



Date:

Incident:				
Incident Report Number:		Between: Date - Time	And/At: Date-Time	
Incident Location:				
	Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)				Phone 1
Employer				Phone 2
Employer Address				Work Phone #
	Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)				Phone 1
Employer				Phone 2
Employer Address				Work Phone #

NARRATIVE

SUMMARY

On 12/14/22, the Milwaukee Area Investigative Team (MAIT) responded for an officer involved shooting incident that occurred at 1623 Oakdale Drive, City and County of Waukesha. The lead investigating agency is the Greenfield Police Department.

Incident Report Number:

		Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:	Insurance Company:	
Other Vehicle Information:				NCIC#	
Reporting Officer(s):					Report Date:
Time Received:	Time Cleared:	Unit(s) Assigned:		Pages:	1 OF 6
Reviewed by:				Copy To	

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Directly Involved Individuals:

Waukesha Police Officer [REDACTED] - # [REDACTED]
[REDACTED]

Waukesha Police Officer [REDACTED] - [REDACTED]
[REDACTED]

Decedent: Katie Lynn Powers - F/W; DOB: 05/30/1982; Address: 1623 Oakdale Drive, Waukesha, WI 53189; Valid driver's license; Wisconsin State ID #WI723057; FBI #628803HD4; History of mental health.

[REDACTED]

Citizen Witness: David B. Landry - [REDACTED]; [REDACTED]
[REDACTED]

Citizen Witness: Aaron D. Cooke - [REDACTED]; [REDACTED]
[REDACTED].

Citizen Witness: Sage W. Heugel - [REDACTED]; [REDACTED]
[REDACTED].

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Primary Exhibits:

- Dispatch call log and radio transmissions
- Body cameras from two involved officers
- Citizen cell phone video
- Citizen witness statement from decedent's [REDACTED] [REDACTED] [REDACTED]
- Citizen witness statement from David B. Landry
- Citizen witness statement from Aaron D. Cooke
- Citizen witness statement from Sage W. Heugel

SUMMARY OF INCIDENT

On Wednesday, 12/14/22, at approximately 3:35PM, Waukesha Police Department Officers [REDACTED] [REDACTED] and [REDACTED] were dispatched to 1623 Oakdale Drive, City and County of Waukesha. AARON D. COOKE and two additional Bielinki employees were the landlords/maintenance for this side by side two-family duplex (1621/1623 Oakdale Drive). COOKE was reporting that he was contacted by the tenant at 1621 Oakdale Drive and was informed KATIE L. POWERS, F/W, DOB 05/30/82, tenant at 1623 Oakdale Drive, was drilling into the concrete foundation.

Officers [REDACTED] and [REDACTED] learned prior to arriving on scene that POWERS had a history of mental health illness and there was also a history of juvenile problems and child protective services at this address.

Upon arrival, officers spoke with the landlord(s). COOKE said he saw POWERS inside while knocking at the door and conversed with her, just prior to calling the police. POWERS said the neighbors were killing people, and she was trying to save them. COOKE stated that POWERS refused to open the door for him, and she did not appear to be mentally sound. COOKE could also hear loud drilling or jackhammering inside the residence, and at one point, saw a juvenile male through the window with his hands covering his ears. Officers informed the landlords that officers would standby to keep the peace while they checked the condition of the property at 1623 Oakdale Drive, Waukesha.

It was found two different entrances to the residence were barricaded, but they were able

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to gain entry after pushing the stove out from in front of the side door. Bielinski employees repeatedly announced their presence and identified themselves, while Officers [REDACTED] and [REDACTED] did the same. The landlords walked throughout the main level and second level but did not find anyone. Officers noted insects, broken wooden trim pieces scattered throughout, items in disarray, and only a couple items in the unplugged refrigerator, one of which was moldy. Insulation and drywall was also removed from the wall as if POWERS was trying to gain entry to 1621 Oakdale Drive. At this point, officers believed they needed to check on the welfare of POWERS and her [REDACTED] son, [REDACTED]

Bielinski maintenance employee, AARON COOKE, went into the basement ahead of the police officers. COOKE saw POWERS and her son behind the furnace and water heater. The officers directed COOKE to come upstairs from the basement. Officer [REDACTED] made verbal contact with POWERS from the top of the stairs while she was out of view in the basement. POWERS refused to reveal herself and come upstairs, but she did verbally acknowledge Officer [REDACTED]. Officer [REDACTED] walked down the stairs into the basement, followed by Officer [REDACTED] and further followed by Bielinski employee, SAGE W. HEUGEL. HEUGEL was video recording this incident using his cellular phone.

Officers observed POWERS and her son, [REDACTED] [REDACTED] near the furnace. [REDACTED] was holding an ice pick type weapon which he later told investigators he was given by POWERS. [REDACTED] complied with officers' commands to drop the weapon, and although POWERS wanted him to stay with her, [REDACTED] ran upstairs where he remained with the Bielinski employees. (Investigator's note: [REDACTED] complained to Bielinski employees that his foot hurt. Bielinski employees located multiple unfired bullets in his boot which he said POWERS put there. These bullets were later turned over to investigators.)

Officers [REDACTED] and [REDACTED] addressed POWERS who began reaching for the ice pick that [REDACTED] had placed on the floor. Officer [REDACTED] had his pistol pointed at POWERS while Officer [REDACTED] had his Taser pointed at POWERS. POWERS backed away from the ice pick, and officers asked her what she had in her hands. POWERS had what appeared to be a cell phone in her right hand and a lighter in her left hand. POWERS was concealed behind the furnace which would make it difficult for the officers to see both of her hands. POWERS said she wanted to see her son and go upstairs to smoke a cigarette. The officers said her son was safe, and they told POWERS they should all go

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outside so she can smoke a cigarette.

