: Exterior of 2120 Minnehaha Ave. and first floor hallway

Items	Collected By
1 & 2	FS Melissa Loren
3 & 4	FS Joe Cooksley

Observations/Conclusions:

Apparent blood was observed on Minnehaha Avenue in front of and north of the apartment building and on the walkway leading from the apartment building to Minnehaha Avenue. Apparent blood was also observed on the front steps, in the entry, and down the first floor hallway of the apartment building to the area outside of apartment #2. A sample of blood was collected from one of the front steps as **Item 1**. A black "Winchester" knife sheath (**Item 2**) and two cartridge cases (**Items 3 and 4**) were observed in the hallway outside of apartment #2. The Item 3 cartridge case was located west of the door to apartment #2 near the knife sheath and the Item 4 cartridge case was located east of the door. Both cartridge cases had "Federal 45 Auto +P" head stamps. Garbage, some of it appearing to be medical response debris, and wood fragments were also observed in the hallway outside of apartment #2.

Location: Apartment #2

Items	Collected By
5 – 9, 39, 40	FS Joe Cooksley
10	FS Melissa Loren
29 - 38	FS McKenzie Anderson

Observations/Conclusions:

The interior of apartment #2 consisted of an entry, bathroom (entered from the entry), utility closet, kitchen, living room, and bedroom with closet.

Damage was observed to the hinge and latch sides of the door to apartment #2. A part of the deadbolt and the deadbolt guide plate from the door were observed on the entry floor along with wood fragments. A concentrated area of apparent blood was observed on the entry floor near and on the wooden door threshold. More diffuse apparent blood was observed on the entry floor in front of the bathroom door. A cartridge case (**Item 5**) with apparent blood on it and a "FC 9MM +P" head stamp was observed on the kitchen floor near the refrigerator.

In the bathroom, the toilet was off of its housing jammed against a blue trash basket. Water covered the majority of the bathroom floor. Apparent blood was observed on the floor, walls, door, toilet, sink, trashcan,

tub, tub walls, and shower curtain. Possible shoeprints in apparent blood were observed on the bathroom floor and tub floor. A multi-colored towel soaked in water with some apparent blood on it was observed on the floor at the entrance to the bathroom against the bathroom door, which was opened into the bathroom resting against the south wall. Pieces of a broken watch were observed inside the tub, on the floor outside of the tub, and in the kitchen entry. Another part of the deadbolt from the front door to the apartment was observed on the bathroom floor and a stack of paper towels and soap dish were observed on the floor of the tub. Four cartridge cases were observed on the bathroom floor. The item number, location, and head stamp information are as follows:

- **Item 6**, on the towel near the door, "Federal 45 Auto +P"
- **Item 7**, northwest corner near a set of wicker shelves next to the sink, "FC 9MM +P"
- **Item 8**, northeast corner near the tub, "Federal 45 Auto +P"
- **Item 9**, underneath the towel near the door, "FC 9MM +P"

An apparent bullet fragment (**Item 10**) was observed on the floor in the center of the bathroom. Bloodstains were collected from several areas within the bathroom. The item number and location information are as follows:

- **Item 29**, exterior face of the bathroom door
- **Item 30**, tile of north wall west of the sink
- **Item 31**, sink
- **Item 32**, tile of north wall near the tub
- **Item 33**, exterior face of the tub
- **Item 34**, south tub wall
- **Item 35**, tile of south wall
- **Item 36**, east tub wall
- **Item 37**, tub floor
- **Item 38**, tile of south wall behind a brown towel on the towel rack

Limited Bloodstain Analysis

The Item 34 bloodstain was determined to be a **spatter stain** with upward and to the west **directionality**. The directionality and location of this stain indicate that it was associated with a spatter producing event in the tub. The Item 29 bloodstain was determined to be a spatter stain with downward and to the west directionality, and was within a group of apparent bloodstains with similar characteristics. Based on the mobile nature of the door and the lack of any staining on the outside wall of the bathroom, this stain can only be associated to a spatter producing event within the bathroom. Bloodstain type or pattern evaluation was not performed on any other bloodstain or bloodstain areas at this time. Additional bloodstain pattern analysis may be performed at a later date, but may be highly limited due to the medical response, flooding of the bathroom floor, and mobile nature of several items within the bathroom.

Impact and Trajectory Analysis

Holes were observed on the north and east tub walls approximately three feet above the floor. Examination and testing of the areas around these holes indicated the presence of lead, which is consistent with the passage of bullets. The characteristics of both holes indicated them to be entrance holes.

Additional holes were observed on the south utility closet wall, east utility closet wall, and west bedroom wall that were linked through trajectory analysis to the entrance hole on the north tub wall. A bullet (**Item 40**) was observed on the floor of the bedroom just below the hole on the west wall behind various assorted items. The trajectory of the bullet associated with these holes projected back southwest toward the area of the bathroom door at a slight upward angle indicating that the bullet was traveling northeast toward the tub at a downward angle when it impacted the north tub wall.

Additional holes were observed on the west and north walls on the inside of the bedroom closet, exterior north wall of the bedroom closet, and in two plastic bins against the north wall of the bedroom that were linked through trajectory analysis to the entrance hole on the east tub wall. Examination and testing of the areas around a hole in each plastic bin indicated the presence of lead, which is consistent with the passage of a bullet. A bullet (**Item 39**) was observed within the east plastic bin. The trajectory of the bullet associated with these holes projected back southwest toward the area of the bathroom door at a slight upward angle indicating that the bullet was traveling northeast toward the tub at a downward angle when it impacted the east tub wall.

It was observed that the east window of the bedroom was open.

No other areas of forensic significance were observed in the apartment.

SWGSTAIN Terminology

Directionality - The characteristic of a **bloodstain** that indicates the direction blood was moving at the time of deposition.

Spatter Stain - A **bloodstain** resulting from a blood drop dispersed through the air due to an external force applied to a source of liquid blood.

Additional Items Submitted to the Crime Scene Team	
Items	Submitted By
11 - 22	SA Chris Olson
23 - 28	SA Mike Phill

Additional Items Collected at the Hennepin County Medical Examiner's Office	
Item	Collected By
41	FS Jason Simser, FS Adam Bazama

This scene was photographed, diagrammed, and videoed. The Crime Scene Team Leader, listed as the author of this field report, will act as the point of contact for all laboratory matters regarding this crime scene response.

The following items will be submitted to the Laboratory Sections listed below for possible analysis:

Nuclear DNA Section: 2, 10 - 12, 14, 16 - 18, 20, 21, 23 – 29, 34, 39, 40

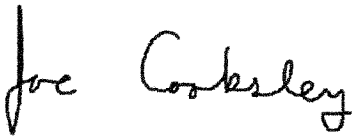
Latent Print Section: 41

Firearms Section: 3 – 10, 14, 24, 39, 40

Toxicology Section: 13

Not Analyzed: 1, 15, 19, 22, 30 – 33, 35 - 38

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

A handwritten signature in cursive script that reads "Joe Cooksley". The signature is written in black ink and is positioned above a horizontal line.

Joe Cooksley
Forensic Scientist

Disposition of Evidence:

Evidence will be held in the lab pending analysis.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/43

Report Date: 04/27/2016

Primary Information	
Description:	Property Release/Disposal Receipt reports 11,12
Reporting LEO:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	04/27/2016
Approved By:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	04/27/2016 13:46
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	04/27/2016 13:47

Reporting LEO	Date	Supervisor	Date
Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/12

Case Agent: Swanson, Gary


Item	Quantity	Description
1	1.00	CD containing dss file of the interview
2	1.00	Hand Drawn Diagram of the scene

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature



Date Received

Name

Phill, Charles (Minnesota Bureau of Criminal Apprehension)

Owner/For Owner

Address

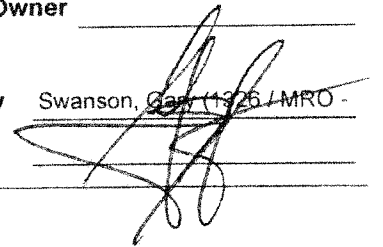
City/State

Telephone

Released By

Swanson, Gary (1326 / MRO -

Verified By



Minnesota Bureau of Criminal Apprehension

Property Release/Disposal Receipt

Page 1 of 1

Offense Number: 2016-213/11

Case Agent: Swanson, Gary

Item	Quantity	Description
1	1.00	CD Containing dss file of the interview
2	1.00	Hand Drawn Diagram of the scene

State authority to release or manner of disposition:

AGENT INVESTIGATION

I hereby certify that I have received the above listed property

Signature

Name

Phil Charles (Minnesota Bureau of Criminal Apprehension)

Address

City/State

Telephone

Date Received

Owner/For Owner

Released By Swanson, Gary 1026 / MRO -

Verified By

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/44

Report Date: 04/27/2016

Primary Information

Description: Acquisition of Ofcs Malmberg and Robins' Personnel Files
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 04/27/2016
Approved By: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 04/27/2016 17:26
Last Update Operator: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 04/27/2016 17:29

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/45

Report Date: 05/03/2016

Primary Information

Description: Transcription and Translation of Interview of Manuel SANCHEZ
Reporting LEO: Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/31/2016
Approved By: O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 05/03/2016 10:29
Last Update Operator: O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 05/31/2016 11:39

Reporting LEO	Date	Supervisor	Date
Castilleja, Adam (1323 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)		O'Donnell, William (1328 / SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)	9/14/2016

Narrative begins on the following page.

On Monday May 2, 2016, SA Castilleja received the attached copy of the transcription and translation of the recorded conversation with Manuel SANCHEZ that occurred on April 5, 2016 (refer to ACISS Investigative Supplement 2016-213/17). SA Castilleja received the transcript from SA Frascone via e-mail.

SA Castilleja reviewed the 1922 line document for accuracy and found it to be a correct reflection of the conversation.

1 **TRANSCRIPTION AND TRANSLATION OF RECORDED CONVERSATION**
2 **WITH MANUEL SANCHEZ**
3 **AND SPECIAL AGENT ADAM CASTILLEJA**
4 **BCA CASE NUMBER 2016-213**

5
6 **Important note:**

7 ***ITALIC TEXT*** is a transcription of what was said in **ENGLISH**. **NON**
8 **ITALIC PLAIN TEXT** is a transcription of what was said in **SPANISH**, and
9 **is followed by an ENGLISH TRANSLATION in BOLD TEXT.**

10 **The format used in this document is designed so that any English-**
11 **speaking person can read the conversation said in English and the**
12 **English translation of the conversation said in Spanish if the BOLD**
13 **TEXT, BOTH ITALIC AND NON ITALIC is read.**

14
15
16 **CASTILLEJA: SPECIAL AGENT ADAM CASTILLEJA**

17 **SWANSON: SENIOR SPECIAL AGENT GARY SWANSON**

18 **SANCHEZ: MANUEL SANCHEZ**
19
20

21 **[BEGINNING OF RECORDED CONVERSATION]**

22 **CASTILLEJA:** Bueno, estamos grabando. ¿Okay?

23 **Well, we are recording it now. Okay?**

24 **SANCHEZ: Okay.**

25 **CASTILLEJA: *This is Adam Castilleja with the Minnesota Bureau of***
26 ***Criminal Apprehension. Today's date is Tuesday, April***
27 ***5th, 2016. The time is 2:18 p.m. I'm currently at the***
28 ***Third Precint Police Station in the front lobby interview***
29 ***room in the City of Minneapolis, it's the corner of***
30 ***Minnehaha and Lake Street East. Present is Senior***
31 ***Special Agent Gary Swanson and Special Agent Joe***
32 ***Murphy. We are currently in the presence of Manuel***

Sanchez, date of birth [REDACTED] – excuse me, [REDACTED]. He said he lives at 2120 Minnehaha Avenue South, number 1 in Minneapolis. I've established that Mr. Sanchez does not understand English well. He told me that he prefers to speak in Spanish. I told him I'm from the Southern part of the United States and that I do speak some Spanish and he's indicated that he understands me, so I'm gonna attempt to ask him some questions.

[TO SANCHEZ]

Bueno, Señor Sánchez, ¿me entiendes?

Okay. Mr. Sanchez, do you understand me?

SANCHEZ: Sí.

Yes.

CASTILLEJA: ¿Está bien? Okay.

Is it okay? Okay.

SANCHEZ: Sí. Está bien.

Yes. It's okay.

CASTILLEJA: Okay. ¿Entonces vives aquí en 2120 Minnehaha...

Okay. So you've lived on 2120 Minnehaha...

SANCHEZ: Minnehaha.

Minnehaha.

CASTILLEJA: ...número 1 por dos (2) años?

...number 1 for two (2) years?

SANCHEZ: Apartment— Yeah, tengo dos (2) años. Llegué de cinco (5) años. Estoy en un programa, ellos me están pagando todo.

Apartment— Yeah, for two (2) years. I came here when I was five (5) years old. I'm in a program. They are paying for everything.

CASTILLEJA: ¿Cómo se llama la programa?

What is the name of the program?

64 **SANCHEZ:** No, no sé cómo se llama ese programa, pero ellos, ellos,
65 ellos me contrataron ahí en La Brencha, donde dan de comer
66 y dan de comer, ahí por el Chicago, ahí donde está La
67 Brencha.
68 **No, I don't know the name of the program, but they**
69 **recruited me at La Brencha* [*COULD BE REFERRING TO**
70 **BRANCH 1], where they serve food, by Chicago Ave.,**
71 **there at La Brencha.**
72 **CASTILLEJA:** Mjm.
73 **Uh-huh.**
74 **SANCHEZ:** Ahí llegó una señora y dijo que— Yo me quedaba, allá me
75 quedaba en el *Salvation Army*, ¿verdad?
76 **A lady came over there and said that— I was staying at**
77 **The Salvation Army, right?**
78 **CASTILLEJA:** ¿*Salvation Army*?
79 **Salvation Army?**
80 **SANCHEZ:** Yeah. Ahí, ahí dormía.
81 **Yeah. I slept there.**
82 **CASTILLEJA:** **You are getting assistance from the Salvation Army**
83 **over in Chicago.**
84 **SANCHEZ:** Yes. No, no. Ellos están, ellos están en el centro. El *Salvation*
85 *Army* está en el *downtown*.
86 **Yes. No, no. They are downtown. The Salvation Army**
87 **is downtown.**
88 **CASTILLEJA:** **Central Avenue?**
89 **SANCHEZ:** **Yeah.**
90 **CASTILLEJA:** **Okay.**
91 **SANCHEZ:** Por allá para aquél rumbo.
92 **Somewhere in that area.**
93 **CASTILLEJA:** Sí. Sí.
94 **Yes. Yes.**
95 **SANCHEZ:** **Yeah.**

96 **CASTILLEJA:** Bueno. Entonces, te quiero preguntar de ayer, lo que pasó.
97 ¿Hay algo terrible que pasó allá cerca de tu casa? ¿Me
98 puedes decir?
99 **Well. I want to ask you about what happened**
100 **yesterday. Was there anything terrible that happened**
101 **near your house? Can you tell me?**
102 **SANCHEZ:** Ese individuo llegó y se metió a mi casa.
103 **That individual came and got into my house.**
104 **CASTILLEJA:** ¿Cómo se llama el señor?
105 **What is the man's name?**
106 **SANCHEZ:** Se, se, yo, se llama Raúl, pero yo no sé el apellido de él. Yo
107 a él lo conocí ahí en La Brencha, pero nunca, nunca le
108 pregunté su nombre, su nombre en serio.
109 **His name is Raul, but I don't know his last name. I met**
110 **him at La Brencha, but I never asked him for his full**
111 **name.**
112 **CASTILLEJA:** ¿Y cómo lo conoces?
113 **And how do you know him?**
114 **SANCHEZ:** ¿Eh?
115 **Huh?**
116 **CASTILLEJA:** ¿Cómo lo conoces? ¿Es amigo o cómo?
117 **How do you know him? Is he a friend or what?**
118 **SANCHEZ:** Sí, pos es que ahí en La Brencha , van muchos mexicanos allí
119 a comer. Y ahí asiste uno. Abren en la mañana y cierran a
120 las tres (3:00) de la tarde. ¿Me entiendes?
121 **Yes, well, it's 'cause many Mexicans go to La Brencha**
122 **to eat, and I go there. They open in the morning and**
123 **close at three (3:00) in the afternoon. You know what**
124 **I mean?**
125 **CASTILLEJA:** Mjm.
126 **Uh-huh.**

127 **SANCHEZ:** Y ahí iba todos los días ahí a comer antes, y ahí llega mucha
128 gente. Y esa, esa persona ahí llegaba y se sentaba ahí en un
129 lado conmigo...
130 **And I used to go there everyday to eat, a lot of people**
131 **go there. And that person used to go there too and**
132 **would sit by me...**
133 **CASTILLEJA:** Mjm.
134 **Uh-huh.**
135 **SANCHEZ:** ...Ahí estábamos platicando. Platicábamos. Y ese día llegó a
136 mi casa y se metió...
137 **...We were there talking. We would talk. And that day**
138 **he came to my house and went inside...**
139 **CASTILLEJA:** Mjm.
140 **Uh-huh.**
141 **SANCHEZ:** ...que quería tomar. Le digo, "No, no, no. Ahora es domingo.
142 Los domingos no está abierta—
143 **...he said he wanted to drink. I said, "No, no,no. Today**
144 **is Sunday. It's not open on Sundays—**
145 **CASTILLEJA:** ¿A qué horas eran?
146 **What time was it?**
147 **SANCHEZ:** Eran como a las ocho (8:00) de la noche, como a las nueve
148 (9:00) de la noche, más o menos.
149 **It was around eight (8:00) at night, around nine**
150 **(9:00) at night, more or less.**
151 **CASTILLEJA:** ¿El domingo?
152 **On Sunday?**
153 **SANCHEZ:** Era domingo.
154 **It was Sunday.**
155 **CASTILLEJA:** ¿Como a qué horas?
156 **Around what time?**
157 **SANCHEZ:** ¿Eh?
158 **Huh?**

159 **CASTILLEJA:** ¿Como a qué horas?
160 **Around what time?**
161 **SANCHEZ:** ¿Cómo?
162 **What?**
163 **CASTILLEJA:** ¿A qué horas? ¿Qué tiempo?
164 **At what time?**
165 **SANCHEZ:** ¿Cómo?
166 **What?**
167 **CASTILLEJA:** ¿A qué tiempo el domingo? ¿A qué hora?
168 **At what time on Sunday? At what time?**
169 **SANCHEZ:** No, no, el domingo no. ¿A qué horas eran?
170 **No, no, not on Sunday. What time was it?**
171 **CASTILLEJA:** ¿Cuándo llegó?
172 **When did he arrive?**
173 **SANCHEZ:** Eran como a las ocho (8:00) o nueve (9:00) de la noche.
174 **It was about eight (8:00) or nine (9:00) at night.**
175 **CASTILLEJA:** *Okay.*
176 **SANCHEZ:** Como a las ocho (8:00) o nueve (9:00) de la noche.
177 **About eight (8:00) or nine (9:00) at night.**
178 **CASTILLEJA:** Mjm.
179 **Uh-huh.**
180 **SANCHEZ:** Y me dijo, me dijo, entonces me dijo él que si le daba chanza
181 de quedarse ahí, ¿me entiendes?
182 **And he said, he said, he asked me if I would let him**
183 **stay there. You know what I mean?**
184 **CASTILLEJA:** Mjm.
185 **Uh-huh.**
186 **SANCHEZ:** Entonces le dije, "Sí, sí te puedes quedar aquí por una
187 noche." Dijo porque su señora de él, que andaba limpiando
188 la casa porque se va a mover.