Officer [REDACTED] holstered his pistol, and both officers approached POWERS. Officer [REDACTED] controlled POWERS' right arm with his left hand, and Officer [REDACTED] controlled POWERS' left arm. Officer [REDACTED] was going to check POWERS for weapons so he let go of her right arm to holster his Taser. While in a seated or kneeling position behind the furnace, POWERS reached to her waistband with her right hand acquiring a Taurus Spectrum .380 pistol quickly firing one round, striking Officer [REDACTED] in the chest and hitting his bodycam attached to his ballistic vest carrier. (Investigator's note: This gunshot damaged the bodycam removing it from the vest carrier. The video leading up to the gun shot was later able to be recovered. The portion of the video actually showing the gunshot was not recoverable.) Officer [REDACTED] struggled with POWERS, and Officer [REDACTED] discharged his duty pistol three times, striking POWERS two times on the right side of her torso and one time in her right thigh. Both officers ran out of the basement and then moved to a position outside. (Investigator's note: A review of Officer [REDACTED] bodycam audio/video shows POWERS fired her gun at 16:08:55, and Officer [REDACTED] fired two shots at approximately 16:08:58. Officer [REDACTED] third shot (final shot fired) occurred at 16:09:03. The total time span for all four gun shots was approximately eight seconds.)

A drone operator and a tactical response team later confirmed POWERS was deceased and no longer a threat. The house was finished being cleared at approximately 5:13pm. The Waukesha Fire Department then made entry and determined no transport to the hospital was needed. The Waukesha County Medical Examiner's Officer later declared time of death at 9:11pm.

Officers [REDACTED] and [REDACTED] were conveyed to Waukesha Memorial Hospital. Officer [REDACTED] sustained minor injuries to his chest and upper right arm. Officer [REDACTED] was not injured.

Subsequent interviews of POWERS' close friends and family show a history of mental health illness, to include, a recent decline in her mental health. Furthermore, in September 2022, POWERS's family voluntarily turned over a firearm owned by POWERS to the Waukesha Police Department because she was suffering from hallucinations. On

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November 28, 2022, the firearm was returned to POWERS. At the time of this report, it is unconfirmed if this firearm is the same firearm used in this shooting but POWERS is not known to own any additional firearms.

Detective Scott Simons #90

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New Incident:		

NARRATIVE

Wednesday, 12/14/2022 at 5:27PM,

On the above date and time, I was notified by Captain Eric Lindstrom that there was an Officer Involved Shooting involving the Waukesha Police Department and that members of the Greenfield Police Department Criminal Investigations Bureau were needed to respond to the Waukesha Police Department as a MAIT (Milwaukee Area Investigative Team) investigation was beginning. The address that the incident took place was 1623 Oakdale Drive, in the City of Waukesha, County of Waukesha. The home is a half brick half vinyl siding, two story duplex and is the right unit when looking at the front door from Oakdale Drive. There is an entrance door on the front of the home with the numbers "1623" affixed to the right of the door. The other entrance on the home is on the south side of the home. I was instructed by Greenfield Police Department Lead Detective Simons to respond to the crime scene and assist members of the Wisconsin State Crime Lab Mobile Response Team in processing the scene.

The Wisconsin State Crime Lab members that assisted with the crime scene were JULIE AVILA, CHRIS JOHNSON, NATALIE FISCHER, LACEY NEVENDORF, LISA TREFFINGER, and LEVI INGEBRIGTSON. The Wisconsin State Crime Lab Case Number that I was provided was #R22-3544. Also assisting with the crime scene was Waukesha Police Department Specialist David Platta, who used a Ricoh Theta 360 camera to map the scene. These 360 photographs were provided to me and were later attached to the case file. It should be noted that a search warrant was completed by Officer Riddle and was provided to me before any of the crime lab members or myself entered the premises. It should also be noted that the scene was taped off with police tape and Officer Rivera from the Waukesha Police Department was inside the home maintaining custody of the scene and completing a crime scene log of individuals who was entering and leaving the crime scene. This log was later turned over to Officer Solberg once he replaced Officer Rivera. The crime scene log was later provided to me by Waukesha Police Department Sergeant Servando Benitez. The crime scene log will be attached to the case file. The search warrant was executed on 12/14/2022 at 8:40PM. A copy of the search warrant was left on the kitchen table and a copy of the search warrant has been attached to the case file.

The deceased was identified as KATIE L. POWERS, F/W, DOB: 05/30/1982. POWERS was

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located in a supine (on back/face up) position under the basement steps near the water heater and HVAC system. POWERS was wearing red winter boots, blue jeans, a RCA cable (black cable with red, yellow, and white connectors), a black bra, maroon shirt or sweater, yellow sweater, and one rubber glove on POWERS' right hand. An AXON body camera (Serial #X60A59327) was located near POWERS' right hand. This body camera appeared to have been struck by a bullet. A Taurus Spectrum .380 semiautomatic pistol (Serial #1F078706) was located near POWERS' right boot. It should be noted that this firearm had one bullet in the chamber and no other ammunition in the six round capacity magazine. Three fired .40 caliber cartridge casings were located in the basement as well as a brass .380 fired cartridge casing. Several unfired GECO cartridge casings were located near POWERS' body, on a basement step, and in the kitchen/dining area of the home. A jacketed mushroomed bullet was found near the HVAC system.

While on scene, I met with Deputy Medical Examiner/Investigator CARRI LUPTON and Associate Medical Examiner AMY SHEIL, who were with the Waukesha County Medical Examiner's Office. LUPTON and SHEIL were able to document the scene and Dr. SHEIL provided me with a time of death of 2111 hours. I was also provided with a Waukesha County Medical Examiner's Office Case #3042. I advised LUPTON and SHEIL that the Crime Lab had not finished documenting everything within the crime scene and that POWERS was not yet able to be removed from the scene. I was advised to contact the Waukesha County Medical Examiner's Office once POWERS would be able to be moved. Once the Crime Lab had completed the initial documentation, photographs, and placing evidence markers, I contacted the Medical Examiner's Office advising that POWERS could be moved and a short time later I met with Deputy Medical Examiner/Investigator REBECCA SKULTETY. POWERS was removed and placed into transport bag. The transport bag was then sealed at 11:48PM and was locked using lock #0003307. I was advised that an autopsy would be performed on Friday 12/16/22 at 9:00AM. See additional supplemental report for the autopsy results. After POWERS was removed, a cellphone in a ziploc bag was located underneath POWERS' body. A second Apple iPhone was collected near where POWERS had been found. A backpack containing more unfired GECO ammunition, a red Apple iPhone, and Apple iPad were found near the HVAC system.

After the body was removed, evidence documented and recovered by the Wisconsin State Crime Lab, I was provided with all of the collected evidence by JULIE AVILA. I was also provided with several handwritten Receipts of Physical Evidence Forms with the above listed Wisconsin State Crime Lab Case number. These forms were signed by AVILA and I. All evidence was later

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transported to the Greenfield Police Department where it was inventoried and placed into a property locker. The signed copies of the Receipts of Physical Evidence forms will be attached to the case file. The entered property was attached to the end of this report. I was also provided with uniforms and items that the officer's were wearing at the time of the incident. These items were inventoried into Phoenix and placed into a property locker. Once the evidence was collected, I turned the crime scene back over to the Waukesha Police Department at 1:03AM on 12/15/2022.

On 12/15/2022, I made contact with a representative at Axon regarding the body camera that was struck in hopes of gathering the video from it. I was advised to contact BRYAN CHILES, who is a Senior Investigations Engineer employed by Axon regarding the body camera. In speaking to CHILES I was advised to have the Waukesha Police Department complete a RMA request on Evidence.com and then to ship the camera to CHILES. I was provided with a RMA number of RMA449885 by Waukesha Police Department Lieutenant Habanek. This was provided to CHILES. The body camera was shipped to Axon on 12/16/2022 using UPS.

On 12/28/2022 at 8:25AM, I received an email from CHILES advising that they were able to repair and recover the camera and that the video was sent to Waukesha Police Department's Evidence.com account. The files were later emailed to me by Lt. Habanek. Once received they were placed into the S:/ Drive Media Storage under this case number. A copy of the shipping receipt will be attached to the case file and a further supplemental report will be completed once I receive the camera back from Axon. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

Item#	Type	Reason
22-002891 - 1	Article	Evidence

Description:

One unfired cartridge GECO 380 Auto located on kitchen floor-Crime Lab Item #1

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Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 2	Article	Evidence
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Description:

Unfired cartridge GECO 380 auto located on kitchen floor-Crime Lab item #2

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 3	Article	Evidence
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Description:

One unfired cartridge from 4th stair from basement floor GECO 380 Auto-Crime Lab Item #3

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 4	Article	Evidence
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Description:

One fired bullet recovered from floor next to furnace- Crime Lab item #4

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 5	Gun	Evidence
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Incident Report Number	Incident Location:	Incident Date:
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Description:

Taurus Spectrum 380 pistol with 1 unfired cartridge and 1 empty magazine

Serial#: ?F078706

Quan/Value: 1.000 / \$300.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 6	Article	Evidence
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Description:

One brass fired cartridge casing on floor near right leg GECO 380 auto- Crime Lab Item #6

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 7	Article	Evidence
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Description:

One Axon body Camera recovered from floor near right hand-Crime Lab Item #7

Quan/Value: 1.000 / \$500.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 8	Article	Evidence
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Description:

One unfired cartridge recovered from floor near/next to body GECO 380 auto- Crime Lab Item#8

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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22-002891 - 9 Article Evidence

Description:

One orange plastic pick recovered from floor near furnace-Crime Lab item #9

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 10 Article Evidence

Description:

One fired cartridge casing recovered from floor near left hand Federal 40 S+W-Crime Lab Item #10

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 11 Article Evidence

Description:

One unfired cartridge recovered from floor near left hand GECO 380 auto

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 12 Article Evidence

Description:

One metal ice pick recovered from floor near left hand-Crime Lab Item #12

Quan/Value: 1.000 / \$2.00

Continuation

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Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 13	Article	Evidence
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Description:

One fired cartridge casing recovered from floor lying on top of metal door fuse box Federal 40 S+W
-Crime Lab Item #13

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 14	Article	Evidence
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Description:

Piece of molding w/ nails-Crime Lab Item #14

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 15	Article	Evidence
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Description:

One backpack w/ misc tools + unfired 380 cartridges recovered from basement floor- Crime Lab Item #15

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 16	Article	Evidence
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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Description:

One cardboard box containing Hornady 380 auto boxes + unfired cartridges + gun instruction manual-Crime Lab Item #16

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 17	Article	Evidence
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Description:

Unfired cartridge Hornady 380 auto bedroom floor- Crime Lab item #17

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 18	Article	Evidence
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Description:

One black plastic case w/ snap closure containing one unfired Hornady 380 auto from bedroom floor -Crime Lab Item #18

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 19	Article	Evidence
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Description:

Swabs of red/brown stain exterior side of interior door kitchen-Crime Lab Item #19

Quan/Value: 1.000 / \$2.00

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Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 20	Article	Evidence
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Description:

One fired cartridge casing Federal 40 S+W recovered from cardboard box on top of piles of clothing in basement-Crime Lab Item #20

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 21	Article	Evidence
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Description:

Orange plastic carving knife from basement floor near body-Crime Lab Item #21

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 22	Article	Evidence
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Description:

Eyeglasses basement floor near body-Crime Lab Item #22

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 23	Article	Evidence
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Incident Report Number	Incident Location:	Incident Date:
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Description:

5 unfired cartridges GECO 380 auto basement floor near body-Crime Lab Item #23

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 24	Article	Evidence
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Description:

One cell phone in a zip closure bag-Crime Lab item #24

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 25	Article	Evidence
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Description:

Swabs from under the body-Crime lab item #25

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002891 - 26	Article	Evidence
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Description:

Cell phone recovered from floor of basement near body-Crime Lab Item #26

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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22-002891 - 27 Article Evidence

Description:

17 unfired cartridges GECO 380 auto

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 1 Article Evidence

Description:

██████████ Swab #1 Streamlight flashlight swab -P1

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 2 Article Evidence

Description:

██████████ Steamlight flashlight -P2

Quan/Value: 1.000 / \$50.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 3 Article Evidence

Description:

██████████ swab #2 front magazine pouch-P3

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 4 Article Evidence

Description:

██████████ swab #3 vest left front pocket-P4

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 5 Article Evidence

Description:

██████████ swab #4 vest front badge-P5

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 6 Article Evidence

Description:

██████████ Swab #5 knife front right pocket-P6

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 7 Article Evidence

Description:

██████████ M+P Smith and Wesson Folding knife-P7

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Quan/Value: 1.000 / \$20.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 8	Article	Evidence
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Description:

█████ cartridges from inner magazine on vest 4-.40 Federal 9-.40WIN-P8

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 9	Article	Evidence
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Description:

█████ 1 black glock inner vest magazine-P9

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 10	Article	Evidence
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Description:

█████ 3 Federal 10-WIN Outer Magazine-P10

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 11	Article	Evidence
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Description:

████████ outer magazine-P11

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 14	Article	Evidence
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Description:

████ 4-.40 Federal 5-.40 WIN from magazine in glock-P14

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 15	Article	Evidence
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Description:

████ Magazine in Glock-P15

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 16	Article	Evidence
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Description:

████ Bladetech body cam holder-P16

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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Incident Report Number: **1234567890** Incident Location: **123 Main Street, Anytown, USA** Incident Date: **2023-10-10**

22-002893 - 17 Article Evidence

Description:

Bladetech Magazine 2 pouch-P17

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 18 Article Evidence

Description:

Ext Vest Carrier-P18

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 19 Article Evidence

Description:

Swab #7 left pants pocket outer stain-P19

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 20 Article Evidence

Description:

Swab #8 Left pants pocket inner stain-P20

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 21 Article Evidence

Description:

████████ Black Blauer Pants-P21

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 22 Article Evidence

Description:

████████ Police Blauer Shirt-P22

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 23 Article Evidence

Description:

████████ Swab #9 from shirt-P23

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

22-002893 - 24 Article Evidence

Description:

████████ Taser holster swab 12-P24

Continuation

Incident Report Number	Incident Location:	Incident Date:
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Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 12	Gun	Evidence
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Description:

████████ 40 glock 23 Gen 4-P12

Serial#: BEDA076

Quan/Value: 1.000 / \$500.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002893 - 13	Article	Evidence
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Description:

████ 40 WIN from Chamber of Glock-P13

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 14	Article	Evidence
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Description:

Swab #11, from █████ right pant leg -A14

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 15	Article	Evidence
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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Description:

████████ Blauer pants -A15

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 12	Article	Evidence
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Description:

████████ exterior vest carrier -A12

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 13	Article	Evidence
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Description:

Swab #10, from █████ Apple watch -A13

Quan/Value: 1.000 / \$350.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 1	Article	Evidence
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Description:

17 unfired 9mm WIN Luger rounds from █████ 1st Inner Magazine -A1

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Continuation

Incident Report Number	Incident Location:	Incident Date:
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Item# **Type** **Reason**

22-002896 - 2 Article Evidence

Description:

[REDACTED] Magazine, Inner 1st -A2

Quan/Value: 1.000 / \$2.00**Disposition:** Sent to the Property Room**Item#** **Type** **Reason**

22-002896 - 3 Article Evidence

Description:

17 unfired 9mm WIN Luger rounds from [REDACTED] 2nd Middle Magazine -A3

Quan/Value: 1.000 / \$2.00**Disposition:** Sent to the Property Room**Item#** **Type** **Reason**

22-002896 - 4 Article Evidence

Description:

[REDACTED] 2nd Magazine, middle -A4

Quan/Value: 1.000 / \$2.00**Disposition:** Sent to the Property Room**Item#** **Type** **Reason**

22-002896 - 5 Article Evidence

Description:

17 unfired 9mm WIN Luger rounds from [REDACTED] 3rd, Outer Magazine -A5

Continuation

Incident Report Number	Incident Location:	Incident Date:
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Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 6	Article	Evidence
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Description:

████████ 3rd, outer Magazine -A6

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 7	Article	Evidence
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Description:

17 unfired 9mm WIN Luger rounds from ██████████ Gun Magazine -A7

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 8	Article	Evidence
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Description:

1 9mm Luger WIN round from ██████████ gun -A8

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 9	Article	Evidence
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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Description:

██████████ Gun magazine -A9

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 10	Gun	Evidence
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Description:

██████████ Firearm w/ Streamlight and lasersight mounted -A10

Make: Glock

Caliber: 9mm

Serial#: BLKE114

Quan/Value: 1.000 / \$450.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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22-002896 - 11	Article	Evidence
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Description:

Swab #6 from █████ front left vest pocket -A11

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Incident Report Number:	Incident Location:	Incident Date:
New Incident:		

SUMMARY

Wednesday, 12/14/2022, 17:31 PM

On the above date and time I was requested to respond to the Waukesha Police Department, located at 1901 Delafield St Waukesha WI 53188, to assist in a MAIT investigation for an officer involved shooting the resulted in the fatality of the suspect. The suspect was identified as KATIE L POWERS, F/W, DOB 05/20/1982 and the incident was found to have occurred at 1623 Oakdale Drive Waukesha WI 53189.

Upon my arrival to the Department I participated in a initial briefing regarding the incident. I was provided information regarding the subjects involved in the incident and the address of where the incident occurred, why the police were called to the residence, was given a verbal explanation of the incident, and also reviewed body camera of the incident itself. Using this information I assisted Waukesha District Attorney Sue Opper in drafting a warrant and affidavit to search the above listed incident address. I swore to the affidavit and signed it and DA Opper signed it as well. The signed affidavit and warrant were then electronically forwarded to Waukesha Circuit Judge Paul Bugenhagen Jr, who signed the warrant, and it was then electronically sent back to Opper. I received two copies of the warrant and affidavit, I kept one as the original, and provided the other to Officer Aasterud to provide Detective Lucas who was on scene at the residence. On 12/15/2022 I completed the warrant return paperwork, attached property record of the items seized as evidence from the residence, and returned all necessary documents to the Waukesha County Clerk of Courts.

I was provided CAD Notes from Lieutenant Habanek of the Waukesha Police Department which described POWERS past history with the Waukesha Police Department. This CAD History shows a clear mental health history for POWERS. I have attached this paperwork to the case file. A description of the prior calls with POWERS is provided below.