189 **So I said to him, "Yes, you can stay here for one**
190 **night." He said that his wife was cleaning the house**
191 **because they were going to be moving.**

192 **CASTILLEJA:** ¿Cómo se llama ella?
193 **What's her name?**

194 **SANCHEZ:** ¿Eh?
195 **Huh?**

196 **CASTILLEJA:** ¿Cómo se llama la señora?
197 **What's the wife's name?**

198 **SANCHEZ:** No, yo no sé. Nunca...
199 **No, I don't know. I never...**

200 **CASTILLEJA:** **Okay.**

201 **SANCHEZ:** ...Yo sé que tiene señora, pero nunca la he visto. Nunca lo he
202 visto con ella. Él nomás llegaba a La Brencha y la ruca
203 llegaba ahí. Llegaban en la troca, en la troca se lo llevaba.
204 **...I know that he has a wife, but I have never seen her.**
205 **I have never seen him with her. He would just get to**
206 **La Brencha, the old lady would drop him off there.**
207 **They would arrive in the truck, and in the truck she**
208 **would pick him up.**

209 **CASTILLEJA:** ¿Dónde vive Raúl?
210 **Where does Raul live?**

211 **SANCHEZ:** No sé dónde viva. Él vive con su señora.
212 **I don't know where he lives. He lives with his wife.**

213 **CASTILLEJA:** ¿No sabes dónde?
214 **You don't know where?**

215 **SANCHEZ:** No, no sé dónde vive. Vivía, pos porque ya se fue.
216 **No, I don't know where he lives. Well, where he lived,**
217 **because he's gone.**

218 **CASTILLEJA:** ¿Y cuánto tiempo que conoces a Raúl?
219 **For how long have you known Raul?**

220 **SANCHEZ:** Como...más o menos como un año, más o menos. Como un
 221 año. Él casi no iba muy seguido porque él sí tenía trabajo.
 222 Trabajaba quién sabe en qué parte trabajaba.
 223 **About...for about a year, more or less. For about a**
 224 **year. He didn't go there too often because he had a**
 225 **job. I don't know where he worked.**

226 **CASTILLEJA:** ¿Y cómo llegó? ¿Su señora lo dejó? ¿En carro?
 227 **And how did he get there? His wife dropped him off?**
 228 **By car?**

229 **SANCHEZ:** ¿Cómo?
 230 **What?**

231 **CASTILLEJA:** ¿Cómo llegó a tu casa Raúl? ¿La señora lo dejó?
 232 **How did Raul get to your house? His wife dropped him**
 233 **off?**

234 **SANCHEZ:** Sí. Fue, fue y lo dejó.
 235 **Yes. She dropped him off.**

236 **CASTILLEJA:** ¿Y qué estaba manejando la señora?
 237 **And what was the wife driving?**

238 **SANCHEZ:** La señorita estaba ma— la troca, la troca que tiene, esa troca
 239 es de ella. ¿Me entiendes?
 240 **The wife was driv— the truck, her truck, that truck is**
 241 **hers. You know what I mean?**

242 **CASTILLEJA:** Mjm.
 243 **Uh-huh.**

244 **SANCHEZ:** Porque antes la andaba él, porque él iba y dejaba a la señora
 245 en el trabajo, ¿eh? Y él se andaba en la troca todo el día.
 246 **'Cause he used to drive it before. He would drop her**
 247 **off at work and drive the truck all day.**

248 **CASTILLEJA:** ¿Qué tipo de camioneta?
 249 **What type of truck?**

250 **SANCHEZ:** ¿Cómo?
 251 **What?**

252 **CASTILLEJA:** ¿Qué tipo? ¿Qué color? ¿Era un Chevy? ¿Ford?
253 **What type? What color? Was it a Chevy? A Ford?**
254 **SANCHEZ:** Era una roja. Era una troca roja. Era una troca roja.
255 **It was a red one. It was a red truck. It was a red**
256 **truck.**
257 **CASTILLEJA:** ¿Qué tipo? ¿No sabes?
258 **What type? Do you know?**
259 **SANCHEZ:** Todavía la tiene la troca roja.
260 **He still has the red truck.**
261 **CASTILLEJA:** Okay. ¿No sabes qué tipo?
262 **Okay. You don't know what type?**
263 **SANCHEZ:** No, no sé.
264 **No, I don't know.**
265 **CASTILLEJA:** ¿Era viejito o nuevo?
266 **Was it old or new?**
267 **SANCHEZ:** ¿Eh?
268 **Huh?**
269 **CASTILLEJA:** La camioneta, ¿estaba nuevo o viejito?
270 **The truck. Was it new or old?**
271 **SANCHEZ:** Pues no estaba muy nueva, pero estaba más o menos.
272 **Well, it wasn't very new, but it was not too old.**
273 **CASTILLEJA: Okay.**
274 **SANCHEZ:** No estaba muy nueva.
275 **It wasn't very new.**
276 **CASTILLEJA:** ¿Y cómo sabe Raúl dónde vives?
277 **And how does Raul know where you live?**
278 **SANCHEZ:** ¿Eh?
279 **Huh?**
280 **CASTILLEJA:** ¿Cómo sabe él tu dirección? ¿Cómo?
281 **How does he know your address?**
282 **SANCHEZ:** Oh, pues, ¿cómo sabe él?
283 **How does he know?**

284 **CASTILLEJA:** Mjm.
 285 **Uh-huh.**
 286 **SANCHEZ:** Porque él me llevaba, en la troca que andaba, él me llevaba
 287 y me tiraba ahí en mi casa. *Yeah.* Él iba a visitarme antes.
 288 **Because he would give me a ride in his truck, he would**
 289 **drop me off at my house. Yeah. He used to come visit**
 290 **me before.**
 291 **CASTILLEJA:** ¿Mande?
 292 **What?**
 293 **SANCHEZ:** A mi casa. Él fue una vez a mi casa y ya después iba, no iba
 294 todos los días, iba allá cada cuando. A veces me venía y me
 295 traía, me traía, él me traía a la casa.
 296 **At my house. He came to my house once and after that**
 297 **he would come visit, not everyday, once in a while.**
 298 **Sometimes he would give me a ride home.**
 299 **CASTILLEJA:** ¿Cuántas veces llegó a tu casa este año? ¿Cuántas veces?
 300 **How many times did he come to your house this year?**
 301 **How many times?**
 302 **SANCHEZ:** Como unas, unas, como unas diez (10) veces. Diez (10) o
 303 doce (12) veces, más o menos.
 304 **About ten (10) times. Ten (10) or twelve (12) times,**
 305 **more or less.**
 306 **CASTILLEJA:** Okay. ¿Entonces qué pasó esta mañana del, del, del muerto?
 307 **Okay. So what happened the morning of the, of the, of**
 308 **the dead?**
 309 **SANCHEZ:** Pos—
 310 **Well—**
 311 **CASTILLEJA:** Cuando llegaron los policías, ¿qué pasó con usted?
 312 **When the police arrived, what happened with you?**
 313 **SANCHEZ:** Él, él, él nunca— Él me dijo que si lo dejaba quedarse ahí. Y
 314 toda la noche anduvo camine y camine. Y yo me levantaba y
 315 le decía "Acuéstese, porque va a venir el *manager*."

316 He, he, he never— He asked me if I would let him stay
317 there. He was pacing all night. I'd wake up and tell
318 him, "Go to sleep 'cause the *manager* will come."

319 **CASTILLEJA:** ¿Se quedó la noche esa noche?
320 **Did he stay overnight that night?**

321 **SANCHEZ:** Sí, pero nunca, nunca se acostó a dormir. Andaba, andaba
322 caminando pa todas partes. ¿Me entiendes?
323 **Yes, but he never went to sleep. He was walking all**
324 **over the place. You know what I mean?**

325 **CASTILLEJA:** Mjm.
326 **Uh-huh.**

327 **SANCHEZ:** Nunca quizo—
328 **He never wanted to—**

329 **CASTILLEJA:** ¿Por qué? ¿Porque estaba borracho o...?
330 **Why? Because he was drunk or...?**

331 **SANCHEZ:** No, no estaba borracho. No andaba borracho ni drogado.
332 **No, he wasn't drunk. He wasn't drunk nor high.**

333 **CASTILLEJA:** ¿Y quién estaba ahí...
334 **And who was there...**

335 **SANCHEZ:** ¿Eh?
336 **Huh?**

337 **CASTILLEJA:** ...en tu apartamento? ¿Quién estaba ahí?
338 **...at your apartment? Who was there?**

339 **SANCHEZ:** No, nomás yo estaba. Yo estaba. Nomás yo.
340 **No, It was just me. I was there. Just me.**

341 **CASTILLEJA:** ¿Tú y Raúl?
342 **You and Raul?**

343 **SANCHEZ:** Él llegó ahí. Nomás yo y él. Y yo le dije, "Ya me voy a
344 acostar." Le presté una toalla para que se quedara en el
345 sofá, ¿no? Pero nunca se acostó. Anduvo pa arriba y pa
346 abajo.

347 **He came over. Just me and him. And I told him, "I'm**
348 **going to sleep."** And I lend him a towel for him to stay
349 **on the sofa. But he never went to sleep. He was up and**
350 **down all night.**

351 **CASTILLEJA:** ¿Cómo a qué horas, qué hora eran, a qué horas eran ese
352 tiempo?

353 **What time, what time was it, at about what time was**
354 **that?**

355 **SANCHEZ:** Cuando—

356 **When—**

357 **CASTILLEJA:** Cuando te dormiste.

358 **When you went to sleep.**

359 **SANCHEZ:** Yo me acosté, me acosté como a las diez (10:00). Como a
360 las diez (10:00) de la noche me fui a acostar. Y en ese
361 instante le puse las cobijas ahí en el sofá, ¿no? Pero nunca
362 se acostó. Andaba pa arriba y pa abajo toda la noche, mano.
363 ¿Eh? Nunca se acostó a dormir. Anduvo pa arriba y pa abajo.
364 Yo creo que ya la muerte ya lo traía—

365 **I went to bed around ten (10:00). I went to bed**
366 **around ten (10:00) at night. At that moment I put the**
367 **blankets on the sofa for him. But he never went to**
368 **sleep. He was up and about all night. He never went to**
369 **sleep. He was up and about. I think death loomed over**
370 **him—**

371 **CASTILLEJA:** ¿Entonces tú te dormiste como a las diez (10:00)?

372 **So you went to sleep around ten (10:00)?**

373 **SANCHEZ:** Sí, me—

374 **Yes—**

375 **CASTILLEJA:** ¿Entonces qué pasó?

376 **What happened then?**

377 **SANCHEZ:** Él andaba camine y camine. Yo me levantaba y le decía que
378 se acostara a dormir, ¿no?, porque prendía las luces y las

379 dejaba prendidas y andaba afuera. Andaba afuera. Ahí
380 estaba una troca roja ahí.
381 **He kept walking and walking. I'd get up and tell him to**
382 **go to sleep, 'cause he would turn the lights on and**
383 **leave them on and he was outside. He was outside.**
384 **There was a red truck over there.**
385 **CASTILLEJA:** ¿Él salió afuera?
386 **He went outside?**
387 **SANCHEZ:** Sí, se salió. Yo cuando despertaba, cuando me levantaba a
388 ver qué estaba haciendo—
389 **Yes, he did. When I'd wake up, when I'd get up to see**
390 **what he was up to—**
391 **CASTILLEJA:** ¿A qué horas era eso?
392 **At what time was that?**
393 **SANCHEZ:** A las dos (2:00), tres (3:00) de la mañana. Dos, tres veces
394 me levanté y le dije, "¡Hey! ¡Métete pa adentro!" Y después
395 [inaudible/ininteligible] que estaba cerrada, ¿me entiendes?
396 No me hacía caso. No, no, no me decía nada, nomás se me
397 quedaba mirando.
398 **At two (2:00) or three (3:00) in the morning. I got up**
399 **two or three times and told him, "Hey! Come inside!"**
400 **And then [inaudible/unintelligible] that was closed.**
401 **You know what I mean? He wouldn't listen to me. He**
402 **wouldn't say anything, he would just stare at me.**
403 **CASTILLEJA:** ¿Estaba afuera, afuera, afuera del edificio?
404 **Was he outside the building?**
405 **SANCHEZ:** No, ahí por el pasillo.
406 **No, in the hallway.**
407 **CASTILLEJA:** ¿Pasillo?
408 **Hallway?**
409 **SANCHEZ:** Por el pasillo.
410 **In the hallway.**

411 **CASTILLEJA:** ¿Cuántos apartamentos hay?

412 **How many apartments are there?**

413 **SANCHEZ:** Son once (11). Son doce (12).

414 **There are eleven (11). There are twelve (12).**

415 **CASTILLEJA:** ¿Doce (12)? ¿En un— ¿Es de un piso o cuántos pisos son?

416 **Twelve (12)? Is it a one-story or how many stories are**

417 **there?**

418 **SANCHEZ:** Es segundo piso. Es segundo piso.

419 **It's a second floor. It's a second floor.**

420 **CASTILLEJA:** ¿Vive usted en el segundo piso?

421 **Do you live on the second floor?**

422 **SANCHEZ:** No, vivo en el primer, en el primer, en el número 2.

423 **No, I live on the first floor, on the first, in number 2.**

424 **CASTILLEJA:** ¿Entonces son seis (6) en cada piso?

425 **So there are six (6) on each floor?**

426 **SANCHEZ:** ¿Eh?

427 **Huh?**

428 **CASTILLEJA:** ¿Son seis (6) apartamentos en cada piso?

429 **There are six (6) apartments on each floor?**

430 **SANCHEZ:** Sí, sí. Seis (6) abajo y seis (6) arriba.

431 **Yes, yes. Six (6) downstairs and six (6) upstairs.**

432 **CASTILLEJA:** ¿Entonces a las dos (2:00) o las tres (3:00) de la mañana

433 usted abriste la puerta y estaba—

434 **So at two (2:00) or three (3:00) in the morning you**

435 **opened the door and he was—**

436 **SANCHEZ:** Él andaba ahí caminando y asomándose por la ventana,

437 porque allá en el pasillo hay ventanas que se mira para

438 afuera, ¿me entiendes? Y yo lo miraba que estaba en la

439 ventana. Y luego, como a las...como a las dos (2:00), dos

440 (2:00) o tres (3:00) de la mañana llegó el *manager*, ¿no?

441 **He was there walking and looking out the window,**

442 **'cause there in the hallway are windows where you**

443 can see outside. You know what I mean? I saw him by
444 the window. And then, around...around two (2:00) or
445 three (3:00) in the morning the *manager* came.

446 **CASTILLEJA:** ¿A qué horas? ¿Dos (2:00) o tres (3:00)?
447 **At what time? Two (2:00) or three (3:00)?**

448 **SANCHEZ:** Como a las tres (3:00) de la mañana. Y lo miró ahí y le dijo,
449 "¿Qué estás haciendo aquí?" Y le contestó unas cosas que no
450 iban al caso, ¿me entiendes? Y él le dijo, "*You, you*, ¿sabes
451 qué? *You* no te puedes quedar aquí porque tú no vives aquí.
452 Te vas a tener que ir." ¿Me entiendes? Y él no le hizo caso.
453 Entonces, él pidió la policía, ¿eh? Llegó la policía y—
454 **Around three (3:00) in the morning. And he saw him**
455 **there and told him, "What are you doing here?" And he**
456 **answered something not to the point. You know what**
457 **I mean? And he said, "*You, you*, you know what? *You***
458 **cannot stay here because you don't live here. You are**
459 **going to have to leave." You know what I mean? And**
460 **he didn't listen to him. Then he called the police. The**
461 **police arrived and—**

462 **CASTILLEJA:** ¿Quién habló a la policía?
463 **Who called the police?**

464 **SANCHEZ:** El *manager*, el *manager*, el *manager* de ahí le habló a la
465 policía.
466 **The *manager*, the *manager*, the *manager* called the**
467 **police.**

468 **CASTILLEJA:** Mjm.
469 **Uh-huh.**

470 **SANCHEZ:** Entonces, quién sabe qué hablaron, ellos hablaron. Pero—
471 **Then, they talked. Who knows what they talked about.**
472 **But—**

473 **CASTILLEJA:** ¿Los policías con el *manager*?
474 **The police and the *manager*?**

475 **SANCHEZ:** Entraron y hablaron con él. Y dijo, "Esos que están ahí en la
476 troca esa, tienen amenazada a mi familia."
477 **They came in and talked to him. He said, "Those**
478 **people in that truck have threatened my family."**

479 **CASTILLEJA:** ¿Quién dijo eso?
480 **Who said that?**

481 **SANCHEZ:** Él.
482 **He did.**

483 **CASTILLEJA:** ¿Raúl?
484 **Raul?**

485 **SANCHEZ:** Ahí estaba una van que siempre llegan ahí al frente de la
486 casa, ¿no? Ahí la parq— Enfrente hay otro edificio, enfrente.
487 Entonces, esa van todas las noches ahí la dejan. Y le decía al
488 *manager*, "Aquéllos que están ahí." Y apuntaba. En la van no
489 había nadie, no había nadie. ¿Eh?
490 **There was a van there that's always parked in front of**
491 **the house. There is another building across the street.**
492 **So they park that van there every night. And he was**
493 **telling the *manager*, "Those people who are there."**
494 **And he was pointing. There was nobody in the van,**
495 **there was nobody. Huh?**

496 **CASTILLEJA:** ¿Y qué dijo Raúl del van? ¿Qué dijo?
497 **And what did Raul say about the van? What did he**
498 **say?**

499 **SANCHEZ:** No pos que su familia, que protegieran a su familia. Pero en
500 la van no había nadie, estaba solo ahí. Pero él andaba, él
501 andaba en otro mundo. Pero ahí no, no hizo, no hizo, no hizo
502 drogas, porque yo lo conozco, él no es...él es borracho, ¿me
503 entiendes? Toma, pero no usa drogas. Pero ese día andaba
504 bien, bien, bien norteado. Andaba en otro mundo. Ya la
505 muerte ya lo estaba—

506 **He was worried about his family and asked them to**
507 **protect his family. But there was nobody in the van.**
508 **There was nobody there. But he was in another world.**
509 **But he didn't do drugs, 'cause I know him, he is a**
510 **drunk, you know, he drinks, but he doesn't do drugs.**
511 **But that day he was very lost. He was in another**
512 **world. Death loomed over him—**
513 **CASTILLEJA:** ¿Entonces él dijo a los policías de esas personas en el van de
514 querían echar mal cosas?
515 **So he told the police about those people in the van**
516 **that wanted to do bad things?**
517 **SANCHEZ:** Sí, pero los policías miraron la van que no había nadie.
518 **Yes, but the police saw that there was nobody in the**
519 **van.**
520 **CASTILLEJA:** ¿De qué color era el van?
521 **What color was the van?**
522 **SANCHEZ:** ¿Eh?
523 **Huh?**
524 **CASTILLEJA:** ¿De qué color era?
525 **What color was it?**
526 **SANCHEZ:** Era también era roja. Ahí está esa troca. Siempre la
527 parquean ahí y ahí viven enfrente. ¿Me entiendes? Pero los
528 policías miraron que...dijeron, "¡Este bato está loco!" Y ya no
529 le hicieron caso y se fueron. Y él, cuando—
530 **It was red, too. It's there. They always park it there**
531 **'cause they live across the street. You know what I**
532 **mean? But the police saw that...they said, "This guy is**
533 **crazy!" And they didn't pay attention to him anymore**
534 **and left. And he, when—**
535 **CASTILLEJA:** ¿Los policías se fueron?
536 **The police left?**

537 **SANCHEZ:** Se fueron. Y él les empezó a gritar muchas cosas, ¿no? Los
538 policías no le hicieron caso. Pero como quiera en la mañana,
539 en la mañana que se levantó el *manager*, estaba...andaba
540 haciendo mucho escándalo ahí en el pasillo.
541 **They left. And he started yelling many things at them.**
542 **The police did not pay attention to him. But anyway, in**
543 **the morning, in the morning when the *manager* got up,**
544 **he was making a lot of noise in the hallway.**

545 **CASTILLEJA:** ¿Cómo a qué hora era?
546 **Around what time?**

547 **SANCHEZ:** Tocando en la pared así fuerte.
548 **Knocking hard like this on the wall.**

549 **CASTILLEJA:** Entonces la segunda vez...
550 **So the second time...**

551 **SANCHEZ:** ¿Eh?
552 **Huh?**

553 **CASTILLEJA:** ¿A qué horas era la segunda vez?
554 **What time was it the second time?**

555 **SANCHEZ:** Ya eran como las ocho (8:00), ocho (8:00), ocho (8:00) de
556 la mañana. Entonces ya llegó la policía y fue él y tocó la
557 puerta del *manager*, y él no le hizo caso, ¿me entiendes? En
558 frente está otro apartamento. Ahí tocó, y la persona que vive
559 ahí abrió la puerta y él se metió a ese apartamento. ¿Eh?
560 **It was around eight (8:00), eight (8:00), eight (8:00)**
561 **in the morning. Then the police arrived and he went**
562 **and he knocked on the *manager's* door, but he didn't**
563 **respond. You know what I mean? There is another**
564 **apartment across the hallway. He knocked there and**
565 **the person who lives there opened the door and he got**
566 **into that apartment. Huh?**

567 **CASTILLEJA:** Un momento.
568 **One moment.**

569 **SANCHEZ:** Se metió ahí. Ahí vive un señor más grande que yo.
570 **He went in there. A man who is older than me lives**
571 **there.**

572 **CASTILLEJA:** ¿Qué número era?
573 **What number was it?**

574 **SANCHEZ:** ¿Eh?
575 **Huh?**

576 **CASTILLEJA:** ¿Qué número de apartamento?
577 **What apartment number?**

578 **SANCHEZ:** El número 2. Es el número 2 el departamento de él.
579 **Number 2. His apartment is number 2.**

580 **CASTILLEJA:** ¿Cómo se llama el señor?
581 **What's the man's name?**

582 **SANCHEZ:** ¿Eh?
583 **Huh?**

584 **CASTILLEJA:** ¿Cómo se llama el señor?
585 **What's the man's name?**

586 **SANCHEZ:** Tiene un nombre muy— Allah, Allah, pero no, no—
587 **He has a name that's very— Allah, Allah, but no, no—**

588 **CASTILLEJA:** ¿Americano o...?
589 **American or...?**

590 **SANCHEZ:** Es americano, es americano. Ese señor es más grande que
591 yo. Ahí lo veo todos los días que sale y entra, pero no hablo
592 con él.
593 **He's American, he's American. That man is older than**
594 **me. I see him coming and going every day, but I don't**
595 **talk to him.**

596 **CASTILLEJA:** Entonces él abrió la puerta ¿y qué hizo Raúl?
597 **So he opened the door, and what did Raul do?**

598 **SANCHEZ:** No pues, él se metió a la fuerza. ¿Eh?
599 **No, well, he forced his way in. Huh?**

600 **CASTILLEJA:** ¿Se forceó?

601 **He forced his way in?**

602 **SANCHEZ:** Abrió la puerta y puchó, puchó al hombre y luego loquió la
603 puerta. Y ahí se estuvo. Ya de ahí, yo tenía la puerta de mi
604 cuarto abierta, ¿no? Dijo, "No, cierra la puerta. Tú métete pa
605 adentro, tú no tienes que ver nada en esto." Yo quería oír a
606 ver qué decía, ¿no? Yo creía que él no quería salir de ahí del
607 cuarto. ¿Me entiendes?