On 12/12/22 at 16:42 (reference WKPD case number 22-047934) POWERS called the Waukesha Police Department to respond as she was hearing children screaming in the basement next door. POWERS indicated that this noise was coming from 1621 Oakdale and that it had been occurring the last couple of days, and she could hear the same child crying and saying, "no, no, no". WKPD investigated and found that the children were playing games in the basement and everything was

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Continuation

Incident Report Number	Incident Location:	Incident Date:
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fine.

On 09/08/22 at 14:54(reference WKPD case number 22-005134-01)A caller called in a wellness check on POWERs due to POWERs making statements about drones following her and bugs being all over her. POWERs was also reported to tell the caller that morning that she was going to do a mass shooting. The clearance of this incident indicated that POWERs experienced some sort of psychiatric break two-four weeks ago which concerned her family and a few friends. Contact was made with POWERs at Target, and she was initially described as uncooperative. POWERs eventually did speak to officers, explained her thoughts which were delusional in nature, which included being followed and having oil sprayed on her. An additional suspect workup, provided me by WKPD, provided additional notes on this incident - this document was attached to the case file. This report indicated that POWERs admitted to making the mass shooting comment and that POWERs voluntarily turned over the lone firearm she had to them for safekeeping. POWERs stated that this comment was made out of anger and she had no intention of actually doing so. POWERs indicated she wanted to turn the firearm in until she received mental health treatment. This firearm was later identified as a Taurus Spectrum .380, with tan grips, and the serial number was identified as 1F078706. The report indicated that POWERs was evaluated by a crisis team and they put in a safety plan. On 11/28/22 it was reported that POWERs came to the front lobby of the WKPD, and retrieved the above described firearm. It should be noted that this was the firearm that was identified as being used in the incident by POWERs on 12/14/2022.

On the same date that POWERs picked up the firearm from WKPD she reported suspicious activity at her residence (reference WKPD case number 22-046082). POWERs was reporting that she believed someone was getting inside her residence. POWERs stated evidence of this includes paint drips on the floor and money that has been exchanged with different people. The claims were unfounded.

On 11/02/22 at 22:31 (reference call# 22-42900) POWERs was involved in a traffic stop - no additional information provided.

On 10/11/22 at 12:52 (reference call# 22-39918) a wellness check was called on POWERs by a friend at work. The work friend indicated that POWERs was not answering her home door and they were unable to make contact with her by phone. The caller indicated that trash was piling up at the residence. Caller reported that POWERs lived with her son, and there had been sketchy situations

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Continuation

Incident Report Number	Incident Location:	Incident Date:
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with her ex in the past. Officer did not make contact with POWERS at this time, but did speak to her mother who said she had contact with POWERS the previous day and she was fine. POWERS was reported to be living with POWERS mom at the time - and she indicated he was fine and was at school. POWERS mom said that her phone was disconnected due to a billing issue.

On 09/10/22 at 13:25 (reference call 22-036488) POWERS mother called in a welfare check on POWERS. POWERS mother stated that POWERS was paranoid and thinks that people are in the attic. POWERS refused to come out and speak with officers at this time, she spoke with the cops through an upstairs window, and stated she would not come out of the residence but would agree to pack a bag for her son who was staying with her mother that weekend. POWERS got distracted a lot, never produced a bag for her mom, and her mom left the residence. POWERS mom filled out a 3-party petition and the cops contacted a school social worker regarding support for POWERS son.

On 08/16/22 at 23:00 (reference 22-031968) an officer called out with POWERS vehicle - officer reported the vehicle was parked awkwardly off to the side of the road. POWERS reported to the officer that she was taking photographs of cool landscape. No further action was taken.

On 05/14/22 at 23:56 (reference 21-18167) POWERS vehicle was stopped for traffic - no additional information provided. On 10/11/21 at 15:11 (reference 21-41685) POWERS vehicle was found in traffic, she indicated her vehicle ran out of gas, and a friend was coming to help her.

On 08/28/21 at 15:20 (reference 21-4866) it was reported that a half naked female was on the front porch and appeared that she was on drugs. Contact was made with a subject who identified herself as Tori O Sindic, [REDACTED] who explained that her Komodo Dragon recently died, she was taking it very hard, and had not slept in days. I did not find POWERS name within this call - unknown if she was the caller on this incident or what her involvement was.

On 08/28/21 at 11:53 (reference 21-35247) a traffic stop was conducted with POWERS. No further information provided. On 11/08/20 at 8:26 (reference call 20-49443) it was initially reported that POWERS called from the Hebron House regarding abuse by her roommate. It was later found that POWERS was unrelated to this call and it was actually her mother reporting the abuse.

On 03/05/20 at 8:03 (reference 20-11009) POWERS was a contact on an alarm call - she was found to have accidentally tripped alarm when she left to drop her children off at school. On

Reporting Officer(s):		Pages:
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Continuation

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07/05/2016 (reference 16-35214) POWERS was a witness to a juvenile abuse.

Officer Shannon Riddle, #112

SKR

NARRATIVE

Wednesday, 12/14/2022, 17:31 PM

On the above date and time I was requested to respond to the Waukesha Police Department, located at 1901 Delafield St Waukesha WI 53188, to assist in a MAIT investigation for an officer involved shooting the resulted in the fatality of the suspect. The suspect was identified as KATIE L POWERS, F/W, DOB 05/20/1982 and the incident was found to have occurred at 1623 Oakdale Drive Waukesha WI 53189.

Upon my arrival to the Department I participated in a initial briefing regarding the incident. I was provided information regarding the subjects involved in the incident and the address of where the incident occurred, why the police were called to the residence, was given a verbal explanation of the incident, and also reviewed body camera of the incident itself. Using this information I assisted Waukesha District Attorney Sue Opper in drafting a warrant and affidavit to search the above listed incident address. I swore to the affidavit and signed it and DA Opper signed it as well. The signed affidavit and warrant were then electronically forwarded to Waukesha Circuit Judge Paul Bugenhagen Jr, who signed the warrant, and it was then electronically sent back to Opper. I received two copies of the warrant and affidavit, I kept one as the original, and provided the other to Officer Aasterud to provide Detective Lucas who was on scene at the residence. On 12/15/2022 I completed the warrant return paperwork, attached property record of the items seized as evidence from the residence, and returned all necessary documents to the Waukesha County Clerk of Courts.