608 **He opened the door and pushed, he pushed the man**
609 **and then he locked the door. And he stayed there.**
610 **After that— I had the door to my room open, right? He**
611 **said, "No, close the door. Go inside, you have nothing**
612 **to do with this." I wanted to hear what he was saying,**
613 **right? I thought that he didn't want to come out of the**
614 **room. You know what I mean?**

615 **CASTILLEJA:** ¿Entonces se metió en el cuarto cuarto del señor?
616 **So he went inside the man's room?**

617 **SANCHEZ:** No, se metió a la fuerza al cuarto ese en el número 2.
618 **No, he forced his way into that room, number 2.**

619 **CASTILLEJA:** Mjm. ¿Cuál cuarto? ¿Nomás en el primer cuarto o pa atrás
620 donde duerme?
621 **Uh-huh. Which room? Just in the first room or in the**
622 **back where he sleeps?**

623 **SANCHEZ:** No, en el...está, está la puerta, entonces caminas así y a la
624 vuelta entonces están otros dos apartamentos.
625 **No, in...here's the door, then you walk this way and**
626 **there are two more apartments around the corner.**

627 **CASTILLEJA:** ¿Me puede enseñar?
628 **Can you show me?**

629 **SANCHEZ:** ¿Eh?
630 **Huh?**

631 **CASTILLEJA:** ¿Lo puede escribir?
632 **Can you write it down?**

633 **SANCHEZ:** ¿Cómo?
634 **What?**
635 **CASTILLEJA:** Como el apartamento, como: Ésta es la puerta.
636 **The apartment, like: This is the door.**
637 **SANCHEZ:** Está la puerta.
638 **Here's the door.**
639 **CASTILLEJA:** Okay. Aquí está la puerta aquí, este es el apartamento...
640 **Okay. Here's the door, this is the apartment...**
641 **SANCHEZ:** Ándele. *Yeah.*
642 **Right. Yeah.**
643 **CASTILLEJA:** ...Entonces cuando entras aquí, ¿dónde estaba?
644 **...So, when you enter here, where was he?**
645 **SANCHEZ:** Bueno, aquí está la puerta de la calle. ¿Eh?
646 **Well, here's the door to the street. Huh?**
647 **CASTILLEJA:** Mjm.
648 **Uh-huh.**
649 **SANCHEZ:** Aquí está la puerta de la calle. Entonces, aquí está la puerta
650 de la calle, entonces caminas derecho así, y luego volteas
651 ahí, ¿no?
652 **Here's the door to the street. Then, here's the door to**
653 **the street, then you walk straight and turn there,**
654 **right?**
655 **CASTILLEJA:** ¿Ese es el apartamento?
656 **Is that the apartment?**
657 **SANCHEZ:** *Yeah, no, no, pal apartamento de él.*
658 **Yeah, no, no, that's his apartment.**
659 **CASTILLEJA: Okay.**
660 **SANCHEZ:** *Yeah. Él vive en frente de donde vive el manager.*
661 **Yeah. He lives across from where the manager lives.**
662 **CASTILLEJA: Okay.**
663 **SANCHEZ:** En frente está la puerta del *manager*.
664 **Across [the hallway] is the manager's door.**

665 **CASTILLEJA:** Mjm.
666 **Uh-huh.**
667 **SANCHEZ:** Sí me entiendes, ¿verdad?
668 **You understand what I'm saying, right?**
669 **CASTILLEJA:** Sí.
670 **Yes.**
671 **SANCHEZ:** A él le tocó, pero él no abrió la puerta ni nada. Cuando ya,
672 ya abrió la puerta miró que se metió, que se metió Raúl y
673 puchó al señor...
674 **He knocked on his door, but he didn't open it. When he**
675 **did open the door, he saw that he went inside, that**
676 **Raul went in and pushed the man...**
677 **CASTILLEJA:** Mjm.
678 **Uh-huh.**
679 **SANCHEZ:** ...Y se metió y loquió la puerta. ¿Me entiendes? Entonces la
680 policía ahí, ahí asistió. Yo no sé a qué hora lo sacaron,
681 porque ya cuando lo sacaron lo sacaron muerto. ¿Eh? Lo
682 sacaron muerto.
683 **...He went inside and locked the door. You know what**
684 **I mean? So the police helped there. I don't know at**
685 **what time they took him away, because when they**
686 **took him, he was already dead. Huh? He was dead**
687 **when they took him away.**
688 **CASTILLEJA:** Y cuando todo esto pasó, ¿usted estabas dónde?
689 **Where were you when all this happened?**
690 **SANCHEZ:** ¿Cómo?
691 **What?**
692 **CASTILLEJA:** ¿Usted estabas dónde cuando todo esto pasó?
693 **Where were you when all this happened?**
694 **SANCHEZ:** Yo estaba ahí dentro de mi cuarto, yo quería que... Yo tenía
695 la puerta abierta. El policía dijo, "No. Tú cierra la puerta. Tú
696 no tienes que ver nada aquí." Yo estaba en la puerta para oír

697 a ver qué, a ver qué estaba pasando. ¿Eh? Pero no me
698 dejaban estar en la puerta. Me decían que, cada vez que me
699 miraban en la puerta me decían que cerrara la puerta y me
700 metiera pa adentro. Y yo no me dí cuenta a qué hora lo
701 sacaron.

702 **I was inside my room, I wanted to... My door was**
703 **open. The police officer said, "No. Close the door. You**
704 **have nothing to do with this." I was by the door to see**
705 **if I could hear what was going on. Huh? But they**
706 **didn't let me stay by the door. Every time they saw me**
707 **by the door they told me to close it and go inside. So I**
708 **didn't notice what time they took him away.**

709 **CASTILLEJA:** ¿No escuchaste nada?
710 **Didn't you hear anything?**

711 **SANCHEZ:** No, no. No escuché cuando, cuando lo sacaron en la camilla.
712 Entonces yo no sabía que ya se lo habían llevado. La policía
713 permaneció ahí como hasta las tres (3:00) o cuatro (4:00)
714 de la tarde, ¿no? Ahí en el pasillo. Escribiendo, quién sabe
715 qué estaban escribiendo. Pero ya se lo habían llevado. A él
716 se lo llevaron como a las diez (10:00). ¿Me entiendes? Como
717 a las diez (10:00) se lo llevaron.

718 **No, no. I didn't hear when they took him away on the**
719 **gurney. So I didn't know that they had already taken**
720 **him. The police stayed there in the hallway until about**
721 **three (3:00) or four (4:00) in the afternoon, writing. I**
722 **don't know what they were writing about. But they**
723 **had already taken him. He was taken away around ten**
724 **(10:00). You know what I mean? They took him away**
725 **around ten (10:00).**

726 **CASTILLEJA:** ¿Diez (10:00) de la mañana o en la noche?
727 **Ten (10:00) in the morning or at night?**

728 **SANCHEZ:** No, del, del día. Como a las diez (10:00), once (11:00) de la
729 mañana lo sacaron.
730 **No, in the morning. Around ten (10:00) or eleven**
731 **(11:00) in the morning they took him away.**
732 **CASTILLEJA:** ¿Lo sacaron quién?
733 **Who took him away?**
734 **SANCHEZ:** Pero yo no mire— Yo miré que la ambulancia se paró ahí,
735 ¿no? Pero yo quise abrir la puerta y no miré, no miré si lo
736 sacaron a él. Yo oí que la ambulancia cuando se fue, tú
737 sabes que la prenden y se oye la sirena, ¿no? Entonces yo
738 volteé a ver y ya la ambulancia ya iba. Pero ahí lo llevaban,
739 pero yo no sabía que ya lo llevaban ahí.
740 **But I didn't see— I saw the ambulance parked there. I**
741 **wanted to open the door, but I didn't see, I didn't see**
742 **if they had taken him. I heard the ambulance when it**
743 **left, 'cause you know they turn the siren on, right? I**
744 **turned around to see and saw that the ambulance was**
745 **leaving. He was already in there, but I didn't know**
746 **that they already had him in there.**
747 **CASTILLEJA:** ¿Con quién vive este señor en el número 2?
748 **Who does the man in number 2 live with?**
749 **SANCHEZ:** Él vive sólo. Ahí viven puras personas... Ahí viven muchas
750 personas, pero todos los que viven ahí viven solos. ¿Me
751 entiendes? Ese apartamento es nada más para una persona.
752 **He lives by himself. Only people... Many people live**
753 **there, but everybody who lives there lives alone. You**
754 **know what I mean? That apartment is for one person**
755 **only.**
756 **CASTILLEJA:** *Okay.*
757 **SANCHEZ:** A ellos, casi todos los que viven ahí, a ellos les están
758 pagando la renta. Están en diferentes programas, no nada
759 más hay uno, hay diferentes.

760 **Almost everybody who lives there is getting their rent**
761 **paid. They are in different programs, not just one,**
762 **different ones.**

763 **CASTILLEJA: Okay.**

764 **SANCHEZ:** Todos los que viven ahí viven solos. Llegan mujeres, pero ahí
765 se están unas dos, tres horas, ¿eh? Llegan otras en la noche
766 y ahí se quedan a dormir, pero nomás una noche, ¿no? Al día
767 siguiente se van. Porque si ve, el *manager*, si mira a alguien
768 que está ahí, lo corren a uno también, al que vive ahí y a la
769 persona.

770 **They all live by themselves. Women come, but they are**
771 **there for about two or three hours, huh? Others come**
772 **at night and sleep there, but only for one night, right?**
773 **They leave the next day. Because if the *manager* sees**
774 **somebody there, you get kicked out too, the person**
775 **who lives there and the visitor.**

776 **CASTILLEJA:** ¿Son muy estrictos?
777 **They are very strict?**

778 **SANCHEZ:** ¿Eh?
779 **Huh?**

780 **CASTILLEJA:** ¿Son muy estrictos, verdad?
781 **They are very strict, right?**

782 **SANCHEZ:** Ajá. *Yeah.*
783 **Uh-huh. Yeah.**

784 **CASTILLEJA: Okay.**

785 **SANCHEZ: Yeah.**

786 **CASTILLEJA:** ¿Platicaste con alguien, otro policía, antes de mí?
787 **Did you talk to somebody, another police officer,**
788 **before me?**

789 **SANCHEZ:** ¿Eh?
790 **Huh?**

791 **CASTILLEJA:** ¿Platicaste con alguien ayer? ¿Otro policía?

792 **Did you talk to somebody yesterday? Another police**
793 **officer?**

794 **SANCHEZ:** Sí. Me dijo, "Métete pa adentro. Ahorita hablamos. Ahí estate
795 adentro. Ahorita entro a hablar contigo." Él me preguntó
796 también dos, tres cosas y todo lo apuntó en un papel.
797 Entonces llegó este señor, ¿verdad?

798 **Yes. He said, "Get inside. We'll talk shortly. Stay**
799 **inside. I'll come over to talk to you shortly." He also**
800 **asked me about two or three things and he wrote**
801 **everything down on a piece of paper. Then this man**
802 **came, right?**

803 **CASTILLEJA:** ¿Lo entendiste bien?

804 **Did you understand him well?**

805 **SANCHEZ:** ¿Eh?

806 **Huh?**

807 **CASTILLEJA:** ¿Lo entendiste bien?

808 **Did you understand him well?**

809 **SANCHEZ:** Sí, pos me preguntó...me preguntó esas cosas, pero...todas
810 esas cosillas acá. Más o menos unas, le entendí unas, y—
811 **Yes, well, he asked me...he asked me those things,**
812 **but... all those things. I more or less understood some**
813 **of them, and—**

814 **CASTILLEJA:** Y la mujer que manejó la camioneta roja, ¿no sabes el
815 nombre de ella?

816 **Do you know the name of the woman who drove the**
817 **red truck?**

818 **SANCHEZ:** No. No sé el nombre de ella. Es más—
819 **No. I don't know her name. In fact—**

820 **CASTILLEJA:** ¿Era su novia, su esposa?

821 **Was she his girlfriend or wife?**

822 **SANCHEZ:** Es su esposa. Él tiene su señora, tiene hijos ¿eh? Pero yo
823 nunca, nunca, nunca he mirado a esa señora ni le pregunto

824 cómo es su señora ni nada porque, pos eso no va. La señora
825 trabaja. No sé en qué trabaja, pero trabaja.

826 **She is his wife. He has a wife and children, huh? But I**
827 **have never, never, never seen that woman nor have I**
828 **asked him what his wife is like or anything because,**
829 **well, that's not right. The wife works. I don't know**
830 **what she does, but she works.**

831 **CASTILLEJA:** ¿Todo lo que me dijiste es la verdad?
832 **Is everything that you told me the truth?**

833 **SANCHEZ:** ¿Eh?
834 **Huh?**

835 **CASTILLEJA:** ¿Todo lo que me dijiste es la verad?
836 **Is everything that you told me the truth?**

837 **SANCHEZ:** Sí, pos, ¿cómo voy a estar mintiendo?
838 **Yes. Why would I be lying?**

839 **CASTILLEJA:** Sí, sí, sí.
840 **Yes, yes, yes.**

841 **SANCHEZ:** No tengo por qué estar mintiendo.
842 **I have no reason to lie.**

843 **CASTILLEJA:** *Okay.*

844 **SANCHEZ:** Yo digo lo tengo que decir. Porque si voy a estar mintiendo,
845 pos, entonces está mal, eso está mal. Entonces me voy a
846 meter en problemas, ¿eh? Entonces me voy a meter en
847 problemas yo.
848 **I'm saying what I have to say. 'Cause if I'm going to**
849 **be lying, well, that's wrong, that's wrong, and I could**
850 **get in trouble. I could get in trouble.**

851 **CASTILLEJA:** *Alright. I'll explain to you guys since obviously you*
852 *didn't understand or anything.*

853 **SWANSON:** *Yeah.*

854 **CASTILLEJA:** *Mr. Sanchez says he's known—*

855 **SANCHEZ:** Él también habló conmigo dos, tres veces, ¿verdad?

856 He also talked to me two or three times, right?
857 Remember you talking, you talking to me in my room?
858 Remember?

859 **CASTILLEJA:** *He said [inaudible/unintelligible].*

860 **SANCHEZ:** *I a little bit understand, pero— Yeah.*
861 *I a little bit understand, but— Yeah.*

862 **CASTILLEJA:** *I don't know how much you guys understood any of*
863 *this, but basically he knows this Raul guy, he doesn't*
864 *know his last name, he doesn't know where Raul lives.*
865 *He's known him through this place called like— It's*
866 *like a, like a Salvation Army place where they go and*
867 *get assistance and get fed. He says it's somewhere on*
868 *Central, Chicago, there's couple different places. He*
869 *says he's lived here on 2120 Minnehaha number 1 for*
870 *about two (2) years. He's on a program that...*

871 **SANCHEZ:** *Yeah.*

872 **CASTILLEJA:** *...they get resources to help pay for his rent and other*
873 *things like food and stuff. He says he lives alone. He*
874 *says they have very strict rules. There's twelve (12)*
875 *different units and the manager is very strict about*
876 *people visiting and pretty much zero tolerance as to*
877 *any foul play or whatever, so...uh. He says Raul*
878 *arrived at his place Sunday night between eight*
879 *(8:00) and nine (9:00) p.m. and Raul wanted to drink.*
880 *He says, "We can't get any booze 'cause it's Sunday.*
881 *So there's no booze that we can get." So, Raul wanted*
882 *to spend the night at his house. He was dropped off by*
883 *an unknown female. He says that he thinks it's his*
884 *wife. He doesn't know her name.*

885 **SWANSON:** *And that was Sunday night?*

886 **CASTILLEJA:** *Sunday night between eight (8:00) and nine (9:00)*
887 *p.m.*

888 **SWANSON:** *Are you sure it's not Saturday night?*
889 **SANCHEZ:** *No. Sunday, on Sunday. It's Sunday.*
890 **SWANSON:** *'Cause when we talked to the wife, she says she*
891 *dropped him off there Saturday night. And we also*
892 *talked to Terry, the caretaker, and Terry said that Raul*
893 *is a frequent visitor to [inaudible/unintelligible]*
894 *Apartments. So—*
895 **CASTILLEJA:** *He says Raul's been there about a dozen times to his*
896 *apartment over the last year.*
897 **SWANSON:** *Okay.*
898 **CASTILLEJA:** *He basically said that he's known him for about a year.*
899 *He said that he arrived in a red truck, an older model,*
900 *used vehicle. He doesn't know the make or model.*
901 *Raul knows where Mr. Sanchez lives because Mr.—*
902 *They carpool together sometimes to go to the soup*
903 *kitchen – that's what I call it - so that's probably how*
904 *he knows where he lives, and he's visited him about*
905 *ten (10) or twelve (12) times over the last year.*
906 *Sunday night he says he offered him to stay, and Raul*
907 *started pacing all night. Mr. Sanchez, Mr. Sanchez*
908 *went to bed about ten (10:00) p.m. Sunday night and*
909 *he offered Raul to sleep on Mr. Sanchez' couch. At two*
910 *(2:00) or three (3:00) in the morning Mr. Sanchez*
911 *wakes up and he hears Raul pacing outside in the*
912 *hallway. He says there's two (2) levels, six (6)*
913 *apartments on top...*
914 **SWANSON:** *Yeah.*
915 **CASTILLEJA:** *...and six (6) down below. He says he opened the door*
916 *and saw Raul...*
917 **SANCHEZ:** *Yeah.*
918 **CASTILLEJA:** *...He was acting weird.*
919 **SANCHEZ:** *All night, round and round.*

920 **CASTILLEJA:** *So at three (3:00) a.m. Mr. Sanchez sees the manager.*
921 *The manager gets mad and says, "What's going on?"*
922 *Manager says, "You don't live here, Raul. You gotta*
923 *leave." And then the manager calls the police the first*
924 *time. Raul explains to the police officers that show up*
925 *that— He points to a red van that's parked in the front*
926 *parking lot. Uh...Mr. Sanchez says that that van*
927 *belongs there to some people that live there, and Raul*
928 *said, "This people are after me. They want to hurt me*
929 *and my family." And Mr. Sanchez said, well, there was*
930 *nobody in the van. So, Raul's acting crazy. Uh...He says*
931 *Raul is a drunk, however, that night, he didn't see*
932 *anything indicating that he was drunk...*
933 **SANCHEZ:** *Yeah.*
934 **CASTILLEJA:** *...or on drugs, but he is an alcoholic. So, the police*
935 *kind of just downplayed that story with Raul and they*
936 *left. So...Second time around, eight (8:00) a.m. Mr.*
937 *Sanchez observes Raul making pounding noises in the*
938 *hall, he's banging on the walls, he's looking out the*
939 *window down...whatever.*
940 **SANCHEZ:** *All night.*
941 **CASTILLEJA:** *All night.*
942 **SWANSON:** *So, so the police were there earlier in the night and*
943 *then left?*
944 **CASTILLEJA:** *Yeah.*
945 **SWANSON:** *Is that what he's saying?*
946 **CASTILLEJA:** *La policía llegaron la primer vez, entonces—*
947 *The police got there the first time, then—*
948 **SANCHEZ:** *Sí, pero ellos llegaron como a las, como a las, más o menos,*
949 *más o menos como a las cuatro (4:00) de la mañana.*
950 *Yes, but they got there around, around four (4:00) in*
951 *the morning, more or less.*

952 **CASTILLEJA:** *About four (4:00) in the morning.*

953 **SANCHEZ:** Ellos llegaron porque les habló el *manager*.
 954 **They came because the *manager* called them.**

955 **CASTILLEJA:** *'Cause the manager called them.*

956 **SANCHEZ:** El *manager* les habló que ese, que ese, que ese individuo no
 957 vivía ahí, que estaba haciendo mucho escándalo con las dos
 958 manos en la pared.
 959 **The *manager* called them and told them that that**
 960 **individual did not live there and was being too loud**
 961 **banging his hands on the wall.**

962 **CASTILLEJA:** *The manager kept complaining that he doesn't live*
 963 *there.*

964 **SANCHEZ:** *Yeah.*

965 **CASTILLEJA:** ¿Entonces qué hicieron los policías de Raúl? ¿Nomás lo
 966 dejaron?
 967 **So what did the police do about Raul? They just left**
 968 **him?**

969 **SANCHEZ:** Sí. Raúl habló con ellos y les decía que ahí estaban unas,
 970 unas personas en la van que lo querían matar, que lo
 971 querían matar a él, que querían matar a su familia.
 972 **Yes. Raul talked to them and told them there were**
 973 **some people in the van who wanted to kill him, who**
 974 **wanted to kill him, who wanted to kill his family.**

975 **CASTILLEJA:** *Raul was pointing at the van and that these people in*
 976 *the van wanted to hurt him, [inaudible/unintelligible].*

977 **SANCHEZ:** Pero miraron que en la van no había nadie.
 978 **But they saw that there was nobody in the van.**

979 **CASTILLEJA:** *The police saw that the van was empty.*
 980 ¿Entonces qué hicieron?
 981 **So what did they do?**

982 **SANCHEZ:** Y la policía no le hizo caso, porque [inaudible/inintelligible].
 983 Como quiera, como quiera se fueron.

984 And the police ignored him, because
985 [inaudible/unintelligible]. They left anyway.

986 **CASTILLEJA:** *And they just disregarded him because they saw*
987 *nobody in the van. So then they left.*

988 **SANCHEZ:** Pero siguió haciendo escándalo, ¿no? Entonces el *manager*,
989 el *manager* les habló a la policía y les explicó. Pero ya
990 cuando les habló a la policía, éste ya estaba adentro del otro,
991 del apartamento del, del, del apartamento número 2.
992 **But he continued making a racket. So then the**
993 ***manager, the manager* called the police and explained**
994 **to them. But by the time he called the police, he was**
995 **already inside the other... the apartment... of**
996 **apartment number 2.**

997 **CASTILLEJA:** *So then...We'll go back. Okay? So then, at eight (8:00)*
998 *in the morning, he sees, he sees that Raul's in the hall.*
999 *This time he's more aggressive, and then at that time*
1000 *he sees that he's in apartment number 2, an American*
1001 *male, big guy, he says that he lives alone, opened the*
1002 *door and Raul forced his way into the apartment and*
1003 *locked the door behind him. Then, Sanchez remained*
1004 *by his door the whole time, and the police told him to*
1005 *stay there and don't come out.*

1006 **SANCHEZ:** Yo la mera verdad no sé. Dicen que lo mató un policía, pero
1007 yo la mera verdad no sé si lo mataron.
1008 **I really don't know. They say that a police officer killed**
1009 **him, but I really don't know if they killed him.**

1010 **CASTILLEJA:** ¿Quién dijo eso?
1011 **Who said that?**

1012 **SANCHEZ:** Pues, ahí otro, un amigo que llegó, él dijo que habían dicho
1013 unos que un policía le había dado un balazo, pero yo no, yo
1014 no, yo no oí ningún balazo ahí. ¿Me entiendes?

1015 **Well, a friend who came over, he said that others said**
1016 **that a police officer had shot him, but I didn't, I didn't,**
1017 **I didn't hear any shots there. You know what I mean?**
1018 **CASTILLEJA:** ¿Quién dijo eso?
1019 **Who said that?**
1020 **SANCHEZ:** Un amigo que llegó ahorita que estaba yo. Miró, miró las
1021 noticias.
1022 **A friend who just came over when I was there. He saw**
1023 **it on the news.**
1024 **CASTILLEJA:** ¿Dónde fueron, dónde fueron el señor, dónde fue?
1025 **Where did they go, where did the man go, where did**
1026 **he go?**
1027 **SANCHEZ:** Ahora en la mañana.
1028 **This morning.**
1029 **CASTILLEJA:** ¿Pero dónde fue? ¿Por qué llegó en ese edificio?
1030 **But, where did he go? Why did he go to that building?**
1031 **SANCHEZ:** ¿Eh?
1032 **Huh?**
1033 **CASTILLEJA:** ¿Por qué llegó el señor?
1034 **Why did the man come?**
1035 **SANCHEZ:** Ah, no, él llegaba y platicaba conmigo.
1036 **Oh, no, he would come over and chat with me.**
1037 **CASTILLEJA:** ¿Cómo se llama?
1038 **What's his name?**
1039 **SANCHEZ:** Él ayer...él, el domingo iba, pero como estaba ahí rodeado de
1040 policías, no dejaban pasar a nadie, ni entrar a nadie al
1041 edificio. Y él creía que algo me había pasado a mí, por eso
1042 fue, a mirar a ver—
1043 **Yesterday he...on Sunday he came, but since it was**
1044 **surrounded by police, they were not letting anybody**
1045 **through, nor letting anybody into the building. And he**

1046 **thought something had happened to me, and that's**
1047 **why he went, to see—**

1048 **CASTILLEJA:** *¿Cómo se llama?*
1049 **What's his name?**

1050 **SANCHEZ:** *Se llama Rudy. Es tejano también. Es tejano. Rudy, Rudy,*
1051 *Rudy no sé de qué se apellida. Sí, fue a— Ayer, miró a la*
1052 *policía y alguien le dijo que afuera de mi apartamento había*
1053 *mucha policía y él fue a ver qué había pasado. Él iba a ver*
1054 *qué me había pasado a mí, ¿me entiendes?*
1055 **His name is Rudy. He is a Texan as well. He is a Texan.**
1056 **Rudy, Rudy, Rudy... I don't know his last name. He**
1057 **went to... Yesterday, he saw the police and somebody**
1058 **told him that many police officers were outside my**
1059 **apartment, and he went to see what had happened. He**
1060 **went to see if anything had happened to me. You know**
1061 **what I mean?**

1062 **CASTILLEJA:** *Okay.*

1063 **SANCHEZ:** *¿Eh?*
1064 *Huh?*

1065 **CASTILLEJA:** *He says that there is a guy named Rudy that he knows*
1066 *as as friend and he saw, he was driving by and he saw*
1067 *the police...*

1068 **SANCHEZ:** *You see my friend. Remember? Remember my friend*
1069 *[inaudible/unintelligible]—*

1070 **SWANSON:** *Is that Rudy?*

1071 **SANCHEZ:** *Yeah, Rudy.*

1072 **CASTILLEJA:** *...He saw the police and wanted to check if he was*
1073 *okay, but he couldn't get past the perimeter. So then,*
1074 *finally, he was able to see him later in the day...*

1075 **SANCHEZ:** *He went to see what happened, you know.*

1076 **CASTILLEJA:** *...He said somebody got shot.*

1077 **SANCHEZ:** *Me I don't understand si the guy...somebody killed the guy or*
1078 *the guy killed by himself. I don't understand. I don't know.*
1079 ***Me I don't understand if the guy...somebody killed the***
1080 ***guy or the guy killed by himself. I don't understand. I***
1081 ***don't know.***
1082 **SWANSON:** *Okay. Well, I think he's a little bit confused on his*
1083 *times, but that's okay. What happened was that the*
1084 *police get called around five (5:00) a.m. by Terry, the*
1085 *manager.*
1086 **CASTILLEJA:** *Was it once or twice?*
1087 **SWANSON:** *Just once. The police got there and this guy was in the*
1088 *apartment hallway with a knife, Raul. And he ended up*
1089 *retreating in apartment number 2.*
1090 **CASTILLEJA:** *¿No lo miraste con un cuchillo?*
1091 *You didn't see him with a knife?*
1092 **SANCHEZ:** *¿Eh?*
1093 *Huh?*
1094 **CASTILLEJA:** *¿No lo miraste con un cuchillo?*
1095 *You didn't see him with a knife?*
1096 **SANCHEZ:** *Pos, él traiba, él traiba, él traiba algo en la mano, pero yo*
1097 *nunca me fijé muy bien, muy bien si él traiba cuchillo o*
1098 *nada.*
1099 ***Well, he had, he had, he had something in his hand,***
1100 ***but I never paid attention to see if he had a knife or***
1101 ***anything.***
1102 **CASTILLEJA:** *He said that he saw him with something in his hand,*
1103 *but he doesn't know anything about a knife.*
1104 **SWANSON:** *Okay. And the other thing...It's not a huge deal and*
1105 *we're not going to get you in trouble with Terry, the*
1106 *manager, but we gotta know when he got there, and*
1107 *we were told that his wife dropped him off on*

1108 *Saturday, not Sunday. So, did he stay there with you*
1109 *Saturday night too?*

1110 **CASTILLEJA:** Mira.
1111 **Look.**

1112 **SANCHEZ:** *No, no. Sunday, it was Sunday.*

1113 **CASTILLEJA:** Mira, mira. Lo que estás— Cuando estás platicando con
1114 nosotros, usted no vas a tener problemas con el *manager*.
1115 **Look. What you are— When you are talking to us, you**
1116 **are not going to have problems with the *manager*.**

1117 **SANCHEZ:** No, no.
1118 **No, no.**

1119 **CASTILLEJA:** No te preocupes, sí, pero necesitamos saber la verdad si era
1120 el domingo o el sábado cuando llegó. Es importante.
1121 **Don't worry. But we need to know the truth of whether**
1122 **it was Sunday or Saturday when he came over. It is**
1123 **important.**

1124 **SANCHEZ:** Él fue, él fue el domingo. Ya tenía como dos (2) meses que
1125 no lo miraba, porque ya tengo como dos (2) meses que no
1126 voy pa allá a La Brencha, ¿me entiendes?
1127 **He came, he came on Sunday. I had not seen him for**
1128 **two (2) months because it's been about two (2)**
1129 **months since the last time I went to La Brencha. You**
1130 **know what I mean?**

1131 **CASTILLEJA:** *He says it was definitely on Sunday, he says he hasn't*
1132 *seen him for two (2) months. He hasn't gone over to*
1133 *get assistance for two (2) months. So—*

1134 **SANCHEZ:** Y él llegó ahí y me dijo, "¿Me dejas quedarme aquí porque mi
1135 señora anda limpiando el cuarto porque nos vamos a
1136 mover?" ¿Eh?
1137 **And he came over and asked me, "Can I stay here**
1138 **'cause my wife is cleaning the room 'cause we are**
1139 **going to move?"**

1140 **CASTILLEJA:** ¿Usted?
1141 **You?**
1142 **SANCHEZ:** Dijo, "Déjame quedarme aquí por esta noche." "Sí, sí. Te
1143 puedes quedar." Nunca había, nunca, nunca se había
1144 quedado ahí. Y sí, ya cuando él llegó...la puerta de afuera -
1145 porque la puerta de afuera está cerrada siempre - ¿no? Ya
1146 cuando llegó y tocó en mi, tocó en mi cuarto. Entonces yo le
1147 abrí y le digo, "¿Quién te abrió?" "Una señora que entró pa
1148 adentro, ella fue la que me abrió." Pero no miré cuando la
1149 señora llegó y lo dejó.
1150 **He said, "Let me stay here tonight." "Yes, yes. You can**
1151 **stay." He had never, never, never stayed there. And**
1152 **yes, when he arrived... the outside door – because the**
1153 **outside door is always locked – when he got here and**
1154 **knocked on my, on my door. I opened it and asked**
1155 **him, "Who let you in?" "A lady that went inside, she**
1156 **opened the door for me." But I didn't see when his**
1157 **wife dropped him off.**
1158 **CASTILLEJA: Yes, he said it was definitely Sunday night, he says he**
1159 **got into the secured building following somebody that**
1160 **was coming in first and he said that he asked him to**
1161 **stay because his...Raul's wife was cleaning the floor of**
1162 **their place and they were planning on moving in two**
1163 **(2) months.**
1164 **SANCHEZ:** Él dijo que su señora iba a ir en la mañana a las nueve
1165 (9:00) de la mañana, ¿eh? Me entiendes, ¿verdad?
1166 **He said that his wife was going to come at nine (9:00)**
1167 **in the morning, huh? You understand, right?**
1168 **CASTILLEJA:** Mjm.
1169 **Uh-huh.**
1170 **SANCHEZ:** Pero como—
1171 **But—**

1172 **CASTILLEJA:** ¿Pa recogerlo?
1173 **To pick him up?**
1174 **SANCHEZ:** A recogerlo. Pero, como a las nueve (9:00) iba a ir, pero,
1175 ¿me entiendes?, a esa hora ya estaba rodeado todo ahí, no
1176 dejaban pasar ni carros.
1177 **To pick him up. She was going to come around nine**
1178 **(9:00), but by that time, everything was surrounded**
1179 **and they were not even letting cars through.**
1180 **CASTILLEJA:** *Raul said the wife was planning on picking him up at*
1181 *nine (9:00) in the morning.*
1182 **SANCHEZ:** Por ahí no pasaban ni carros ni gente.
1183 **Neither cars nor people could pass.**
1184 **CASTILLEJA:** *But, obviously it was a crime scene at that time.*
1185 **SANCHEZ:** Entonces yo nunca miré a la señora si llegó o no.
1186 **So I never saw if the wife came or not.**
1187 **CASTILLEJA:** *He never saw the wife if she came.*
1188 **SANCHEZ:** Pero, en esa hora no pasaban carros. Por ahí pasan los
1189 buses, ¿me entiendes? Pero en esa hora no habían ni buses,
1190 ni carros, ni gente caminando por ahí. No había nadie, no
1191 dejaban pasar a nadie, pues, por esa calle.
1192 **But, at that time, there were no cars passing. Usually**
1193 **there are buses passing, but at that time there weren't**
1194 **any buses, or cars, or people walking there. There was**
1195 **nobody, they were not letting anybody through on that**
1196 **street.**
1197 **SWANSON:** *Did he see...Did he see Raul with the knife?*
1198 **CASTILLEJA:** ¿Y mirastes a Raúl con el cuchillo?
1199 **Did you see Raul with the knife?**
1200 **SANCHEZ:** No, yo no—
1201 **No, I didn't—**
1202 **CASTILLEJA:** ¿Nunca en toda la noche, ni en el día?
1203 **Not anytime during the night, nor in the day?**

1204 **SANCHEZ:** No, no. Él no traía cuchillo.
1205 **No, no. He didn't have a knife.**
1206 **CASTILLEJA:** *He said he didn't see him with a knife, he doesn't*
1207 *about the knife.*
1208 **SANCHEZ:** Esa cuchilla, esa cosa que traiba él la ha de haber agarrado
1209 del cuarto donde él se metió.
1210 **That blade, that thing that he had, he must have**
1211 **grabbed it from the room he went into.**
1212 **CASTILLEJA:** *He says most likely, whatever he had in his hand, he*
1213 *retrieved it from number 2. [inaudible/unintelligible]*
1214 **SANCHEZ:** Yeah. Porque él no traía cuchillo ni nada.
1215 **Yeah. Because he didn't have a knife or anything.**
1216 **CASTILLEJA:** *He didn't see any knife.*
1217 **SANCHEZ:** No, no traía.
1218 **No, he didn't have one.**
1219 **SWANSON:** *Does he own, does he own a hunting knife that's on a*
1220 *black sheath about this long?*
1221 **CASTILLEJA:** ¿Usted tienes un cuchillo, navaja que está—
1222 **Do you have a knife that is—**
1223 **SANCHEZ:** Tengo tres (3) cuchillos...
1224 **I have three (3) knives...**
1225 **CASTILLEJA:** Mjm.
1226 **Uh-huh.**
1227 **SANCHEZ:** ...Y tengo otro que está ahí en la mesa. Ese está chavalillo
1228 así.
1229 **And I have another one that's on the table. It's small**
1230 **like this.**
1231 **CASTILLEJA:** ¿Qué color era la...donde lo pones?
1232 **What color was the...where you put it?**
1233 **SANCHEZ:** ¿Eh?
1234 **Huh?**
1235 **CASTILLEJA:** ¿Qué color era la cosa que lo pones adentro?

1236 **What color was the thing you put it in?**

1237 **SANCHEZ:** ¿Qué color era qué? ¿Qué?

1238 **What color was what? What?**

1239 **CASTILLEJA:** *I'm trying to say "cover."*

1240 **SANCHEZ:** No, pues yo, yo no miré qué clase de cuchillo traiba.

1241 **No, well, I didn't see what kind of knife he had.**

1242 **CASTILLEJA:** ¿Cómo lo guardas el cuchillo? ¿Lo pones en algo?

1243 **How do you put away the knife? Do you put it in**

1244 **something?**

1245 **SANCHEZ:** No, no, los tres (3) cuchillos los tengo ahí donde pone uno

1246 los trastes, ¿no?

1247 **No, no, I keep the three (3) knives where I keep the**

1248 **dishes, right?**

1249 **CASTILLEJA:** Mjm.

1250 **Uh-huh.**

1251 **SANCHEZ:** Ahí los tengo. Tengo otro cuchillillo que tengo ahí, ese lo

1252 tengo ahí en la mesa, en un lado del *microwave*, ¿no? Y los

1253 otros cuchillos grandes así, esos no los muevo pa nada. Pero

1254 esos—

1255 **I keep them there. I have another small knife that I**

1256 **keep there, that I keep on the table, next to the**

1257 ***microwave*. And the big knives like this, those I don't**

1258 **move at all. But those—**

1259 **CASTILLEJA:** ¿Son cuchillos para la cocina?

1260 **Are those kitchen knives?**

1261 **SANCHEZ:** Sí.

1262 **Yes.**

1263 **CASTILLEJA:** ¿O como para matar animales?

1264 **Or for killing animals?**

1265 **SANCHEZ:** Son cuchillos grandes, para cortar carne, grandes y todo,

1266 ¿no? Esos son tres (3) cuchillos. Pero de esos cuchillos, él

1267 no, él no agarró absolutamente nada de ahí.

1268 **They are big knives for cutting meat, big and**
1269 **everything. There are three (3) knives. But of those**
1270 **knives, he didn't, he took absolutely nothing from**
1271 **there.**

1272 **CASTILLEJA:** ***He's got three (3) kitchen knives that are big that are***
1273 ***used for cutting meat and stuff, but are not related to***
1274 ***any type of hunting or whatever...***

1275 **SANCHEZ:** *Yeah. Él no tocó nada.*
1276 **Yeah. He didn't touch anything.**

1277 **CASTILLEJA:** ***...and he says that those are there and they are***
1278 ***accounted for and Raul never touched any of those***
1279 ***knives.***

1280 **SWANSON:** ***Okay. Was Raul on the phone a lot Sunday night when***
1281 ***he was with you?***

1282 **CASTILLEJA:** ¿Está echando llamadas Raúl esa noche?
1283 **Was Raul making phone calls that night?**

1284 **SANCHEZ:** No. No, no estaba, no estaba hablando.
1285 **No. No, he wasn't on the phone.**

1286 **CASTILLEJA:** ¿En ningún tiempo?
1287 **At anytime?**

1288 **SANCHEZ:** No. No.
1289 **No. No.**

1290 **SWANSON:** ***What time, what time did he go to bed Sunday night?***

1291 **CASTILLEJA:** ***Ten (10:00), ten (10:00) p.m.***

1292 **SWANSON:** ***Ten (10:00) p.m. Okay.***

1293 **SANCHEZ:** No, el teléfono, él nunca, nunca estaba, nunca estaba
1294 llamando. Lo que andaba era, era— Yo le dije de otras cosas
1295 y no me contestaba nada. Nomás se me quedaba mirando,
1296 ¿ves? Porque andaba golpeando paredes.
1297 **No, the phone, he never, he was never, he was never**
1298 **on the phone. What he was doing was— I told him**
1299 **about other stuff and he wouldn't reply. He would just**

1300 stare at me, you see? Because he was banging on the
1301 walls.

1302 **CASTILLEJA:** *He says he was trying to have a conversation with*
1303 *him, but he was like just staring, like he wasn't even*
1304 *comprehending, registering.*

1305 **SANCHEZ:** Yo no lo miré que estaba hablando por teléfono ni nada. No,
1306 no estaba hablando por teléfono.

1307 **I didn't see him talking on the phone or anything. No,**
1308 **he was not talking on the phone.**

1309 **SWANSON:** *Did he threaten him at all? Raul?*

1310 **CASTILLEJA:** ¿Raúl no te dijo cosas para, para, hacer mal cosas a usted,
1311 como, "Yo te voy a matar," o algo así?

1312 **Did Raul say anything to you to, to, to do bad things to**
1313 **you, like, "I'm going to kill you," or anything like that?**

1314 **SANCHEZ:** No, nunca, nunca. Él nunca me había dicho—
1315 **No, never, never. He had never told me—**

1316 **CASTILLEJA:** ¿Estabas miedo usted?

1317 **Were you afraid?**

1318 **SANCHEZ:** En todo el tiempo, todo el tiempo que lo conocí nunca, nunca
1319 dijo que, que se iba a matar o que iba a—

1320 **The entire time, the entire time that I knew him, he**
1321 **never, he never said he was going to kill himself or he**
1322 **was going to—**

1323 **CASTILLEJA:** ¿No estabas, no estaba asustado usted, no tenías miedo?

1324 **Weren't you, weren't you afraid, weren't you scared?**

1325 **SANCHEZ:** No, pos, yo no tenía miedo. Yo le decía, "¡Ey! No estés
1326 golpeando la puerta." No me contestaba nada, nomás se me
1327 quedaba mirando.

1328 **No, I was not afraid. I would tell him, "Hey! Don't**
1329 **bang on the door." He didn't answer me, he just stared**
1330 **at me.**

1331 **CASTILLEJA:** *He says [inaudible/unintelligible] he wasn't*
1332 *intimidating. He was trying to help him, but...*

1333 **SANCHEZ:** A mí no me decía nada él.
1334 **He didn't say anything to me.**

1335 **CASTILLEJA:** *...[inaudible/unintelligible].*

1336 **SANCHEZ:** Yo me levanté dos (2), tres (3) veces y lo miraba en el
1337 pasillo. "¡Métete pa acá! ¡Acuéstate a dormir!" No me hacía
1338 caso, nomás se me quedaba mirando. Yo me iba a...me
1339 devolví otra vez a acostarme, ¿no? Pero de a ratito entraba
1340 al baño. En el baño prendía la luz y en el cuarto prendía las
1341 luces y las luces prendidas. Yo me levantaba y las apagaba.
1342 Y le decía, "¡Ey! Mé— Como dos (2), tres (3) veces le dije,
1343 pero nomás se me quedaba mirando. Nunca me contestó
1344 nada.

1345 **I got up about two (2) or three (3) times and saw him**
1346 **in the hallway. "Come inside! Go to sleep!" He didn't**
1347 **listen to me, he just stared at me. I went... I went**
1348 **back to bed. But a little later he went into the**
1349 **bathroom. In the bathroom he turned the lights on,**
1350 **and turned on the lights in the bedroom, and left them**
1351 **on. I got up and turned them off. And I said, "Hey!**
1352 **Com— About two (2) or three (3) times I told him, but**
1353 **he just stared at me. He never replied.**

1354 **CASTILLEJA:** *He says about two (2) or three (3) times that night*
1355 *he'd get up to check on him and he would...he turned*
1356 *the lights on and he'd be making noises and go in the*
1357 *bathroom and turn it on and he would be, "Hey! Are*
1358 *you okay? You okay?" He would give him the blank*
1359 *stare [inaudible/unintelligible].*

1360 **SANCHEZ:** Él, él no era de pleito. En todo el tiempo que yo lo conocí ahí
1361 en La Brencha— Ahí llegan muchos que están bien locos.
1362 Negros, negros, esos alegan solos. A mí me decían

1363 [inaudible/ininteligible], yo los tiraba, los tiraba...yo no pongo
1364 atención a ellos, porque si haces una cosa que no les parezca
1365 ahí, te corren por tiempo.

1366 **He was not a trouble maker. In all the time I've known**
1367 **him at La Brencha— A lot of people who go there are**
1368 **crazy. Blacks, black people who argue with**
1369 **themselves. They'd tell me [inaudible/unintelligible], I**
1370 **would ignore them, I wouldn't pay attention to them,**
1371 **because if you do something there that they don't**
1372 **approve of, they kick you out for a while.**

1373 **CASTILLEJA:** Mjm.

1374 **Uh-huh.**

1375 **SANCHEZ:** Y yo no les hacía caso. Y a él también le decían. Pero, él no
1376 es de pleito, él no era de pleito. Y nunca andaba, andaba
1377 drogado ni, ni—Tomaba unas dos (2), tres (3), dos (2), tres
1378 (3) cervezas, ¿no? Pero ya que tomaba unas dos (2), tres (3)
1379 cervezas, ya se iba pa su casa. Pero en el día, no en la
1380 noche, en el día.

1381 **And I didn't pay attention to them. They also said**
1382 **things to him. But he is not a troublemaker. And he**
1383 **was never high, high on drugs nor— He would drink**
1384 **two (2) or three (3) beers, but after drinking two (2)**
1385 **or three (3) beers he would go home. But during the**
1386 **day, not at night, during the day.**

1387 **CASTILLEJA:** *He says that he has known him all this time, that he's*
1388 *been a serious guy. He hasn't been somebody that has*
1389 *been a trouble maker or somebody that's looking for*
1390 *problems or whatever. He says that at the soup*
1391 *kitchen, I'll call it the soup kitchen, he says that they*
1392 *have very strict rules and he's seen like black people*
1393 *there and stuff that they, they, that are obviously*

1394 *crazy, he just ignores them, but he's always heard*
1395 *Raul to be somebody just—*

1396 **SANCHEZ:** Porque él estaba...
1397 *'Cause he was...*

1398 **CASTILLEJA:** *He's somebody—*

1399 **SANCHEZ:** ...él andaba enojado con su esposa.
1400 *...he was mad at his wife.*

1401 **CASTILLEJA:** ¿Él estaba enojado con su esposa?
1402 *He was mad at his wife?*

1403 **SANCHEZ:** Pero, ese día llegó porque dijo, "Mi señora vino y me dejó. A
1404 la mañana va a venir a recogerme. Va a limpiar el cuarto
1405 porque nos vamos a mover mañana." ¿Me entiendes? "Y si
1406 quieres ir tú con nosotros pa que nos ayudes,
1407 [inaudible/ininteligible]" "Está bien. Vamos mañana." Pero
1408 toda la noche la llevó despierto. ¡No durmió en toda la
1409 noche!