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On 09/08/22 at 14:54(reference WKPD case number 22-005134-01)A caller called in a wellness check on POWERs due to POWERs making statements about drones following her and bugs being all over her. POWERs was also reported to tell the caller that morning that she was going to do a mass shooting. The clearance of this incident indicated that POWERs experienced some sort of psychiatric break two-four weeks ago which concerned her family and a few friends. Contact was made with POWERs at Target, and she was initially described as uncooperative. POWERs eventually did speak to officers, explained her thoughts which were delusional in nature, which included being followed and having oil sprayed on her. An additional suspect workup, provided me by WKPD, provided additional notes on this incident - this document was attached to the case file. This report indicated that POWERs admitted to making the mass shooting comment and that POWERs voluntarily turned over the lone firearm she had to them for safekeeping. POWERs stated that this comment was made out of anger and she had no intention of actually doing so. POWERs indicated she wanted to turn the firearm in until she received mental health treatment. This firearm was later identified as a Taurus Spectrum .380, with tan grips, and the serial number was identified as 1F078706. The report indicated that POWERs was evaluated by a crisis team and they put in a safety plan. On 11/28/22 it was reported that POWERs came to the front lobby of the WKPD, and retrieved the above described firearm. It should be noted that this was the firearm that was identified as being used in the incident by POWERs on 12/14/2022.

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On 10/11/22 at 12:52 (reference call# 22-39918) a wellness check was called on POWERs by a

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Continuation

Incident Report Number	Incident Location:	Incident Date:
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friend at work. The work friend indicated that POWERS was not answering her home door and they were unable to make contact with her by phone. The caller indicated that trash was piling up at the residence. Caller reported that POWERS lived with her son, and there had been sketchy situations with her ex in the past. Officer did not make contact with POWERS at this time, but did speak to her mother who said she had contact with POWERS the previous day and she was fine. POWERS was reported to be living with POWERS mom at the time - and she indicated he was fine and was at school. POWERS mom said that her phone was disconnected due to a billing issue.

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On 03/05/20 at 8:03 (reference 20-11009) POWERS was a contact on an alarm call - she was found to have accidentally tripped alarm when she left to drop her children off at school. On 07/05/2016 (reference 16-35214) POWERS was a witness to a juvenile abuse. This completes the list of calls that POWERS was involved in within the Waukesha Police Department.

On 12/16/2022 I appeared at the Waukesha Medical Examiners Office for the autopsy of POWERS. See Detective Lucas report for additional information on the autopsy.

Officer Shannon Riddle, #112

SKR

Reporting Officer(s):		Pages:
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New Incident:		

NARRATIVE

Wednesday, 12/14/22, 4:30PM

On the above date and time, Captain Eric Lindstrom informed members of the Greenfield Police Department MAIT Team of an incident which occurred in the City of Waukesha. Captain Lindstrom indicated a Waukesha Police Officer had been shot by a female suspect who had been barricaded in a residence. The status of the suspect was unknown.

At 5:20PM, Captain Lindstrom indicated the female suspect was found deceased in the residence and a MAIT call out was pending. Captain Lindstrom indicated the team should meet at the City of Waukesha Police Department for the briefing.

I arrived at the City of Waukesha Police Department and waited for the briefing to begin. Lieutenant Jerry Habanek conducted a brief overview of the incident. At the conclusion of the briefing, I was assigned to coordinate interviews of civilian witnesses and fire department personnel. I was provided a list of civilian witnesses and the location within the City of Waukesha Police Department where they could be located. The witnesses were as follows:

DAVID B. LANDRY, [REDACTED]
 AARON D. COOKE, [REDACTED]
 SAGE W.A. HEUGEL, [REDACTED]
 JULIE A. LEPSCH, [REDACTED]
 [REDACTED] [REDACTED] [REDACTED]

I met with other investigators who were part of the MAIT Team and made assignments to conduct these witness interviews. The West Allis Police Department had three investigators available. Detectives Todd Kurtz, Christina Ondricka and Allison Cerqua agreed to conduct the interviews of DAVID LANDRY, AARON COOKE and SAGE HEUGEL. Detective Miller of the Brookfield Police Department and his partner conducted the interview of JULIE LEPSCH. Oak Creek Police Detective Jason Baranek and his partner conducted an interview of [REDACTED] [REDACTED] SR. Milwaukee County Sheriff's Department Detective Steve Bacon and Deputy Hobbs were assigned to conduct interviews of the fire department personnel.

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Some time after the initial assignments, I was advised that there were three additional firefighter personnel who needed to be interviewed regarding their involvement in this matter. They were located at the same area of the police department and were interviewed by MCSO personnel.

As the investigation continued and the investigators concluded the interviews of their respective witnesses, I advised them there were no other tasks that needed to be completed and they were free to go. Eventually all of the witness interviews were concluded. I advised the investigators to forward their reports to Detective Scott Simons or me, and provided them the Greenfield Police Department case number of #22-29190 for reference.

I also learned that Detective Frank Emanuele of the Eagle Police Department had responded to the initial incident scene. During that time, Detective Emanuele took custody of several bullets that had been provided to him by witness DAVID LANDRY. Those bullets were provided to DAVID LANDRY by the suspect's son. I took custody of the bullets, which were contained within a blue rubber glove and transported them to the incident scene where I turned them over to Detective John Lucas who was coordinating evidence collection.