1410 *That day he came over and said, "My wife dropped me*
1411 *off. She is going to pick me up in the morning. She is*
1412 *going to clean the room because we are moving*
1413 *tomorrow." You know what I mean? "And if you'd like*
1414 *to come with us and help us,*
1415 *[inaudible/unintelligible]" "That's fine. We'll go*
1416 *tomorrow." But he was awake the whole night. He*
1417 *didn't sleep at all the entire night!*

1418 **CASTILLEJA:** ¿Estaba enojado con tu esposa?
1419 *He was mad at your [his] wife?*

1420 **SANCHEZ:** No, no, no estaba enojado. Él no andaba enojado. Él
1421 andaba...andaba en otro mundo, ¿me entiendes?
1422 *No, no, he wasn't mad. He wasn't mad. He was...he*
1423 *was in another world. You know what I mean?*

1424 **CASTILLEJA:** *Yeah. He says he showed up and*
1425 *[inaudible/unintelligible] in a different world and he*

1426 *just kept saying, "Hey, my wife is cleaning the place,*
1427 *and we are going to move tomorrow." He said, "You*
1428 *can come with us if you want," but he just observed*
1429 *him to be [inaudible/unintelligible]*

1430 **SWANSON:** *So he wasn't acting normal from what he— No?*

1431 **CASTILLEJA:** *Obviously not. He says that from the past, he's known*
1432 *him to be just level headed and a serious person and*
1433 *[inaudible/unintelligible].*

1434 **SANCHEZ:** *Él no estaba, no andaba peleado con la señora porque, la*
1435 *señora— Él me dio diez (\$10) pesos. Y dijo, "Toma, te voy a*
1436 *dar diez (\$10) pesos porque me dejes quedar aquí. Mi*
1437 *señora me dio el dinero ahorita. Mañana en la mañana va a*
1438 *venir." Por eso te digo que no estaban peleados, porque si*
1439 *anduvieran peleados pos él me hubiera dicho, ¿no?*
1440 **He wasn't, he wasn't mad at his wife because his**
1441 **wife— He gave me ten (\$10) dollars and said, "Take**
1442 **this. I'm going to give you ten (\$10) dollars because**
1443 **you are letting me stay here. My wife just gave me the**
1444 **money. She'll come tomorrow morning." That's why I**
1445 **say they were not fighting, because if they were**
1446 **fighting he would have told me, right?**

1447 **CASTILLEJA:** *He says that there was no indication...*

1448 **SANCHEZ:** *No.*
1449 **No.**

1450 **CASTILLEJA:** *...that Raul and his wife were on a fight or anything.*
1451 *He says that when he showed up...*

1452 **SANCHEZ:** *No. Nunca, nunca se peleaban.*
1453 **No. Never, they never fought.**

1454 **CASTILLEJA:** *...he gave Sanchez ten (\$10) dollars, he said, "My wife*
1455 *gave me this for me to stay with you," but he didn't*
1456 *see [inaudible/unintelligible].*

1457 **SANCHEZ:** Desde cuando lo conocí nunca supe que se peleó con la
1458 señora. La señora...ella trabaja.
1459 **In all the time I've known him, I've never heard that**
1460 **he fought with his wife. His wife... she works.**
1461 **CASTILLEJA:** *He says in all the time that he's known Raul, he's*
1462 *never known them to fight.*
1463 **SANCHEZ:** Ella trabaja y le da dinero a él. ¿Eh? Es buena gente la
1464 señora. Tiene dos (2), tres (3) hijos.
1465 **She Works and gives him money. His wife is a good**
1466 **person. She has two (2) or three (3) children.**
1467 **[inaudible/unintelligible]**
1468 **CASTILLEJA:** *He says his wife... she gives Raul money and he's had*
1469 *no indications or observations that they had problems*
1470 *domestically.*
1471 **SANCHEZ:** Tiene...Él tiene otro hijo que está más grande que esos que
1472 tiene con esa se...con su esposa, ¿no? El otro hijo que tiene
1473 ya está más, ya tiene como unos dieciocho (18) años. A él sí
1474 lo conocí una vez porque me dijo, "Vamos, porque voy a
1475 recoger a mi hijo." Y se subió, se subió en la van. Más o
1476 menos es como van, pero nomás tiene cuatro (4) asientos,
1477 ¿eh? Atrás tiene una caja. Yo iba sentado atrás, yo iba
1478 sentado adelante, y el chavo ese se subió con otro amigo de
1479 él y lo llevó a la casa. Pero nunca platicamos nada de nada
1480 de—
1481 **He has...He has another son who is older than the**
1482 **children he has with his wife. The other son is about**
1483 **eighteen (18) years old. I did meet him once because**
1484 **he said, "Let's go, because I'm going to pick up my**
1485 **son." And he got in the van. Well, it's more or less like**
1486 **a van, but it only has four (4) seats. It has a [pickup]**
1487 **bed in the back. I sat in back, I sat in front, and the**

1488 boy got in with a friend of his and took him home. But
1489 we never talked about—
1490 **CASTILLEJA:** *He says he's got an older son, eighteen (18) years old.*
1491 *[inaudible/unintelligible] he says that he's seen his*
1492 *son with Raul and they ride together, but he says he*
1493 *hasn't seen any problems domestically with his side of*
1494 *the family.*
1495 **SWANSON:** *Okay. Ask him if Raul knew who Al was or knew Al at*
1496 *all.*
1497 **CASTILLEJA:** ¿Conoces a un señor que se llama Al?
1498 **Do you know a man by the name of Al?**
1499 **SWANSON:** *Lives on apartment 2.*
1500 **CASTILLEJA:** ¿En el número 2? ¿No sabes si Raúl lo conoce al señor del
1501 número 2?
1502 **In number 2? Do you know if Raul knows the man who**
1503 **lives in number 2?**
1504 **SANCHEZ:** Pos, pos, él sí, sí, él, él hablaba así nomás, pero poquito, no
1505 mucho. ¿Eh?
1506 **Well, well, he, yes, yes, he, he talked sometimes, but**
1507 **briefly, not much. Huh?**
1508 **CASTILLEJA:** ¿Apreciando o qué? ¿Cómo?
1509 **Saying hi or what?**
1510 **SANCHEZ:** No, pos ahí, ahí, él, tocaban, le digo, "Ábrele, ábrele." Y se
1511 levantaba y abría la puerta de afuera, ¿no? Llegaba en
1512 bicicleta, ¿no? Y le digo, "Ábrele la puerta porque viene en
1513 bicicleta, pa que entre." Pero, no platicaban mucho, pero sí
1514 lo conocía, sí lo conocía.
1515 **Well, he would ring the buzzer [knock on the door]**
1516 **and I'd tell him, "Go open, go open the door for him."**
1517 **And he would get up and open the outside door. He**
1518 **came on his bicycle. And I said, "Open the door for him**

1519 so he can come in because he's on his bike." But, they
1520 didn't talk much, but he knew him, he knew him.

1521 **CASTILLEJA:** *He said he's known him kind of like*
1522 *[inaudible/unintelligible]*

1523 **SANCHEZ:** Ellos hablaban, ellos hablaban. El señor ese es buena gente.
1524 Él habla con cualquiera. Ahí llega a mi cuarto y se fuma un
1525 cigarro y luego se va. Platica conmigo, pero— Es borrachón,
1526 pero, ahí, nunca, nunca nos hemos tomado una cerveza,
1527 ¿eh?

1528 **They talked, they talked. That man is a nice guy. He**
1529 **talks to anybody. He comes to my room and smokes a**
1530 **cigarrete and then leaves. He talks to me, but— He**
1531 **likes to drink, but we have never had a beer together.**

1532 **CASTILLEJA:** *But they were not drinking buddies or anything like*
1533 *that. Just "Hi, Al. How are you?" Al, Al is friendly with*
1534 *everybody. That's what he's saying.*

1535 **SWANSON:** *Okay.*

1536 **CASTILLEJA:** *Al would say "Hi" to everybody.*

1537 **SANCHEZ:** A mí no me gusta tomar mucho. Yo no tomo mucho. Si tomo
1538 cada mes, cuando me invitan, ¿me entiendes? ¿Eh? Llega un
1539 amigo con cerveza y tomamos y se va.

1540 **I don't like drinking too much. I don't drink a lot. I**
1541 **drink once a month, when somebody offers. You know**
1542 **what I mean? A friend comes with beer and we drink**
1543 **and then he leaves.**

1544 **CASTILLEJA:** *He says he doesn't drink regularly, he says maybe*
1545 *once a month. If somebody offers him a beer.*

1546 **SANCHEZ:** Sin hacer mucho ruido, porque el *manager*, el *manager*
1547 vive...está pegado al cuarto de él.

1548 **Quietly, because the manager, the manager lives right**
1549 **next to his room.**

1550 **CASTILLEJA:** ¿De Al?

1551 **Al's?**

1552 **SANCHEZ:** Yo vivo aquí. Entonces, él vive en seguida. La pared es lo
1553 único que nos divide a mí y a él. Pero, yo cuando llega otro—
1554 **I live here. He lives next door. The wall is the only**
1555 **thing that divides us. But, when someone else comes—**

1556 **CASTILLEJA:** *He says Al and him are on the same page. They are*
1557 *very, very quiet because they know the restrictions*
1558 *and the manager is very, very strict, so they don't*
1559 *want to casue any problems. [inaudible/unintelligible]*

1560 **SANCHEZ:** A veces, a veces yo tengo la television alta, ¿eh? Y llega y
1561 toca y dice, "Bájale a la televisión tantito porque estoy en la
1562 computer." "Okay."
1563 **Sometimes, sometimes I have the TV loud, and he**
1564 **comes and knocks and says, "Lower the TV volume a**
1565 **little because I'm on the computer." "Okay."**

1566 **CASTILLEJA:** *The manager knocked on his door once and said, "Hey,*
1567 *I'm on the computer, it's too loud, turn it down."*

1568 **SANCHEZ:** Es buena gente, porque el otro día me pasó un accidente a
1569 mí. Me pasó un accidente. Alguien me pegó en un carro, y no
1570 supe yo quién fue. ¿Me entiendes? No supe. Entonces yo
1571 llegué a la casa, estaba tomado. Ese día sí andaba bien
1572 tomado, tomadísimo. Nos tomamos yo y otro amigo una
1573 botella de ginebra, un litro. Y esa, esa, esa ginebra pega.
1574 **He's a nice guy, because the other day I had an**
1575 **accident, I had an accident. Somebody struck me with**
1576 **a car and I didn't know who it was. Do you**
1577 **understand? I didn't know. Then, I got home, I was**
1578 **drunk. That day I was wasted. A friend and I drank a**
1579 **bottle of gin, a liter. And gin really hits you.**

1580 **CASTILLEJA:** ¿Qué es ginebra? ¿Qué es?
1581 **What's gin? What is it?**

1582 **SANCHEZ:** ¿Eh?

1583 **Huh?**

1584 **CASTILLEJA:** ¿Es whiskey o qué?

1585 **Is it whiskey or what?**

1586 **SANCHEZ:** Es, es como tequila, pero cae más pesada que el tequila esa

1587 botella. Por... iba cada...cada mes iba, y a veces se salía y yo

1588 me quedaba tirado ahí, tirado. Y él se iba y dejaba, hasta la

1589 madrugada que me levantaba, la puerta abierta ahí. Todos

1590 los que viven ahí son buenas personas. Ahí no viven negros,

1591 puro, puro, puro güero. Puro güero. No, los negros se meten.

1592 Esos son más rateros que nada. ¿Eh? Y yo me despertaba en

1593 la madrugada y la puerta abierta. Y pos "Te caistes ahí, te

1594 quise levantar pero no pude. Yo también tenía miedo a

1595 caerme."

1596 **It's like tequila, but it hits you worse than tequila. He**

1597 **would come...he would come every month, and**

1598 **sometimes he would leave and I would be lying there.**

1599 **He would go and leave the door open until the early**

1600 **hours of the morning when I would get up. Everybody**

1601 **who lives there are nice people. There are no black**

1602 **people living there, just white people. Only white**

1603 **people. No, the blacks get in. They are thieves. I would**

1604 **wake up in the early morning and the door would be**

1605 **open. And well [he would say], "You fell there, I**

1606 **wanted to get you up but I couldn't. I was afraid I**

1607 **would fall too."**

1608 **CASTILLEJA:** ¿Éste era Al?

1609 **Was that Al?**

1610 **SANCHEZ:** ¿Eh?

1611 **Huh?**

1612 **CASTILLEJA:** ¿Éste era Al?

1613 **Was that Al?**

1614 **SANCHEZ:** ¿Cómo?

1615 **What?**

1616 **CASTILLEJA:** ¿Estás platicando del señor Al?

1617 **Are you talking about Al?**

1618 **SANCHEZ:** No, no, no. No, no. Es otro amigo. Es un amigo que también

1619 es tejano. Aquél se llama Noé. Él cada mes va porque él ya

1620 tiene miedo de andar en las cantinas. Ya lo han robado dos

1621 (2), tres (3) veces. Cuando sale de la cantina y va a su casa,

1622 ya le han robado el reloj, el teléfono y todo lo que trae en las

1623 bolsas, ¿eh? Ahora anda con una mano mala. Ayer...el día...

1624 ese día que estaba la policía allá afuera, él y Rudy iban a ver,

1625 a ver, a ver, a verme, a ver si no me había...a ver qué me

1626 había pasado a mí. Pero no los dejaron pasar. La policía les

1627 dijo, "No, no. Ahorita no puede entrar nadie a ese *building*."

1628 ¿Eh?

1629 **No, no, no. No, no. It's another friend. It's a friend**

1630 **who is a Texan, too. His name is Noe. He comes every**

1631 **month because he is afraid of going out to the bars. He**

1632 **has been robbed two (2) or three (3) times. When he**

1633 **leaves the bar and goes home, they have taken his**

1634 **watch, his phone and everything he had in his pockets.**

1635 **Now he's having problems with his hand.**

1636 **Yesterday...the day...the day the police were out there,**

1637 **he and Rudy went to see, to see, to see me, to see if**

1638 **anything had happened to me. But the police didn't let**

1639 **them through. The police told them, "No, no. Right**

1640 **now nobody can go into the *building*." Eh?**

1641 **CASTILLEJA: Okay. He's saying that everybody in that...everybody**

1642 **in that apartment complex are very good people, he**

1643 **says they are very...**

1644 **SANCHEZ:** Estaba rodeado todo.

1645 **It was all surrounded.**

1646 **CASTILLEJA:** *...civilized, he says, because none of them are black*
1647 *people...*

1648 **SANCHEZ:** *Yeah.*

1649 **CASTILLEJA:** *...He says they are good people. So...*

1650 **[VOICES OVERLAP/INAUDIBLE]**

1651 **CASTILLEJA:** *...And he says his friend's been robbed before and he*
1652 *says one night he came...he drank alcohol. Him and his*
1653 *friend drank a whole bottle of something worse than*
1654 *tequila, he says, and he was on the floor in the hallway*
1655 *and [inaudible/unintelligible]*

1656 **SANCHEZ:** Ese Noe que es mi amigo, también casi está de mi misma
1657 edad, ¿no? Pero él está más acabado. Él se mira ya más
1658 rucón.

1659 **My friend Noe is about my age, but he has aged more,**
1660 **he looks older.**

1661 **CASTILLEJA:** ¿Qué?
1662 **What?**

1663 **SANCHEZ:** Es tomador de a montón, y él tiene miedo. Se va de mi casa
1664 y al día siguiente llega y, "Me quitaron mi reloj." Y el otro día
1665 le regalé un anillo que no vale, que no vale ni dos (\$2)
1666 pesos, y también se lo quitaron.

1667 **He drinks a lot, and he is afraid. He leaves my house**
1668 **and the next day he's like, "They took my watch." The**
1669 **other day I gave him a ring that is not worth two**
1670 **bucks (\$2) and they took that from him too.**

1671 **CASTILLEJA:** ¿Quién? ¿A Noe?
1672 **Who? From Noe?**

1673 **SANCHEZ:** Yeah. Le quitaron el anillo—
1674 **Yeah. They took the ring from him—**

1675 **CASTILLEJA:** Pero, ¿qué tipo de personas eran?
1676 **But, what kind of people were they?**

1677 **SANCHEZ:** Negros, negros. Pero esos—

1678 **Blacks, blacks. But those—**

1679 **CASTILLEJA:** *He doesn't like black people specially because Noah*
1680 *has been robbed several times by black people. They*
1681 *mugged him after coming to the bar, basically took his*
1682 *jewelry.*

1683 **SANCHEZ:** Porque va y se pasa por mi casa, se va. Va por la
1684 Minnehaha, ¿me entiendes?

1685 **Because he comes to my house and then leaves. He**
1686 **takes Minnehaha. You know what I mean?**

1687 **CASTILLEJA:** Mjm.

1688 **Uh-huh.**

1689 **SANCHEZ:** Y entonces ahí en la Franklin voltea. Y él se tiene que bajar
1690 ahí en la Franklin para agarrar otro bus. Ahí pasa el 5. El bus
1691 es en la Chicago. Esos buses de la Chicago, ¡uy! Van
1692 repletos, van llenos de puros negros y negras, ¿eh? Es un
1693 desastre ahí en el bus. ¿Sabes qué? A veces se sube, se
1694 sube, se sube la policía al bus, al bus. A mirar a ver cómo
1695 va, cómo va, cómo va— Todos los días andan chequeando la
1696 policía ahí al bus, los buses esos, ¿eh? Porque los negros
1697 hacen mucho escándalo y a veces golpean a la gente ahí
1698 arriba del bus. Ya cuando el golpeado va a hablarle al chofer,
1699 ya los negros ya se bajaron del bus. ¿Eh? *Yeah.*

1700 **Then he makes a turn on Franklin. He has to get off on**
1701 **Franklin to take another bus. The #5 goes there. The**
1702 **bus goes on Chicago. Those buses on Chicago, ooy!**
1703 **They are full of black men and women, huh? It's a**
1704 **mess on the bus. You know what? Sometimes the**
1705 **police get on, get on the to see how it's going, how it's**
1706 **going. The police are checking those buses every day,**
1707 **eh? Because blacks are very loud and sometimes hit**
1708 **people on the bus. By the time the beaten person tells**

1709 **the driver, the blacks are already off the bus. Huh?**

1710 **Yeah.**

1711 **CASTILLEJA:** **[inaudible/unintelligible]...**

1712 **SANCHEZ:** Esos negros, esos negros son peligrosos.

1713 **Those blacks, those blacks are dangerous.**

1714 **CASTILLEJA:** **...dangerous.**

1715 **SANCHEZ:** Ahí por la Chicago y la Franklin, ¡hombre! Todo el día andan

1716 robando a la gente, la gente que está ahí parada esperando

1717 el bus.

1718 **By Chicago and Franklin, man! All day long they are**

1719 **robbing people, people who are waiting for the bus.**

1720 **CASTILLEJA:** **Chicago and Franklin, black people rob people all the**

1721 **time.**

1722 **SANCHEZ:** Ey. Pasa la patrulla, pasa la patrulla y la demás gente que

1723 está ahí le hacen señas a la patrulla y la patrulla en vez de

1724 pararse le da más recio. Ellos no hacen caso de nada.

1725 **Yeah. And the police car drives by and the other**

1726 **people there motion to the police car, but the police**

1727 **car, instead of pulling over, speeds up. They don't pay**

1728 **attention to anything.**

1729 **CASTILLEJA:** **He says they are not intimidated by the police.**

1730 **SANCHEZ:** No. No ponen atención. La policía—

1731 **No. They don't pay attention. The police—**

1732 **CASTILLEJA:** **They don't even [inaudible/unintelligible] when a**

1733 **squad drives by.**

1734 **SANCHEZ:** Y si le dices a la policía que alguien te golpeó y te robó,

1735 ¿sabes qué te dicen?

1736 **And if you tell police that somebody hit you and**

1737 **robbed you, do you know what they tell you?**

1738 **CASTILLEJA:** ¿Qué?

1739 **What?**

1740 **SANCHEZ:** "¿Tú qué andas haciendo? Tú no tienes, tú no tienes derecho
1741 de andar en la calle. Quédate en tu casa. ¿Qué andas
1742 haciendo en la calle?"
1743 **"What are you doing out here? You have no right to be
1744 on the street. Stay home. What are you doing on the
1745 street?"**
1746 **CASTILLEJA:** *He says that if...*
1747 **SANCHEZ:** "Nosotros no tenemos tiempo de protegerte."
1748 **"We don't have time to protect you."**
1749 **CASTILLEJA:** *...if you are approached by...if you are the victim of a
1750 crime and the police show up, the police will
1751 [inaudible/unintelligible] and say, "What are you
1752 doing out here? You should be home."*
1753 **SANCHEZ:** *The police is, "I no have no, I no have no time."*
1754 **SWANSON:** *Okay. So he never...You never saw Raul with a knife?*
1755 **SANCHEZ:** *No, I never see the knife.*
1756 **SWANSON:** *Did he have anything in his hand?*
1757 **SANCHEZ:** *Before— He never got no knife.*
1758 **SWANSON:** *No, when he was in the hallway when the policía were
1759 there, did he have something in his hand?*
1760 **SANCHEZ:** *The first time, the first time he got a comb, the comb.
1761 The comb. Brown.*
1762 **CASTILLEJA:** [inaudible/inintelligible]
1763 **SANCHEZ:** Raul traiba...
1764 **Raul had...**
1765 **CASTILLEJA:** ¿Un peine?
1766 **A comb?**
1767 **SANCHEZ:** ...Era un peine de esos grandes.
1768 **...It was one of those big combs.**
1769 **CASTILLEJA:** ¿De qué color?
1770 **What color?**
1771 **SANCHEZ:** Café.