Detective Aaron J. Busche #93

AJB/jbw

NAMES

Witness-1

Cooke, Aaron Daniel

[REDACTED]

[REDACTED]

Witness-2

Heugel, Sage Winchester Aron

[REDACTED]

Continuation

Incident Report Number	Incident Location:	Incident Date:
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[REDACTED]

Witness-3

[REDACTED]

[REDACTED]

Witness-4

Landry, David B [REDACTED]

[REDACTED]

[REDACTED]

Witness-5

Lepsch, Julie A [REDACTED]

[REDACTED]

[REDACTED]

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Incident Report Number:	Incident Location:	Incident Date:
New Incident:		

NARRATIVE

Wednesday, 12/14/22, 5:27PM

On the above date and time, I was notified that the Greenfield Police Department was called out as the lead agency for the Milwaukee Area Investigative Team (MAIT) due to an officer involved shooting incident that had occurred in the City of Waukesha. The suspect was later pronounced deceased and one officer had been struck by gunfire. The team was requested to respond to the Waukesha Police Department, 1901 Delafield Street, City and County of Waukesha.

Upon my arrival on scene, I was assigned to coordinate the interviews of the officers. I was advised there were two officers involved, [REDACTED] Badge # [REDACTED] and [REDACTED] Badge # [REDACTED]. While waiting for the rest of the team to respond, I was notified that Detective Shelly Fisher of the Waukesha Police Department was going to forensically interview the son of the deceased suspect, who had been at the residence when the incident had occurred. The suspect was identified as KATIE L. POWERS, F/W, 05/30/82. Her son was identified as [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

While waiting for someone to respond to replace me in observing the interview, I watched as Detective Fisher begin the forensic interview with [REDACTED] [REDACTED] stated that prior to everything happening, it was a normal day. He did mention that his mom started throwing stuff and then they grabbed some tools to protect themselves. He stated his mom had him hold a plastic carving knife. He said someone came to the door, whom he identified as BIELINSKI, and he was trying to get in. [REDACTED] said his mother had put things in front of the door. They then went to the basement and he saw his mother with her gun. He recalled the police asking him to drop the two things he had in his hand, which he did, and then he went by the police. He also heard them yelling at his mom to put the weapon down.

I was then relieved by Detective Jameson Durkin of the Greendale Police Department. After I collected his information and relayed the information about the interview I had observed via video surveillance in a different room, I returned to the main briefing room where the MAIT Team was gathering.

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Incident Report Number	Incident Location:	Incident Date:
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After being briefed, I learned that Officer [REDACTED] of the Waukesha Police Department was the only officer who was believed to have fired his weapon. Officer [REDACTED] was present during the shooting. There was a third officer, whom had arrived after the fact, and was identified as Waukesha Police Officer [REDACTED] [REDACTED] [REDACTED] West Milwaukee Police Detective Brian Chic agreed to be the primary interviewer of Officer [REDACTED] [REDACTED] accompanied by Detective Jennifer Toepfer of the Brookfield Police Department. Detective Toepfer advised she would interview Officer [REDACTED] [REDACTED] accompanied by Detective Chic. Detective Chic was also assigned to speak with Officer [REDACTED] [REDACTED] All three officers advised they would give statements at later dates.

I also met with Detective Melissa Tromp of the Franklin Police Department. She was assigned to photograph the officers and do a round count of their firearms. I was informed that the officers had since changed into civilian clothes due to having blood on their uniforms. Detective Tromp was provided with all of the clothing and gear that Officers [REDACTED] and [REDACTED] had on, which had already been collected by the Waukesha Police Department. She did photograph these items, and then bagged and sealed the items. Upon completion of this, Detective Tromp turned those items over to me. I brought the items back to the Greenfield Police Department, where they were entered into property as evidence.

Detective Jason M. Birschbach #92

JMB/jbw

Reporting Officer(s):		Pages:
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New Incident:		

NARRATIVE

Wednesday, 12/14/22, 5:24PM

On the above date and time, I received a message requesting everyone to respond to the MAIT call out for an incident in Waukesha. I responded to the Waukesha Police Department and met with other Greenfield Police Department members. I spoke with Detective Brock Beal and assisted him with interviews of the family members and friends.

INTERVIEW OF SASHA M. LEPSCH

I spoke with SASHA M. LEPSCH, [REDACTED] SASHA LEPSCH advised she resides at [REDACTED] [REDACTED]. SASHA told me she was the daughter of JULIE A. LEPSCH, [REDACTED], who was a longtime friend of the deceased, KATIE L. POWERS, F/W, 05/30/82.

SASHA said her mother JULIE became friends with KATIE when they lived across the street from each other. She was not able to give me exact time frames, but stated it was quite some time ago. She said KATIE did ear piercing. SASHA believed at one point, KATIE moved because she was kicked out by her boss, who was part of a tattoo shop. During our conversation, SASHA told me most of the knowledge she has of KATIE is from hearing it from her mother JULIE, and some from KATIE's daughter NADIA.

SASHA said KATIE and KELLY, who also used to work at the tattoo shop, got into business together. SASHA said she was not sure why, as they did not like each other. SASHA thought this occurred about a year ago. She said it was a bad work relationship between KELLY and KATIE. SASHA said around two months ago, she thought KATIE was trying to get her own studio; however, she thought KELLY was listening in on her conversations, so she would play her music loud. SASHA described KATIE as being obsessive compulsive. She said she would always pick out her son's clothing and everything had to be Adidas. SASHA was not quite sure, but thought when KATIE was getting her new studio, she did not pay and lost all the back rooms. She said she only got one of the rooms for the piercing room. SASHA said she thought KATIE was "cuckoo", and said she had good and bad days. She said she never saw KATIE eat, and she would only see her having coffee and

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vaping. SASHA described KATIE as doing everything that KATIE wanted to do, and on her time. She described a time when SASHA was going to help KATIE and KATIE was supposed to meet her at the studio. However, KATIE did not arrive on time. SASHA questioned where KATIE was and she said she was around the corner. She still did not show up for some time after that.

SASHA said she thought KATIE was very proud of having the studio, but at some point she stopped going into work and only went in a couple times. SASHA said KATIE would not take any walk-ins and would only do appointments. SASHA felt she was going downhill, making hand motions as we were talking. SASHA said she heard that KATIE was paranoid. She described that KATIE would go check to see if the vehicle belonging to a person believed to be [REDACTED] SR's ex-girlfriend was at his house. SASHA said that KATIE would call her mom JULIE and said drones were following her and she would see feces on her. SASHA said they did not see that or believe that was happening.