1772 **Brown.**

1773 **CASTILLEJA:** *A brown big comb.*

1774 **SANCHEZ:** *Brown, brown. Pero eso era lo que traiba. Pero cuando se*
 1775 *metió ahí, entonces ya no lo ví, ya no miré qué clase de*
 1776 *cuchillo agarró de ahí de—*

1777 ***Brown, brown. That's what he had. But when he went***
 1778 ***in there, then I didn't see him anymore, I didn't see***
 1779 ***what kind of knife he took from there, from—***

1780 **CASTILLEJA:** *He said initially he had a brown comb, but after that*
 1781 *he didn't see it anymore, and, the knife, he doesn't*
 1782 *know where that came from.*

1783 **SANCHEZ:** *Entonces ayer iba a ir a hablar con ese, con el señor ese que*
 1784 *se metió Raúl, ¿no? Pero ahí estaba el manager. Él vive en*
 1785 *frente. Me dijo, "No, él no está, él no está ahorita ahí. Él está*
 1786 *en el hospital." En la mañana también fui y le toqué y no*
 1787 *abrió.*

1788 ***So yesterday I was going to go talk to the man [of the***
 1789 ***apartment] where Raul got in. But the manager was***
 1790 ***there. He lives across from him. He said, "No, he's not***
 1791 ***there, he's not there right now. He's in the hospital."***
 1792 ***This morning too, I went and knocked on the door but***
 1793 ***he didn't open.***

1794 **CASTILLEJA:** *He says he went in and checked on Al, ¿verdad?*
 1795 *He says he went in and checked on Al, right?*

1796 **SANCHEZ:** *Yeah.*

1797 **CASTILLEJA:** *He went to check the welfare of Al, but they said he*
 1798 *was in the hospital.*

1799 **SANCHEZ:** *Yo quiero hablar con él.*
 1800 ***I want to talk to him.***

1801 **CASTILLEJA:** *He wants to talk to him.*

1802 **SANCHEZ:** *Porque yo no sé...*
 1803 ***Because I don't know...***

1804 **CASTILLEJA:** *He doesn't know what happened to him, so he wants*
1805 *to make sure that he is okay.*
1806 **SANCHEZ:** ...Yo no sé si él se mató solo o lo ma... Dicen que...
1807 *...I don't know if he killed himself or if he was ki...*
1808 *They say that...*
1809 **CASTILLEJA:** *He doesn't know the circumstances*
1810 *[inaudible/unintelligible].*
1811 **SANCHEZ:** ...Las personas dicen que le dieron.
1812 *...People are saying he was shot.*
1813 **SWANSON:** *He's in the hospital. Al is in the hospital.*
1814 **SANCHEZ:** *Yeah.*
1815 **SWANSON:** *But he's going to be okay.*
1816 **SANCHEZ:** *Yeah?*
1817 **CASTILLEJA:** Al va a estar bien.
1818 *Al is going to be okay.*
1819 **SANCHEZ:** *Okay. Yesterday I want to talk, in the morning I want to talk*
1820 *too, a ver what happened. I don't understand what*
1821 *happened. I don't understand si, si somebody killed Raul or*
1822 *Raul kill by himself. I don't understand.*
1823 *Okay. Yesterday I want to talk, in the morning I want*
1824 *to talk too, to see what happened. I don't understand*
1825 *what happened. I don't understand if, if somebody*
1826 *killed Raul or Raul kill by himself. I don't understand.*
1827 **SWANSON:** *Uh-huh.*
1828 **SANCHEZ:** *Huh? I want to talk to the guy.*
1829 **SWANSON:** *Yeah.*
1830 **SANCHEZ:** Y Raúl *is a little bit more old* que yo.
1831 *And Raúl is a little bit more old than me.*
1832 **SWANSON:** *Yeah. Well, Al got hurt bad.*
1833 **SANCHEZ:** *Yeah.*
1834 **SWANSON:** *He's in the hospital.*
1835 **SANCHEZ:** *Yeah.*

1836 **SWANSON:** *He got hurt bad.*

1837 **SANCHEZ:** *Oh!*

1838 **SWANSON:** *But he's going to be okay.*

1839 **SANCHEZ:** *Okay. Yeah. Maybe a couple weeks he stays in the hospital.*

1840 *Couple weeks to go. The guy is too old. No es more old que*

1841 *mi, pero te voy a decir que es old, ¿verdad? Yeah.*

1842 **SANCHEZ:** *Okay. Yeah. Maybe a couple weeks he stays in the*

1843 *hospital. Couple weeks to go. The guy is too old. He is*

1844 *not more old than me, but I can tell you he's old,*

1845 *right? Yeah.*

1846 **SWANSON:** *Okay.*

1847 **SANCHEZ:** *I'm seventy-five (75). The guy is maybe seventy (70). Pero,*

1848 *[inaudible/inintelligible]. I don't know.*

1849 **SANCHEZ:** *I'm seventy-five (75). The guy is maybe seventy (70).*

1850 *But, [inaudible/unintelligible]. I don't know.*

1851 **SWANSON:** *Yeah.*

1852 **SANCHEZ:** *Yeah.*

1853 **SWANSON:** *Alright. This makes a little more sense. At least, at*

1854 *least he's—*

1855 **CASTILLEJA:** *Clarifying?*

1856 **SWANSON:** *Yeah.*

1857 **CASTILLEJA:** *You guys— Okay.*

1858 **SANCHEZ:** *Porque a mí me dicen "El Gato." Remember que...El Gato?*

1859 *'Cause they call me "El Gato" [The Cat]. Remember*

1860 *that...El Gato?*

1861 **CASTILLEJA:** *¿Por qué?*

1862 *Why?*

1863 **SANCHEZ:** *Porque dicen que los gatos duran mucho tiempo. ¿Eh? Dicen*

1864 *que los gatos tienen dos (2) vidas.*

1865 **SANCHEZ:** *Because they say that cats last a long time. Eh? They*

1866 *say that cats have two (2) lives.*

1867 **CASTILLEJA:** *[inaudible/unintelligible]*

1868 **SANCHEZ:** Y yo he visto dos, tres personas que están más jóvenes que
1869 yo y todos traen lentes. Yo no uso lentes, hermano. A mí no
1870 me gustan los lentes. Hay que acostumbrarse.
1871 **And I've seen two, three people who are younger than**
1872 **me and all are wearing glasses. I don't wear glasses,**
1873 **brother. I don't like glasses. You have to get used to**
1874 **them.**
1875 **CASTILLEJA:** *He says they call him "Cat" because he's got two lives*
1876 *and he outlasts anybody.*
1877 **SANCHEZ:** *Yeah.*
1878 **CASTILLEJA:** *And he says he knows younger people that have*
1879 *glasses and he doesn't wear glasses.*
1880 **SANCHEZ:** *Yeah. Si me using the glasses, ooy!, it's too much trouble. I*
1881 *no like it. I no. Por eso they call me Gato. "You've got two*
1882 *lives."*
1883 **Yeah. If me using the glasses, ooy!, it's too much**
1884 **trouble. I no like it. I no. That's why they call me Gato.**
1885 **"You've got two lives."**
1886 **SWANSON:** *Yeah. Okay.*
1887 **SANCHEZ:** ¿Eh?
1888 Huh?
1889 **CASTILLEJA:** *I thought it was nine (9) lives.*
1890 **SANCHEZ:** *Yeah.*
1891 **SWANSON:** *Alright.*
1892 **CASTILLEJA:** *Mr. Murphy, do you have any questions?*
1893 **SANCHEZ:** *Yeah. You don't want to talk. Yeah. Haha!*
1894 **CASTILLEJA:** ¿Estamos bien entonces?
1895 **Are we okay then?**
1896 **SANCHEZ:** Sí, estamos bien. Eso es todo lo que—
1897 **Yes, we are fine. That's all that—**
1898 **CASTILLEJA:** *What time is it? It is currently...*
1899 **SWANSON:** *Three-O-nine (3:09).*

1900 **CASTILLEJA:** *...three-zero-nine (3:09) p.m. We will end this*
1901 *recording.*
1902 *Thank you, Mr. Sanchez.*
1903 **SANCHEZ:** Yo como quiera diles que ahí yo permanezco todo el día en
1904 mi casa. Si hay algo que quieran hablar conmigo, ahí me
1905 encuentran. Yo no voy a ninguna parte.
1906 **Tell them I stay home all day. If there is anything they**
1907 **want to talk to me about, they can find me there. I**
1908 **don't go anywhere.**
1909 **CASTILLEJA:** *He says that he's always home, and if anybody needs*
1910 *to talk to him, he's available.*
1911 **SWANSON:** *We appreciate that.*
1912 **SANCHEZ:** *I stay everyday. Before, before, I go to La Brencha, but*
1913 *now, I no go no más. Too much locos over there.*
1914 **I stay everyday. Before, before, I go to La Brencha,**
1915 **but now, I no go no more. Too much locos over there.**
1916 **CASTILLEJA:** *Too many crazy people. He stays home.*
1917 **SANCHEZ:** *Yeah. I no... I got two (2) months. Bye.*
1918 **CASTILLEJA:** *Two (2) months left.*
1919 **SANCHEZ:** *Yeah. Somebody, somebody go give me a ride and give*
1920 *me some food. I got a food. Huh?*
1921 **SWANSON:** *Okay.*
1922 **[END OF RECORDED CONVERSATION]**

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/46

Report Date: 05/04/2016

Primary Information	
Description:	Crime scene diagram completed
Reporting LEO:	KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	05/04/2016
Approved By:	KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers	
<u>Agency</u>	<u>Case/File Number</u>
Minnesota Bureau of Criminal Apprehension	2016-213
Minnesota BCA Forensic Laboratory - St. Paul	S16-03518

Record Status Information	
Record Origination Operator:	KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	05/04/2016 13:45
Last Update Operator:	KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/04/2016 13:49

Reporting LEO	Date	Supervisor	Date
KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)		KATZOVITZ, Michael (SRO - Crime Scene / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On May 4, 2016, SA Katzovitz completed the Crime Scene Diagram for 2120 Minnehaha Avenue, located in Hennepin County, City of Minneapolis. The crime scene diagram was completed using Crime Zone software (Version 10.5) based on the measurements of Forensic Scientist Anderson on April 4, 2016.

The crime scene diagram is attached to this case file report.

BCA LAB CASE NUMBER: S16-03518
BCA INVESTIGATIVE CASE NUMBER: 2016-213

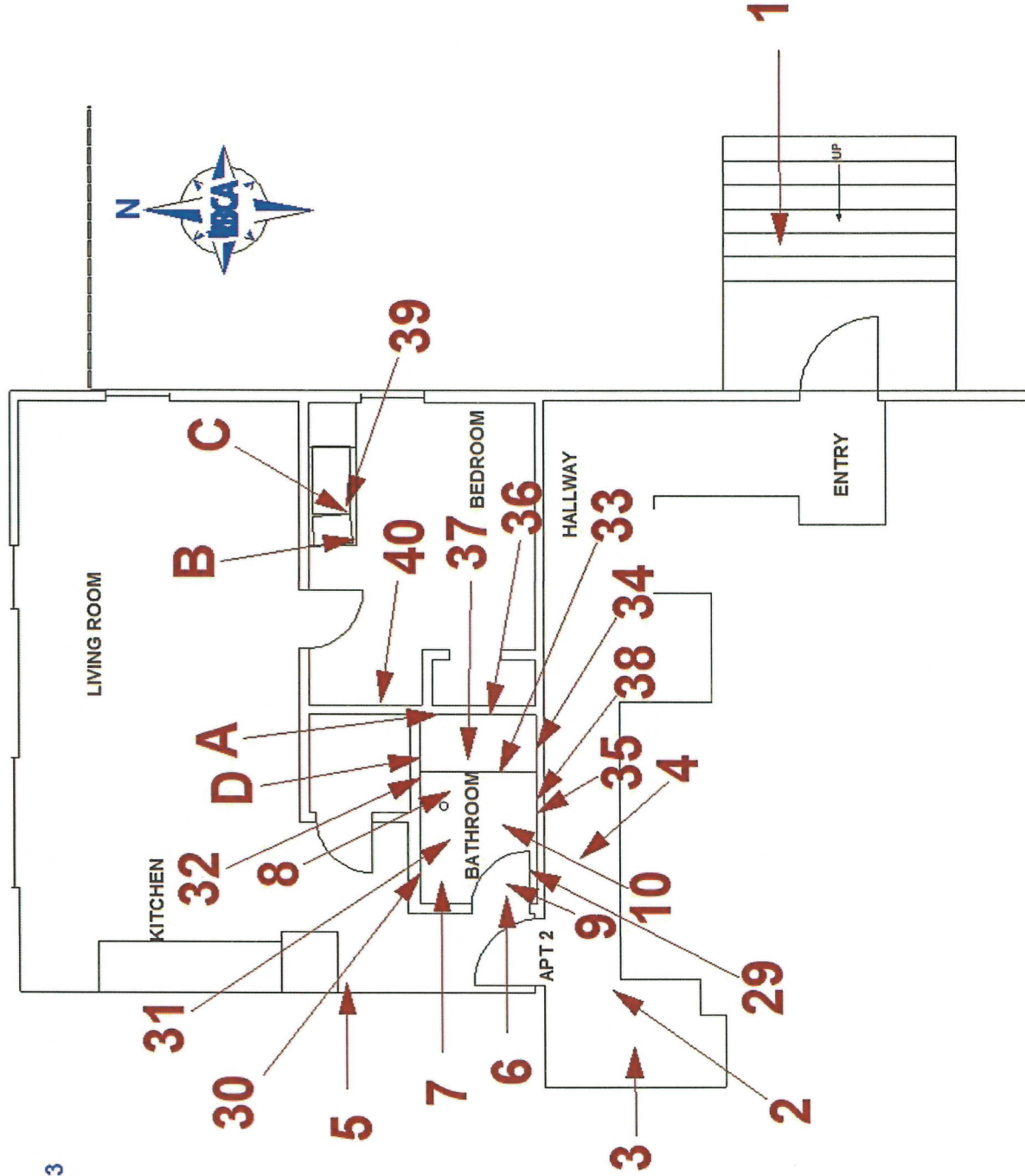
2120 MINNEHAHA AVENUE
MINNEAPOLIS, MN
HENNEPIN COUNTY

DATE OF DRAWING: 04/04/2016
FIELD SKETCH AND MEASUREMENTS BY:
FORENSIC SCIENTIST ANDERSON

COMPUTER LAYOUT BY:
SPECIAL AGENT KATZOVITZ

1 = BLOODSTAIN
2 = KNIFE SHEATH
3-9 = CARTRIDGE CASES
10 = BULLET FRAGMENT
29-38 = BLOODSTAINS
39-40 = BULLETS

A, B, C, D = BULLET HOLES



BCA LAB CASE NUMBER: S16-03518
BCA INVESTIGATIVE CASE NUMBER: 2016-213

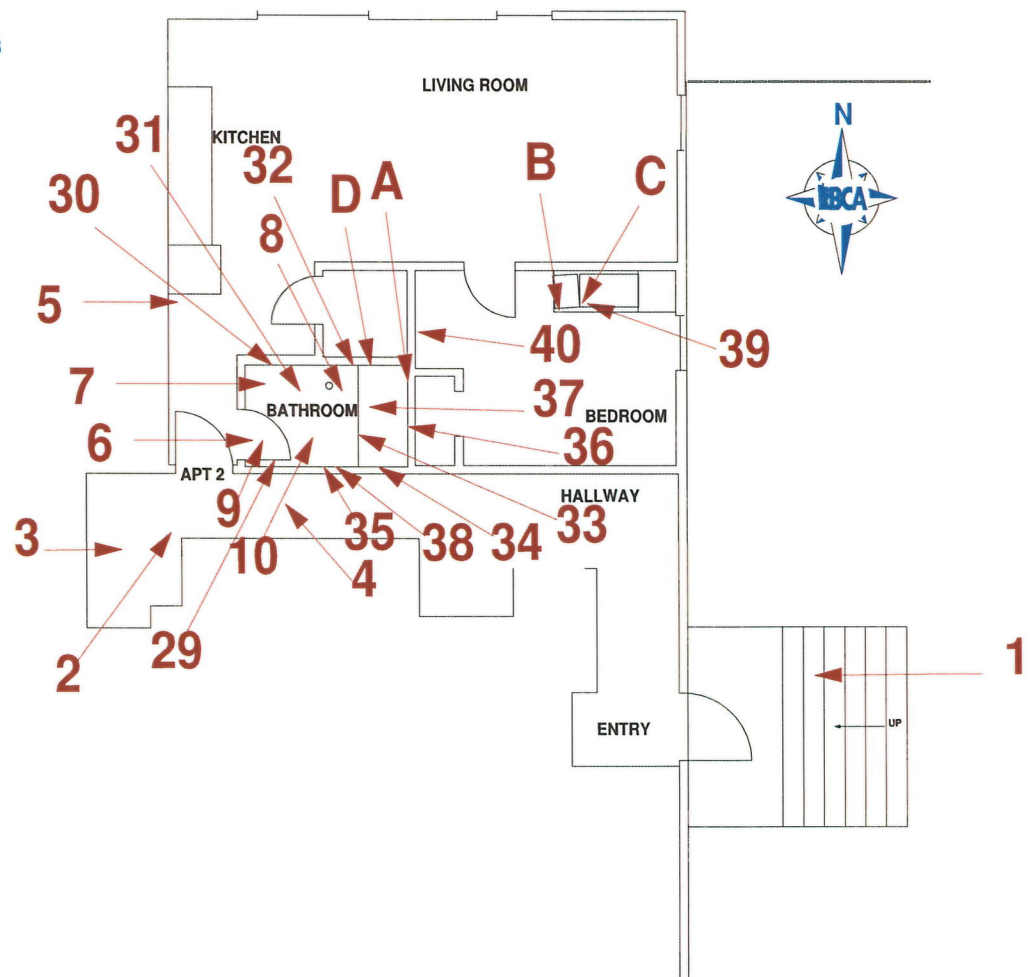
2120 MINNEHAHA AVENUE
MINNEAPOLIS, MN
HENNEPIN COUNTY

DATE OF DRAWING: 04/04/2016
FIELD SKETCH AND MEASUREMENTS BY:
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39-40 = BULLETS

A, B, C, D = BULLET HOLES



Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/47

Report Date: 05/06/2016

Primary Information

Description: Medical Records - HCMC - Officer Robins
Reporting LEO: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/06/2016
Approved By: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Agency Reference Numbers

<u>Agency</u>	<u>Case/File Number</u>
Hennepin County Medical Center	2716550620

Record Status Information

Record Origination Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 05/06/2016 14:12
Last Update Operator: OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 05/06/2016 14:26

Reporting LEO	Date	Supervisor	Date
OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Chris (MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On Friday, May 06, 2016, SA Olson received the medical records from Officer David Robins from his ER visit on April 4, 2016. The records consisted of 18 pages of medical notes and have been attached to this report.

End report.

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/48

Report Date: 05/12/2016

Primary Information	
Description:	Crime Scene Log from Mpls PD
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	05/12/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	05/12/2016 12:44
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/12/2016 12:53

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Minneapolis Police Department

Crime Scene Entry Log

Case #:	16-116598	Location:	2120 MINNEHAHA AVS	Date:	4-4-16
DATE	*TIME IN	*TIME OUT	OFFICER Name/Badge	REASON	
4-4-16	546	0615	OACHS		
4-4-16	546	0615	CAPE		
4-4-16	546	0615	PERKINS		
4-4-16	546	0615	GRAUPNER		
4-4-16	546	0615	TREBESCHI		
4-4-16	546	0600	STEWART		
4-4-16	546	0600	ROBINS		
4-4-16	546	0735	FOSSUM 2072		
4-4-16	546	0600	RIVARD		
4-4-16	546	0600	MALMBERG		
4-4-16	549	0600	E7		
4-4-16	550	0600	HCEMS #490		
4-4-16	550	0615	GROUT		
4-4-16	559	1505	BUEGE 0858		
4-4-16	611	0635	BARNETTE		
4-4-16	617	0617	GROSS 2792		
4-4-16	637	0645	Elder		
4-4-16	639	1505	Shogren 6521	Crime Log	
4-4-16	0715	1505	Doug Hanna	BCA	
4-4-16	0715	1505	M Prascolne	BCA	
4-4-16	0728	1505	GARY SWANSON	BCA	
4-4-16	0738	0802	McH McLean 4635	MPD	
4-4-16	0738	0802	Tim Eck 1688	MPD	
4-4-16	0738	0802	Alton Prescott 5806	MPD	
4-4-16	0738	0802	Clark Graft 2354	MPD	
4-4-16	0743	1505	Cody Horner	BCA Crime Scene	
4-4-16	0846	0858	Dan Willis 7788	MPD	
4-4-16	0851	0858 (001)	Jake May	Interpreter BCA	
4-4-16	0929	1505	Joe Cooksley	BCA Crime Scene	
4-4-16	0929	1505	McKenzie Anderson	BCA Crime Scene	
4-4-16	0929	1505	Melissa Loren	BCA Crime Scene	

REMARKS

*Times are approximate and are recorded according to the logging officer's watch.

COMPLETED BY: Eric Shogren 6521

Crime Scene Entry Log

REMARKS

*Times are approximate and are recorded according to the logging officer's watch.

COMPLETED BY: Eric Shogren

Reprinted 05/12/2016		MPD PROPERTY INVENTORY				PI NUMBER 2016 - 010623	
BADGE NUMBER AND NAME 006521: Shogren, Eric		UNIT 4123	PCT 03	REC'D P&E DATE 04/04/2016	TIME 15:45	REASON HELD EVIDENCE	CCN MP-16-116598
CONTAINED FROM E	NAME (LAST, FIRST, MIDDLE)					PE EMPLOYEE NUMBER 124818	
ROLE NBR							
CIRCUMSTANCES OFFICER INVOLVED SHOOTING							
OFFENSE(S) MURDR CRITIN				VICTIM Marques, Raul			
Line #	Quantity	Description					
WH	Storage	Brand	Model	Serial Number	Owner Role/Role#	Value	
Obtained At		Officer's Description			OAN or P & E Identifier	Weight	Handling Code
#1	1	MPD CRIME SCENE ENTRY LOG					
Y							1.00
					Total Estimated Value:		1.00

End Of Property Inventory

PROPERTY DISPOSITION CODES		CODE	LINE NUMBERS	AUTHORIZED BY - RANK - NAME - DIVISION/UNIT - BADGE #	DATE
A = HOLD FOR ADJUDICATION	M = MAIL				
C = CHARITY	P = PENSION				
D = DESTROY	R = RELEASE				
F = FORFEITURE	S = SELL				
H = HOLD FOR TRANSFER TO ANOTHER AGENCY					

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/49

Report Date: 05/10/2016

Primary Information	
Description:	Lab Report #5, Blood/Possible DNA Found for Testing
Reporting LEO:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	05/12/2016
Approved By:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Record Status Information	
Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	05/12/2016 12:56
Last Update Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/12/2016 12:58

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 5

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Nuclear DNA 05/10/2016

Laboratory Number: S16-03518
Section Reporting: Nuclear DNA
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
2	One cardboard box containing evidence classified as an item of evidence	knife sheath
10	One manila envelope containing evidence classified as bullet fragment(s)	from bathroom
11	One paper bag containing evidence classified as an item of evidence	gun belt with keepers
12	One paper bag containing evidence classified as clothing	light blue uniform top from Robins
12A	clothing	light blue uniform top from Robins
12B	One paper bag containing evidence classified as an item of evidence	contents of pockets
14	One cardboard box containing evidence classified as a gun	Smith & Wesson MP#HSN4732 9MM w/ mag and loose round
16	One paper bag containing evidence classified as pants	duty pants from Robins
16A	pants	duty pants from Robins
16B	an item of evidence	contents of pants pockets
17	One paper bag containing evidence classified as a right shoe	boot from Robins
18	One paper bag containing evidence classified as a left shoe	boot from Robins
20	One paper bag containing evidence classified as an item of evidence	Right glove from Robins
21	One paper bag containing evidence classified as an item of evidence	Left glove from Robins
23	One paper bag containing evidence classified as clothing	uniform and duty belt from Malmberg
23A	clothing	vest from Malmberg
23B	One paper bag containing evidence classified as an item of evidence	contents of vest pockets
23C	One plastic bag containing evidence classified as clothing	duty belt from Malmberg
23D	clothing	blue uniform shirt from Malmberg
23E	clothing	uniform pants from Malmberg
23F	clothing	belt from Malmberg
23G	clothing	long sleeve undershirt from Malmberg

23H	a right shoe	from Malmberg
23I	a left shoe	from Malmberg
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928
24A	a gun	sig sauer .45 Auto #58A051928
24B	a magazine	and one loose round
25	One paper bag containing evidence classified as clothing	with bls from Coleman
25A	clothing	sweatshirt from Coleman
25B	clothing	jacket from Coleman
25C	clothing	left half of jean jacket from Coleman
25D	clothing	right half of jean jacket from Coleman
25E	One paper bag containing evidence classified as an item of evidence	contents of pockets from jean jacket
25F	One paper bag containing evidence classified as pants	from Coleman
25F1	pants	jeans with belt
25F2	socks	one sock
25F3	socks	one sock
25G	One paper bag containing evidence classified as an item of evidence	loose Items at bottom of Item 25 packaging
26	One cardboard box containing evidence classified as a knife	from HCMC
27	One paper bag containing evidence classified as clothing	uniform shirt and handcuffs from Stewart
27A	clothing	uniform shirt from Stewart
27B	One plastic bag containing evidence classified as an item of evidence	handcuffs from Stewart
28	One paper bag containing evidence classified as clothing	uniform shirt from Oachs
28A	clothing	uniform shirt from Oachs
28B	an item of evidence	left glove from Oachs
28C	an item of evidence	right glove from Oachs
29	One manila envelope containing evidence classified as a bloodstain	from bathroom
34	One manila envelope containing evidence classified as a bloodstain	from bathroom
39	One manila envelope containing evidence classified as bullet(s)	from bin in bedroom
40	One manila envelope containing evidence classified as bullet(s)	from bedroom floor

Results of Laboratory Examination:

Presumptive testing indicated the presence of blood on the following:
Item 34, which was collected.
Two areas of Item 12A, which were collected as 12A-1 and 12A-2.
Two areas of Item 26, which were collected as 26-1 (blade) and 26-2 (handle).
One area on each of Items 17, 20, 21, 23A, 23C, 23D, 23E, 24A, 25A, 25B, 25C, 25F1, 25F2, 27A, 27B, 28A, 28B, 28C which were collected as Items 17-1, 20-1, 21-1, 23A-1, 23C-1, 23D-1, 23E-1, 24A-1, 25A-1, 25B-1, 25C-1, 25F1-1, 25F2-1, 27A-1, 27B-1, 28A-1, 28B-1, and 28C-1, respectively.

One additional sample was collected from Item 24A as Item 24A-2 (grips).

One sample was collected from each of Items 2, 10, 39 and 40 as Items 2-1, 10-1, 39-1, and 40-1, respectively.

DNA analysis will be performed on selected items. If you have not received a report within two months of the date on this report, or if DNA analysis is not needed, please contact the Biology Section of the BCA Laboratory.

Blood was not detected on Items 2, 10, 11, 14, 18, 16A, 39, and 40.

Items 12B, 16B, 23B, 23F, 23G, 23H, 23I, 24B, 25D, 25E, 25F3, 25G, and 29 were not examined.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Ellen Jesmok
Forensic Scientist

Disposition of Evidence:

Lab will hold all evidence until exams completed.

Portions of pertinent evidence items have been removed and are being stored at the BCA laboratory.
The contents of Item 34 have been retained in their entirety and are being stored at the BCA laboratory.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/50

Report Date: 05/12/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Bullet Found in Coleman's Bathtub
Occurrence From: 05/12/2016 00:00
Occurrence To: 05/12/2016 00:00
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On May 12th 2016, SA Phill retrieved a bullet found by Terry Haigler in Al Coleman's bathtub after the April 4th 2016 Mpls PD OIS. The bullet was entered as evidence item 50.1 in ACISS.

Address #1 - Occurred #1 - 2120 Minnehaha Ave S

Primary Information

Address: 2120 Minnehaha Ave S #3, Minnesota , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #2 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/50

Report Date: 05/12/2016

Subject #2 - WITNESS #1 - HAIGLER, TERRY LEE - Continued

Primary Information - Continued

Bio: 59 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER
Glasses Type: OTHER

Scars, Marks, and Tattoos

Description	Type	Body Part	Side	Location
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

Relationship	Address
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #3 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 42 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #4 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/50

Report Date: 05/12/2016

Subject #4 - SUBJECT #2 - Robins, David [REDACTED] - Continued

Primary Information - Continued

Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #5 - SUBJECT #3 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 50 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Bullet

Primary Information

Property Class: Evidence
Property Type: MISCELLANEOUS
Description: Bullet
Quantity: 1
Control Number: 2016-213/50.1
UCRDamaged: NO
Submitted To PES: Property & Evidence
Disposition: Submitted to Lab
Collected Date/Time: 05/12/2016 00:00

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/50

Report Date: 05/12/2016

Record Status Information

Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	05/12/2016 13:13
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/13/2016 10:40

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On May 12th 2016, Special Agent (SA) Phill visited Terry Haigler at 2120 Minnehaha Av S to retrieve evidence. Haigler contacted SA Phill on May 11th to report that while cleaning the apartment and bathroom of Alan Coleman after the police shooting on April 4th, he found a bullet in the bathtub. The bullet had been buried in blood and was likely not visible to the crime scene team processing Coleman's apartment.

Haigler said that he thought about giving it to Coleman when he returns home from the recovery care center care. However, when SA Phill called him to ask how things were going in the complex; he decided to advise SA Phill about the bullet. Haigler said he used tweezers to get the bullet out of the tub drain and then washed all the blood off it. He also touched it with his fingers.

SA Phill packaged the bullet in a bag for laboratory submission and Firearms Analysis. It was given evidence item 50.1 in ACISS. On May 12th, SA Phill submitted the bullet to Bureau of Criminal Apprehension Lab technician Carrolle David. The paperwork regarding the lab submission and evidentiary chain has been attached to this report.

Bureau No. 2016-213	Laboratory No. S16-03518	Evidence No.
------------------------	-----------------------------	--------------

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time

Signature

Storage Site

5-12-16

CMT

BUA

CHAIN OF CUSTODY

[illegible]



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

Laboratory Number

S16-03518

Agency Case Number

2016213

TEL: 651-793-2900

TTY: 651-242-6555

FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Attn: SA Mike Phill

COUNTY: Hennepin

TELEPHONE: 651-793-1100

TYPE OF CASE:

Officer Involved Shooting/with a Death

Report Distribution: BCA St. Paul - 1

Section Involved	Estimated Due Date
Firearms	9/9/2016
Nuclear DNA	9/9/2016

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

	<u>Date Of Birth</u>	<u>Sex</u>	<u>Type</u>	<u>Race</u>	<u>Comments</u>
Heraldes, Raul Salvador Marquez	9/13/1965	M	D		SID [REDACTED]
Coleman, Alan		M	V		
Malmberg, Eric [REDACTED]	[REDACTED]	M	P		
Robins, David [REDACTED]	[REDACTED]	M	P		
Stewart,			P		
Oachs,			P		
Marquez-Heraldes, Raul Salvador	9/13/1965		X		Alias for Raul Salvador Marquez Heraldes

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Source / Description</u>
45		One envelope containing evidence classified as a known DNA sample collection kit	Alan Coleman
46		One plastic bag containing evidence classified as bullet(s)	from 2120 Minnehaha Ave. S.

Submitted By



SA Mike Phill

Received By



Carolle David

05/12/2016 14:00:01

Submission Date and Time

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/51

Report Date: 05/12/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Alan Coleman's DNA for Comparison
Reporting LEO: Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 05/13/2016
Approved By: Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

On May 12th 2016, SA Phill obtained Buccal Swabs from Alan Coleman. They were submitted into the BCA Lab Intake as evidence item 51.1.

Address #1 - Occurred #1 - 2106 2ND AVE S

Primary Information

Address: 2106 2ND AVE S, MINNEAPOLIS, Minnesota 55404

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 63 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/51

Report Date: 05/12/2016

Subject #2 - WITNESS #1 - HAIGLER, TERRY LEE

Primary Information

Subject Name: HAIGLER, TERRY LEE
Record Type: Person
Bio: 59 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Height: 508
Weight: 180
Eye Color: Brown
Hair Color: Brown
Facial Characteristics: OTHER
Glasses Type: OTHER

Scars, Marks, and Tattoos

<u>Description</u>	<u>Type</u>	<u>Body Part</u>	<u>Side</u>	<u>Location</u>
Scar, right arm	---	---	---	---
Scar, right elbow	---	---	---	---
Scar, right upper arm	---	---	---	---
Tattoo, chest	---	---	---	---
Tattoo, right upper arm	---	---	---	---

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 MINNEHAHA #3, MINNEAPOLIS, Minnesota 55404

Subject #3 - SUBJECT #1 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 28 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/51

Report Date: 05/12/2016

Subject #4 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: **Heraldes, Raul Salvador Marquez**
Record Type: **Person**
Bio: **50 yr. old, Hispanic, Male**
Birth Date: **09/13/1965**
Juvenile: **NO**

Personal Information

Ethnicity: **American**
Height: **506**
Weight: **136**
Eye Color: **Brown**
Hair Style: **Bald**

Addresses

Relationship	Address
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - Buccal Swabs for DNA Analysis

Primary Information

Property Class: **Evidence**
Property Type: **Biological Sample**
Description: **Buccal Swabs for DNA Analysis**
Quantity: **1**
Control Number: **2016-213/51.1**
UCRDamaged: **NO**
Submitted To PES: **Property & Evidence**
Disposition: **Submitted to Lab**
Collected Date/Time: **05/12/2016 00:00**

Record Status Information

Record Origination Operator:	Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	05/12/2016 13:36
Last Update Operator:	Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	05/13/2016 10:41

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Swanson, Gary (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	5/13/2016

Narrative begins on the following page.

On May 12th 2016, Special Agent (SA) Phill met with Alan Coleman at his recovery care center on 2 Av S in Minneapolis. Coleman signed the DPS Consent for Known DNA and SA Phill obtained two buccal swabs from Coleman and sealed them in an evidentiary envelope for Bureau of Criminal Apprehension Lab (BCA) submission.

SA Phill later submitted the envelope to the BCA Lab intake. Coleman's DNA is needed to compare against DNA found at the scene. Technician Carrolle David signed for and took possession of the evidence. She also provided a receipt to SA Phill. All paperwork concerning this evidence has been attached to this report.

Bureau No.	Laboratory No.	Evidence No.
2016-213	516-03518	

I CERTIFY THAT I HAVE RECEIVED AND HOLD MYSELF RESPONSIBLE FOR THE ARTICLES LISTED ABOVE

Date/Time
5-12-16

Signature MA # 9385

Storage Site	BCA
--------------	-----

CHAIN OF CUSTODY

[illegible]

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

1430 Maryland Avenue East, St. Paul, Minnesota 55106-2802
Phone: 651-793-7000, Fax: 651-793-7001, TTY: 651-282-6555



CONSENT FOR COLLECTION OF KNOWN DNA

I, ALAN R. COLEMAN [REDACTED] having been informed of my Constitutional Right to not provide a saliva sample for DNA comparison purposes without a search warrant hereby authorize:

SA MIKE PHILL and _____
Agents/Investigators of the MN Bureau of Criminal Apprehension and/or any other duly appointed law enforcement officer to collect buccal swabs of my saliva for DNA Comparison related to:

- MPIS PD DIS cv APRIL 4th
2016 AT MY HOME @ 2120 MINNEAPOLIS

I understand that consent can be withdrawn by me at any time. This written permission is given by me voluntarily. I have not been threatened nor have any promises of consideration been made to me. I have read this document and fully understand its contents.

x Alan Coleman
(Signed)

5-12-2016
(Date)

Witnesses:

Com
(Signed)

5/12/16
(Date)

(Signed)

(Date)



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension

Forensic Science Laboratory - St. Paul

1430 Maryland Avenue East

St. Paul, MN 55106

Laboratory Number

S16-03518

Agency Case Number

2016213

TEL: 651-793-2900

TTY: 651-242-6555

FAX: 651-793-2901

LABORATORY ANALYSIS REQUEST

BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Attn: SA Mike Phill

COUNTY: Hennepin

TELEPHONE: 651-793-1100

TYPE OF CASE:

Officer Involved Shooting/with a Death

Report Distribution: BCA St. Paul - 1

Section Involved	Estimated Due Date
Firearms	9/9/2016
Nuclear DNA	9/9/2016

CIRCUMSTANCES AND PURPOSE OF ANALYSIS:

PRINCIPALS:

	<u>Date Of Birth</u>	<u>Sex</u>	<u>Type</u>	<u>Race</u>	<u>Comments</u>
Heraldes, Raul Salvador Marquez	9/13/1965	M	D		SID [REDACTED]
Coleman, Alan		M	V		
Malmberg, Eric [REDACTED]	[REDACTED]	M	P		
Robins, David [REDACTED]	[REDACTED]	M	P		
Stewart,			P		
Oachs,			P		
Marquez-Heraldes, Raul Salvador	9/13/1965		X		Alias for Raul Salvador Marquez Heraldes

ITEM DESCRIPTION OF EVIDENCE:

<u>Item #</u>	<u>In Container</u>	<u>Packaging and Type</u>	<u>Source / Description</u>
45		One envelope containing evidence classified as a known DNA sample collection kit	Alan Coleman
46		One plastic bag containing evidence classified as bullet(s)	from 2120 Minnehaha Ave. S.

Submitted By



SA Mike Phill

Received By



Carolle David

05/12/2016 14:00:01

Submission Date and Time

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/52

Report Date: 05/16/2016

Primary Information

Description: Invoice and Payment of Translation/Transcription Services
Reporting LEO: Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 07/19/2016
Approved By: OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)

Synopsis

Special Agent Michelle Frascone received an invoice in the amount of \$2,536.60 for translation and transcription services from Marin and Associates, Inc. The invoice was sent to SAIC Scott Muller and approved for payment. I received a check in the requested amount from Criminal Intelligence Analyst Amber Stojevich. The check was hand-delivered to Monica Marin. The invoice, and payment approval are attached to this report. No evidence was obtained by virtue of this report.

Address #1 - Business #1 - 3722 WESTIN AVE

Primary Information

Address: 3722 WESTIN AVE, Woodbury, Minnesota 55125 , United States
Description: Martin and Associates, Incorporated

Subject #1 - BUSINESS #1 - MARIN, Monica L.

Primary Information

Subject Name: MARIN, Monica L.
Record Type: Person
Bio: Unknown, Female
Juvenile: NO

Personal Information

Photo: NO

Employment Information

Employed: YES
Occupation: Interpreter/ Transcription

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3722 WESTIN AVE, Woodbury, Minnesota 55125 , United States

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
Related	(651) 428-5012 (BUSINESS)

Officers

LEO

Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Knutson, Eric (1309 / Crimes Against Persons / Minnesota Bureau of Criminal Apprehension)

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/52

Report Date: 05/16/2016

Officers - Continued

LEO

STOJEVICH, Amber (Predatory Offender Investigations / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: **Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **05/16/2016 07:59**
Last Update Operator: **OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **07/19/2016 16:35**

Reporting LEO	Date	Supervisor	Date
Frascone, Michelle (1381 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		OLSON, Christopher (1326 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	8/5/2016

Narrative begins on the following page.

On May 6th, 2016, Special Agent Michelle Frascone received an invoice in the amount of \$2,536.60 for translation and transcription services from Marin and Associates, Inc. The invoice was sent to SAIC Scott Muller and approved for payment. Due to SAIC Muller being out of the office at training, SAIC Eric Knutson signed the receipt and expense supplementary report.

On May 11th, 2016, SA Frascone received a check (13665) in the requested amount from Criminal Intelligence Analyst Amber Stojevich. The check was hand-delivered to Monica Marin. The invoice, and payment approval are attached to this report. No evidence was obtained by virtue of this report.

SA Frascone/

Marin and Associates, Inc.

3722 Westin Ave
Woodbury, MN 55125
EIN 20-1622305

interpreter@marinaa.net

Phone # 651-428-5012

Bill To

Attn: Michelle Frascone
Bureau of Criminal Apprehension
1430 Maryland Avenue
St. Paul, MN 55106

Invoice # **2614**

Date 5/6/2016

Description	Qty	Rate	Amount
TRANSCRIPTION AND TRANSLATION OF THREE RECORDED INTERVIEWS IN REFERENCE TO BCA CASE No. 2016-213			
1. INTERVIEW WITH MANUEL SANCHEZ - PERMISSION TO SEARCH (6:51 MINUTES LONG) TOTAL TIME: 275 MINUTES = 4.58HRS.	4.58	55.00	251.90
2. INTERVIEW WITH MANUEL SANCHEZ AND SA JACOB MAY (38:12 MINUTES LONG) TOTAL TIME: 1025 MINUTES = 17.08 HRS.	17.08	55.00	939.40
3. INTERVIEW WITH MANUEL SANCHEZ AND SA ADAM CASTILLEJA (49:39 MINUTES LONG) TOTAL TIME: 1468 MINUTES = 24.46 HRS.	24.46	55.00	1,345.30

Total \$2,536.60

IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE OR IF YOU NEED TO SCHEDULE AN INTERPRETER,
PLEASE SEND US AN EMAIL TO interpreter@marinaa.net OR CALL US AT 651-428-5012.
Please make checks payable to MARIN AND ASSOCIATES, INC.
THANK YOU FOR YOUR BUSINESS.



DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

MRO

SECTION PETTY CASH FUND
ADVANCE

DATE 5/11/16AGENT SA Frascione
Print or TypeAMOUNT \$2536.60 ^{ck #} 13665

DATE	RECEIPT NO.	AMOUNT	BALANCE
5/11/16	41461	\$2536.60	—

[Signature]
Agent's Signature

[Signature]
Section Authorized Signature (if required)

[Signature]
Department Authorized Signature

WHITE COPY - AGENT

CANARY COPY - SUPERVISOR

PINK COPY - ACCOUNTING

BCA 01-011 (8/76)

STATE OF MINNESOTA

41461



DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

MRO

CONFIDENTIAL FUND (Petty Cash)

DATE 5/11/16

RECEIPT

CREDIT TO
ADVANCE TO 21332AGENT SA Frascione
Print or TypeAMOUNT \$2536.60BCA CASE NO. 2016-213

BCA C.I. NO. _____

[Signature]
Agent's Signature

[Signature]
Department Authorized Signature

☐ PURCHASE OF EVIDENCE☐ CONSIDERATION☐ CASH RETURNED☒ OTHER-EXPLAIN

**MINNESOTA DEPARTMENT OF CRIMINAL APPREHENSION
OTHER EXPENSES SUPPLEMENTARY REPORT**

RECEIPT # 41461 CASE # 2016-213 DATE OF EXPENDITURE 5/11/16

ITEM	AMOUNT
BEVERAGE FOR AGENT	
BEVERAGE FOR DEFENDANT	
BEVERAGE FOR WITNESS	
MEAL FOR DEFENDANT	
MEAL FOR WITNESS	
ENTERTAINMENT FOR AGENT EXPLAIN-	
ENTERTAINMENT FOR DEFENDANT EXPLAIN-	
ENTERTAINMENT FOR WITNESS EXPLAIN-	
OTHER EXPLAIN- <u>Marin and Associates Inc. Translation/transcription services</u>	<u>\$2536.60</u>
TOTAL REIMBURSEMENT REQUESTED	

I declare under the penalties of perjury that this claim is just and correct and that no part of it has been paid except with respect to those advance amounts herein shown.

Employee signature: [Signature] Date 5/11/16

Approved: Based on knowledge of the necessity for expense and on the basis of compliance with all provisions of the Bureau of Criminal Apprehension Other Expense regulations.

Supervisor: [Signature] Date 5/11/16

RECEIPT # 41461 DATE 5/11/16 CASE # 2016-213

LOCATION _____ DATE OF EXPENDITURE 5/11/16

TOTAL AMOUNT THIS CLAIM APPROVED FOR REIMBURSEMENT \$2536.60

I declare under the penalties of perjury that this claim is just and correct and that no part of it has been paid except with respect to those advance amounts herein shown.

Employee signature: [Signature] Date 5/11/16

Approved: Based on knowledge of the necessity for expense and on the basis of compliance with all provisions of the Bureau of Criminal Apprehension Other Expense regulations.

Supervisor: [Signature] Date 5/11/16

Marin and Associates, Inc.

3722 Westin Ave
Woodbury, MN 55125
EIN 20-1622305

interpreter@marinaa.net

Phone # 651-428-5012

Bill To

Attn: Michelle Frascone
Bureau of Criminal Apprehension
1430 Maryland Avenue
St. Paul, MN 55106

Invoice # 2614**Date 5/6/2016**

Description	Qty	Rate	Amount
TRANSCRIPTION AND TRANSLATION OF THREE RECORDED INTERVIEWS IN REFERENCE TO BCA CASE No. 2016-213			
1. INTERVIEW WITH MANUEL SANCHEZ - PERMISSION TO SEARCH (6:51 MINUTES LONG) TOTAL TIME: 275 MINUTES = 4.58HRS.	4.58	55.00	251.90
2. INTERVIEW WITH MANUEL SANCHEZ AND SA JACOB MAY (38:12 MINUTES LONG) TOTAL TIME: 1025 MINUTES = 17.08 HRS.	17.08	55.00	939.40
3. INTERVIEW WITH MANUEL SANCHEZ AND SA ADAM CASTILLEJA (49:39 MINUTES LONG) TOTAL TIME: 1468 MINUTES = 24.46 HRS.	24.46	55.00	1,345.30

Total \$2,536.60

IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE OR IF YOU NEED TO SCHEDULE AN INTERPRETER,
PLEASE SEND US AN EMAIL TO interpreter@marinaa.net OR CALL US AT 651-428-5012.

Please make checks payable to MARIN AND ASSOCIATES, INC.

THANK YOU FOR YOUR BUSINESS.

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/53

Report Date: 05/20/2016

Primary Information

Description: **Lab Report #6, Firearms Analysis Report**
Reporting LEO: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **05/21/2016**
Approved By: **Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **05/21/2016 12:20**
Last Update Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **05/21/2016 12:21**

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	8/5/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 6

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Firearms 05/19/2016

Laboratory Number: S16-03518
Section Reporting: Firearms
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
3	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 Auto +P" from hallway
4	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from hallway
5	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from kitchen
6	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom
7	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
8	One manila envelope containing evidence classified as cartridge case(s)	"Federal 45 AUTO +P" from bathroom
9	One manila envelope containing evidence classified as cartridge case(s)	"FC 9MM +P" from bathroom
10	One manila envelope containing evidence classified as bullet fragment(s)	from bathroom
14	One cardboard box containing evidence classified as a gun	Smith & Wesson MP#HSN4732 9MM w/ mag and loose round
14A	One manila envelope containing evidence classified as test specimens	test fired specimens from Item 14
15	One paper bag containing evidence classified as a magazine	2 Smith & Wesson
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928
24C	One manila envelope containing evidence classified as test specimens	test fires from Item 24
39	One manila envelope containing evidence classified as bullet(s)	from bin in bedroom
40	One manila envelope containing evidence classified as bullet(s)	from bedroom floor

Results of Laboratory Examination:

Examinations and test firing of Item 14 (a Smith & Wesson Model M&P9 9mm Luger caliber pistol bearing serial number HSN4732) showed the firearm and the safety mechanisms to be functional. The trigger pull was measured and found to be from 6½ to 6¾ pounds.

Item 14 fired Item 10 (a bullet fragment), Item 40 (a bullet) and Items 5, 7 and 9 (three 9mm Luger + P caliber cartridge cases).

Examinations and test firing of Item 24 (a SIG Sauer Model P320 45 Auto caliber pistol bearing serial number 58A051928) showed the firearm and the safety mechanisms to be functional. The trigger pull was measured and found to be from 6¾ to 7 pounds.

Item 24 fired Item 39 (a bullet) and Items 3, 4, 6 and 8 (four 45 Auto + P caliber cartridge cases).

No comparative exams were done with Item 15 (two magazines each containing seventeen 9mm Luger + P caliber cartridges).

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Lisa M. Kinsella

Lisa Kinsella
Forensic Scientist

Disposition of Evidence:

Lab will hold all evidence until exams completed.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/54

Report Date: 06/28/2016

Primary Information

Description: **Lab Report #7, DNA Report**
Reporting LEO: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **06/28/2016**
Approved By: **Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **06/28/2016 19:52**
Last Update Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **06/28/2016 19:58**

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	8/5/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-International ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 7

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Nuclear DNA 06/17/2016

Laboratory Number: S16-03518
Section Reporting: Nuclear DNA
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Robert Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs; Raul Salvador Marquez-Heraldes

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
2	One cardboard box containing evidence classified as an item of evidence	knife sheath
12	One paper bag containing evidence classified as clothing	light blue uniform top from Robins
12A	clothing	light blue uniform top from Robins
23	One paper bag containing evidence classified as clothing	uniform and duty belt from Malmberg
23A	clothing	vest from Malmberg
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928
24A	a gun	sig sauer .45 Auto #58A051928
26	One cardboard box containing evidence classified as a knife	from HCMC
27	One paper bag containing evidence classified as clothing	uniform shirt and handcuffs from Stewart
27A	clothing	uniform shirt from Stewart
28	One paper bag containing evidence classified as clothing	uniform shirt from Oachs
28A	clothing	uniform shirt from Oachs
39	One manila envelope containing evidence classified as bullet(s)	from bin in bedroom
40	One manila envelope containing evidence classified as bullet(s)	from bedroom floor
45	One envelope containing evidence classified as a known DNA sample collection kit	Alan Coleman
46	One plastic bag containing evidence classified as bullet(s)	from 2120 Minnehaha Ave. S.
47	One manila envelope containing evidence classified as bullet(s)	from autopsy of Raul Salvador Marquez-Heraldes - PI 013233, lines 1-4 (four bullets labeled 47A through 47D)
48	One manila envelope containing evidence classified as an item of evidence	ring from Raul Salvador Marquez-Heraldes - PI 013232, line 1
49	One brown paper bag containing evidence classified as clothing	Raul Salvador Marquez-Heraldes - PI 013230, lines 1-6
50	One brown paper bag containing evidence classified as a biological sample	and seal from clothes drying rack and HCME evidence receipt Raul Salvador Marquez-

		Heraldes- PI 013229, lines 1-7 & 9-14
50A	One manila envelope containing evidence classified as a known blood sample	
50B	One manila envelope containing evidence classified as hairs from Item	pulled chest hairs (no hair on head)
50C	One manila envelope containing evidence classified as fingernail clippings	Right hand
50D	One manila envelope containing evidence classified as fingernail clippings	Left hand
50E	One manila envelope containing evidence classified as foreign matter	cut seal from clothes drying rack
50F	One brown paper bag containing evidence classified as underwear	
50G	One brown paper bag containing evidence classified as socks	
50H	One brown paper bag containing evidence classified as t-shirt	
50I	One brown paper bag containing evidence classified as jeans	and belt
50J	One brown paper bag containing evidence classified as an item of evidence	trauma sheet
50K	One brown paper bag containing evidence classified as an item of evidence	right paper hand bag
50L	One brown paper bag containing evidence classified as an item of evidence	left paper hand bag
51	One brown paper bag containing evidence classified as an item of evidence	body bag that contained the body of Raul Salvador Marquez-Heraldes - PI 013229, line 8

Results of Laboratory Examination:

DNA profiling* was performed on DNA obtained from a sample (Item 2-1) collected from Item 2 and on blood previously indicated on samples (Items 12A-1, 23A-1, 24A-1, 26-1, 26-2, 27A-1, and 28A-1) collected from Items 12A, 23A, 24A, 26, 27A, and 28A. DNA profiling was also performed on the known samples from Alan Coleman (Item 45) and Raul Salvador Marquez-Heraldes (Item 50A). The DNA results are as follows:

Item 2-1 (Knife sheath)
<ul style="list-style-type: none"> Due to the complexity of this mixture, this DNA profile is not suitable for comparison
Item 12A-1 (BLS- Robins sleeve) and Item 28A-1 (BLS- Oachs shirt)
<ul style="list-style-type: none"> Mixture of three or more individuals Major male DNA profile matches Raul Salvador Marquez-Heraldes, does not match Alan Coleman Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population Due to insufficient genetic information, no statement can be made regarding the minor DNA types obtained
Item 27A-1 (BLS- Stewart shirt)
<ul style="list-style-type: none"> Mixture of two or more individuals Major male DNA profile matches Raul Salvador Marquez-Heraldes, does not match Alan Coleman Major male DNA profile would not be expected to occur more than once among

- | |
|--|
| unrelated individuals in the world population |
| <ul style="list-style-type: none">• Due to insufficient genetic information, no statement can be made regarding the minor DNA types obtained |

Item 23A-1 (BLS- Malmberg vest) and Item 24A-1 (BLS- Sig Sauer slide)

- | |
|---|
| <ul style="list-style-type: none">• Single source male DNA profile• Matches Raul Salvador Marquez-Heraldes• Does not match Alan Coleman• Would not be expected to occur more than once among unrelated individuals in the world population |
|---|

Item 26-1 (BLS- blade of knife)

- | |
|---|
| <ul style="list-style-type: none">• Single source male DNA profile• Matches Alan Coleman• Does not match Raul Salvador Marquez-Heraldes• Would not be expected to occur more than once among unrelated individuals in the world population |
|---|

Item 26-2 (BLS- handle of knife)

- | |
|---|
| <ul style="list-style-type: none">• Mixture of three or more individuals• Major male DNA profile matches Alan Coleman, does not match Raul Salvador Marquez-Heraldes• Major male DNA profile would not be expected to occur more than once among unrelated individuals in the world population• Raul Salvador Marquez-Heraldes cannot be excluded from being a possible contributor to minor DNA types• Three of the 12 loci suitable for comparisons meet the BCA criteria for conducting statistical calculations; it is estimated that 74.8% of the general population can be excluded from being contributors |
|---|

Items 39-1 and 40-1 (Swabs from bullets)
--

- | |
|--|
| <ul style="list-style-type: none">• Insufficient DNA was obtained to perform DNA profiling |
|--|

One sample was collected from Item 46 as Item 46-1. DNA testing will be performed on Item 46-1. Please contact the Biology Section of the BCA Laboratory if DNA testing is not needed.

Items 47, 48, 49, 50B through 50L, and Item 51 were not examined.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



McKenzie Anderson

Forensic Scientist

*DNA loci tested using PCR-STR includes some or all of the following: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, FGA, and Amelogenin.

Disposition of Evidence:

Evidence will be held in the lab pending analysis. The contents of Items 45 and 50A have been retained.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/55

Report Date: 06/28/2016

Primary Information

Description: **Lab Report #8, Firearms Report**
Reporting LEO: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **06/28/2016**
Approved By: **Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **06/28/2016 19:58**
Last Update Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **06/28/2016 20:00**

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	8/5/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-*International* ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 8

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Firearms 06/28/2016

Laboratory Number: S16-03518
Section Reporting: Firearms
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Robert Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs; Raul Salvador Marquez-Heraldes

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
14	One cardboard box containing evidence classified as a gun	Smith & Wesson MP#HSN4732 9MM w/ mag and loose round
14A	One manila envelope containing evidence classified as test specimens	test fired specimens from Item 14
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928
24C	One manila envelope containing evidence classified as test specimens	test fires from Item 24
46	One plastic bag containing evidence classified as bullet(s)	from 2120 Minnehaha Ave. S.
47	One manila envelope containing evidence classified as bullet(s)	from autopsy of Raul Salvador Marquez-Heraldes - PI 013233, lines 1-4 (four bullets labeled 47A through 47D)

Results of Laboratory Examination:

Item 14 (a Smith & Wesson Model M&P9 9mm Luger caliber pistol bearing serial number HSN4732) fired Items 46 and 47C (two bullets).

Item 24 (a SIG Sauer Model P320 45 Auto caliber pistol bearing serial number 58A051928) fired Items 47A, 47B and 47D (three bullets).

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.

Lisa M. Kinsella

Lisa Kinsella
Forensic Scientist

Disposition of Evidence:

Lab will hold all evidence until exams completed.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension
ACISS Lab Result Attachment 2016-213/56

Report Date: 06/28/2016

Primary Information

Description: **Lab Report #9, Report from DNA**
Reporting LEO: **Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**
Approval Status: **Approved**
Approved Date: **06/28/2016**
Approved By: **Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)**

Record Status Information

Record Origination Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Record Origination Date: **06/28/2016 20:01**
Last Update Operator: **Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)**
Last Update Date: **06/28/2016 20:04**

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1385 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / MRO - Homicide / Minnesota Bureau of Criminal Apprehension)	8/5/2016



MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Bureau of Criminal Apprehension
Forensic Science Laboratory – St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

TEL: (651) 793-2900 TTY: (651) 282-6555 FAX: (651) 793-2901

AN ASCLD/LAB-*International* ACCREDITED TESTING LABORATORY SINCE 2009

To: BCA St. Paul
1430 Maryland Avenue East
St. Paul, MN 55106

Lab No. S16-03518
Report No. 9

Attention: SA Mike Phill

REPORT ON THE EXAMINATION OF PHYSICAL EVIDENCE

Nuclear DNA 06/28/2016

Laboratory Number: S16-03518
Section Reporting: Nuclear DNA
Case Type: Officer Involved Shooting/with a Death

Requesting Agency: BCA St. Paul
Agency Case Number: 2016213
County: Hennepin

Principals: Raul Salvador Marquez Heraldes; Alan Robert Coleman; Eric [REDACTED] Malmberg; David [REDACTED] Robins; Stewart; Oachs; Raul Salvador Marquez-Heraldes

Description of Submitted Evidence:

<u>Item</u>	<u>Type and Packaging</u>	<u>Description/Source</u>
11	One paper bag containing evidence classified as an item of evidence	gun belt with keepers
12	One paper bag containing evidence classified as clothing	light blue uniform top from Robins
12A	clothing	light blue uniform top from Robins
12B	One paper bag containing evidence classified as an item of evidence	contents of pockets
14	One cardboard box containing evidence classified as a gun	Smith & Wesson MP#HSN4732 9MM w/ mag and loose round
16	One paper bag containing evidence classified as pants	duty pants from Robins
16A	pants	duty pants from Robins
16B	an item of evidence	contents of pants pockets
17	One paper bag containing evidence classified as a right shoe	boot from Robins
18	One paper bag containing evidence classified as a left shoe	boot from Robins
20	One paper bag containing evidence classified as an item of evidence	Right glove from Robins
21	One paper bag containing evidence classified as an item of evidence	Left glove from Robins
23	One paper bag containing evidence classified as clothing	uniform and duty belt from Malmberg
23A	clothing	vest from Malmberg
23B	One paper bag containing evidence classified as an item of evidence	contents of vest pockets
23C	One plastic bag containing evidence classified as clothing	duty belt from Malmberg
23D	clothing	blue uniform shirt from Malmberg
23E	clothing	uniform pants from Malmberg
23F	clothing	belt from Malmberg
23H	a right shoe	from Malmberg
23I	a left shoe	from Malmberg
24	One cardboard box containing evidence classified as a gun	sig sauer .45 Auto #58A051928

24A	a gun	sig sauer .45 Auto #58A051928
24B	a magazine	and one loose round
25	One paper bag containing evidence classified as clothing	with bls from Coleman
25A	clothing	sweatshirt from Coleman
25B	clothing	jacket from Coleman
25C	clothing	left half of jean jacket from Coleman
25D	clothing	right half of jean jacket from Coleman
25E	One paper bag containing evidence classified as an item of evidence	contents of pockets from jean jacket
25F	One paper bag containing evidence classified as pants	from Coleman
25F1	pants	jeans with belt
25F2	socks	one sock
25F3	socks	one sock
25G	One paper bag containing evidence classified as an item of evidence	loose Items at bottom of Item 25 packaging
26	One cardboard box containing evidence classified as a knife	from HCMC
27	One paper bag containing evidence classified as clothing	uniform shirt and handcuffs from Stewart
27A	clothing	uniform shirt from Stewart
27B	One plastic bag containing evidence classified as an item of evidence	handcuffs from Stewart
28	One paper bag containing evidence classified as clothing	uniform shirt from Oachs
28A	clothing	uniform shirt from Oachs
28B	an item of evidence	left glove from Oachs
28C	an item of evidence	right glove from Oachs
43	One manila envelope containing evidence classified as a disc with images	Images from biology section analysis on 4/13/16 (Items 12, 23, 25, and sub-Items)
44	One manila envelope containing evidence classified as a disc with images	Images from biology section analysis on 4/27/16 (Items 11, 14, 16, 17, 18, 20, 21, 24, 25, 26, 27, 28, and sub-Items)

Results of Laboratory Examination:

Multiple images of Items 12A, 12B, 23A, 23B, 23C, 23D, 23E, 23F, 23H, 23I, 25A, 25B, 25C, 25D, 25E, 25F1, 25F2, 25F3, and 25G were captured on April 13, 2016 and saved on a Disc as Item 43.

Multiple images of Items 11, 14, 16A, 16B, 17, 18, 20, 21, 24A, 24B, 26, 27A, 27B, 28A, 28B, and 28C were captured on April 27, 2016 and saved on a Disc as Item 44.

I hereby certify that the above report is true and accurate and represents my opinions and interpretations.



Ellen Jesmok
Forensic Scientist

Disposition of Evidence:
Please pick up your evidence.

Distribution: BCA St. Paul - 1

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/57

Report Date: 10/06/2016

Primary Information

Description:	Mpls PD CAD Traffic
Reporting LEO:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Approval Status:	Approved
Approved Date:	10/06/2016
Approved By:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	10/06/2016 14:36
Last Update Operator:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	10/06/2016 14:37

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Minnesota Bureau of Criminal Apprehension

ACISS Attachment 2016-213/58

Report Date: 10/06/2016

Primary Information

Description: CAPRS Contacts with Heraldes
Reporting LEO: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 10/06/2016
Approved By: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)

Record Status Information

Record Origination Operator: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Record Origination Date: 10/06/2016 14:37
Last Update Operator: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Last Update Date: 10/06/2016 14:49

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)		Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/59

Report Date: 10/06/2016

Primary Information

Description: Acquisition of Alan Coleman's Medical Rehab Records
Occurrence From: 09/15/2016 00:00
Occurrence To: 09/16/2016 00:00
Reporting LEO: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 10/24/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

On September 15th 2016, SSA Phill obtained the medical records of Alan Coleman from HCMC and Golden Living Centers. This was done as a request of the HCAO for the case file. The records have been attached as documents to this report. They were also burned onto a DVD and labeled ACISS evidence item 59.1 in this case.

Address #1 - Occurred #1 - 2106 2ND AVE S

Primary Information

Address: 2106 2ND AVE S, MINNEAPOLIS, Minnesota 55404

Address #2 - Occurred #2 - Hennepin County Medical Center

Primary Information

Address: Hennepin County Medical Center, Minneapolis, Minnesota , United States

Address #3 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 64 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
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Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/59

Report Date: 10/06/2016

Subject #1 - VICTIM #1 - Coleman, Alan Robert - Continued

Addresses - Continued

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Property #1 - DVD Containing Alan Coleman's HCMC and Golden Living Medical Records

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	DVD Containing Alan Coleman's HCMC and Golden Living Medical Records
Quantity:	1
Control Number:	2016-213/59.1
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	10/06/2016 00:00

Record Status Information

Record Origination Operator:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	10/06/2016 14:50
Last Update Operator:	Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	10/24/2016 09:13

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Narrative begins on the following page.

On September 15th 2016, Senior Special Agent (SSA) Phill obtained consent from Alan Coleman to retrieve copies of his medical records regarding his treatment at Hennepin County Medical Center (HCMC) and the Golden Living Center. This request for records was made by the Hennepin County Attorney's Office (HCAO).

These records were established treating Coleman for injuries suffered on April 4th 2016 when Raul Heraldes took him hostage with a knife and stabbed him in the bag. Heraldes was subsequently shot to death by Officers of the Minneapolis Police Department. Coleman also suffered a severe injury to his right thumb during his rescue.

Both HCMC and Golden Living provided the records with Coleman's consent. The records have been attached to this report and both have been provided to the HCAO. They have also been burned onto a DVD and labeled in ACISS as evidence item 59.1.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/60

Report Date: 10/06/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Acquisition of Ofc Robins' Medical Records
Occurrence From: 09/30/2016 00:00
Occurrence To: 10/03/2016 00:00
Reporting LEO: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 10/24/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

On October 3rd 2016, SSA Phill obtained the medical records from Twin Cities Orthopedics for the care and rehab of Ofc Robins left hand, broken on April 4th in Minneapolis. The records were burned onto a DVD and labeled evidence item 60.1 in ACISS.

Address #1 - Occurred #1 - 2855 CAMPUS DR

Primary Information

Address: 2855 CAMPUS DR #300, Plymouth, Minnesota 55441 , United States
Description: Twin Cities Orthopedics

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Address #3 - RELATED #2 - Hennepin County Medical Center

Primary Information

Address: Hennepin County Medical Center, Minneapolis, Minnesota , United States

Subject #1 - SUBJECT #1 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 29 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

Relationship	Address
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Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/60

Report Date: 10/06/2016

Subject #1 - SUBJECT #1 - Robins, David [REDACTED] - Continued

Addresses - Continued

Relationship	Address
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Property #1 - DVD Containing the medical records of Ofc Robins from TC Orthopedics

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	DVD Containing the medical records of Ofc Robins from TC Orthopedics
Quantity:	1
Control Number:	2016-213-60.1
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	10/06/2016 15:32

Record Status Information

Record Origination Operator:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	10/06/2016 15:32
Last Update Operator:	Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	10/24/2016 09:13

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Narrative begins on the following page.

On September 30th 2016, Senior Special Agent (SSA) Phill obtained the medical treatment records of Officer Robins from Twin Cities Orthopedics in Plymouth, MN. The request was made by the Hennepin County Attorney's Office (HCAO) to complete the case file. Ofc Robins signed a consent release for his records which SSA Phill provided to the Plymouth office of (TCO) on October 3rd, 2016.

TCO provided an envelope containing Ofc Robins records and SSA Phill subsequently provided the records to the HCAO. SSA Phill attached the consent as well as the records to this report. Finally, the records were burned to a DVD and labeled ACISS evidence item 60.1 in this case.

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/61

Report Date: 10/31/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Photos taken of Heraldes Knife for HCAO
Reporting LEO: Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Approval Status: Approved
Approved Date: 11/01/2016
Approved By: Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)

Synopsis

At the request of the HCAO, SSA Phill took and submitted 5 digital photos for inclusion in the HCAO decision on this Mpls PD OIS. The 5 pics were emailed to the HCAO and also burned to disc and retained as evidence item 61.1.

Address #1 - Occurred #1 - 1430 MARYLAND AVE

Primary Information

Address: 1430 MARYLAND AVE Bureau of Criminal Apprehension, St. Paul, Minnesota 55106 , United States
Description: Bureau of Criminal Apprehension

Address #2 - RELATED #1 - 2120 Minnehaha Av S #2

Primary Information

Address: 2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Subject #1 - VICTIM #1 - Coleman, Alan Robert

Primary Information

Subject Name: Coleman, Alan Robert
Record Type: Person
Bio: 64 yr. old, White, Male
Birth Date: [REDACTED]
Juvenile: NO

Personal Information

Ethnicity: American
Height: 511
Weight: 166
Eye Color: Brown

Addresses

Relationship	Address
HOME ADDRESS	2120 Minnehaha Av S #2, Minneapolis, Minnesota 55404 , United States

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/61

Report Date: 10/31/2016

Subject #2 - SUBJECT #1 - Malmberg, Eric [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Malmberg, Eric [REDACTED]
Record Type: Law Enforcement Official
Bio: 42 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #3 - SUBJECT #2 - Robins, David [REDACTED]

Primary Information

Exempt From Disclosure: YES
Subject Name: Robins, David [REDACTED]
Record Type: Law Enforcement Official
Bio: 29 yr. old, White, Male
Birth Date: [REDACTED]
Rank/Position: Officer
Juvenile: NO

Addresses

<u>Relationship</u>	<u>Address</u>
BUSINESS LOCATION	3000 MINNEHAHA AVE S Minneapolis Police Department, Minneapolis, Minnesota 55406 , United States

Subject #4 - SUSPECT #1 - Heraldes, Raul Salvador Marquez

Primary Information

Subject Name: Heraldes, Raul Salvador Marquez
Record Type: Person
Bio: 51 yr. old, Hispanic, Male
Birth Date: 09/13/1965
Juvenile: NO

Personal Information

Ethnicity: American
Height: 506
Weight: 136
Eye Color: Brown
Hair Style: Bald

Minnesota Bureau of Criminal Apprehension
ACISS Investigative Supplement 2016-213/61

Report Date: 10/31/2016

Subject #4 - SUSPECT #1 - Heraldes, Raul Salvador Marquez - Continued

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	3816 PORTLAND AVE #2, Minneapolis, Minnesota 55407 , United States

Property #1 - CD Containing 5 Digital Photos of Knife

Primary Information

Property Class:	Evidence
Property Type:	CD, DVD, DISC, TAPE
Description:	CD Containing 5 Digital Photos of Knife
Quantity:	1
Control Number:	2016-213/61
UCRDamaged:	NO
Submitted To PES:	Property & Evidence
Remote Bin:	Locker
Disposition:	SUBMITTED TO PROPERTY AND EVIDENCE
Collected Date/Time:	10/31/2016 18:19

Record Status Information

Record Origination Operator:	Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)
Record Origination Date:	10/31/2016 18:19
Last Update Operator:	Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)
Last Update Date:	11/01/2016 14:08

Reporting LEO	Date	Supervisor	Date
Phill, Charles (1324 / Internet Crimes Against Children / Minnesota Bureau of Criminal Apprehension)		Mueller, Scott (1305 / Metro Regional Office / Minnesota Bureau of Criminal Apprehension)	11/1/2016

Narrative begins on the following page.

On October 31st 2016, Senior Special Agent (SSA) Phill took 5 digital photos of the knife retrieved from Alan Coleman's back on April 4th 2016. Minneapolis Police Officers fatally shot Raul Heraldes after he took Coleman hostage in his apartment and began stabbing him in the back.

Senior Prosecuting Attorney Sweasy requested close up photos of the knife for consideration in the Hennepin County Attorney Office's (HCAO) inquiry into the officer involved shooting of Heraldes by Officers Malmberg and Robins.

SSA Phill burned the photos to CD and labeled the disc evidence item 61.1 in this case. The pictures were also emailed to the HCAO for review.

1 2 3 4 5 6 7 8 9 10 11 12

-WESTCOTT
Since 1872



St. Paul Laboratory
S16-03518 #26
BCR St. Paul - 2016213
63

St. Paul Laboratory
S16-03518 #26
BCA St. Paul - 2016213

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