SASHA thought she heard KATIE had a drinking problem in the past and had cleaned up when she had [REDACTED] JR. SASHA thought when KATIE had gotten with [REDACTED] SR, KATIE was acting different. She described that she was "between a wackadoo and a woohoo". She thought KATIE was maybe doing drugs or alcohol. She described KATIE as acting different during this timeframe than her normal "bubble brain". SASHA was under the impression that the grandmother took care of [REDACTED] JR for some time. She again could not give the timeframe or tell me for how long, but felt it was sometime this year.

SASHA was aware of a few calls for wellness checks at KATIE's residence. She recalled a time when KATIE had called her mother, JULIE. She said KATIE was out of her mind, talking about "killing bitches". She was told that JULIE was to get oil so that she could blow everybody up. SASHA thought this occurred maybe a month or two months ago. SASHA recalled that there was some history of the grandmother taking care of [REDACTED] JR off and on. SASHA believed at one point that her mother was one of the callers for the wellness check, based off of KATIE's mental health and behavior.

SASHA had to leave with her mother and that concluded our interview. This interview was recorded on my Greenfield Police Department body camera. See recording for more details of the interview.

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I overheard [REDACTED] JR and [REDACTED] SR questioning where the dog from the residence was. I met with CIB Captain Chuck Fletcher, who told me to take care of that situation. I spoke with [REDACTED] SR and obtained his cell phone number of [REDACTED], in order to call him when we were able to get out to the residence and turn the dog, "Little Mama", over to him so that the Crime Lab could process the scene.

I drove to the location of the incident, 1623 Oakdale Drive, Waukesha, Wisconsin 53189, and met with Detective Lucas. I turned a copy of the search warrant over to him. I also met with Christopher Johnson of the Crime Lab, to advise him of the dog and that [REDACTED] SR would be able to come pick up the dog from the scene. Christopher Johnson was in charge of going into the residence so that the scene was not disturbed. The dog was safely removed from the scene and turned over to [REDACTED] SR.

I went into the residence and walked through the scene with Detective Lucas, learning and going over the processing of the scene. He did not require my assistance any further and at that time, I left the scene and checked out with Detective Simons.

Officer Susanne M. Aasterud #79

SMA/jbw

NAMES

Contact

Lepsch, Sasha Mae [REDACTED]
[REDACTED]
[REDACTED]

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NARRATIVE

Wednesday, 12/14/22, 4:30PM

On the above date and time, Detective Lucas notified me of an incident which occurred in the City of Waukesha. I was informed this was an officer involved shooting and a Waukesha Police Officer was shot by a female suspect who then barricaded herself in a house. At this time it was unknown if the suspect was deceased.

At 5:24PM, I was notified by Captain Fletcher that the female suspect was deceased and a MAIT call out was initiated. I was instructed to meet at the Waukesha Police Department for the briefing.

Upon arrival to the Waukesha Police Department, I responded to the briefing area and met with other members of the Greenfield Police Department MAIT Team as well as members from other jurisdictions. Lieutenant Gerry Habanek of the Waukesha Police Department provided an overview of the incident. The Greenfield Police Department MAIT Team had been assigned as the lead investigating team for this incident. Upon conclusion of the briefing, I was assigned to coordinate the canvass.

I assigned other MAIT Team investigators to conduct the area canvass surrounding the scene at 1623 Oakdale Drive, in the City of Waukesha. These investigators included:

- Sergeant Hoffmann (Glendale Police Department)
- Detective Krenn (Glendale Police Department)
- Sergeant Morelli (Fox Point Police Department)
- Officer Cory (River Hills Police Department)
- Officer Sibley (South Milwaukee Police Department)

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- Officer Kadulski (Bayside Police Department)

See these investigator's reports for further details. The result of this canvass was relayed to other members of the MAIT Team including Detective Simons. As these investigators concluded their assignments, I advised them they were not needed for further tasks and could leave if they chose to. I advised these investigators to forward their police reports to Detective Simons or myself.

I then assisted Detective Lucas with evidence collection.

On 12/16/22, I responded along with Detective Lucas and Officer Riddle to the Waukesha County Medical Examiner's Office to be present for the autopsy of KATIE L. POWERS, F/W, DOB 5/30/82. See Detective Lucas' report for further information.

On 01/06/23, I conducted follow up to the canvass at the residences which contact was not made during the initial canvass.

- [REDACTED] - No answer at this time. [REDACTED]
[REDACTED] (KIM M. TOWSLEY, [REDACTED]) informed me the resident named "Mickey" was not home at the time of this incident. KIM was not aware of any exterior cameras at this residence and I did not observe any. I gave KIM my contact information and asked her to have "Mickey" contact me.
- [REDACTED] - Contact made with MANG T. NGUYEN, [REDACTED] MANG stated she was home at the time of the incident but did not have anything to report. No exterior cameras.
- [REDACTED] - No answer at this time. [REDACTED]
[REDACTED] reported this residence is vacant and was vacant at the time of the incident. No exterior cameras observed.
- [REDACTED] - Contact made with ANNALISE EHLENBACH, [REDACTED], who

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stated she was not home at the time of the incident. She did not have anything to report regarding this incident. No exterior cameras.

- [REDACTED] - No answer at this time. I left my business card on the front door requesting the residents contact me. I later spoke with CYNTHIA L. RUPT, [REDACTED] via telephone. CYNTHIA stated she was home at the time of the incident but did not have anything to report. No exterior cameras.

Nothing further at this time.

Officer J. Triumph #115

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NARRATIVE

Wednesday, 12/14/2022, 4:30PM

On the above date and time, Captain ERIC LINDSTROM of the Greenfield Police Department and Milwaukee Area Investigative Team (MAIT) Commander informed myself and other members of the Greenfield Police Department MAIT team that an incident which occurred in the City of Waukesha could result in a MAIT call out. Our agency would be activated as the lead agency for this investigation. A City of Waukesha police officer was reportedly shot by a female suspect. Shots were also fired by police and the female suspect was reportedly barricaded inside a house with her condition at that time unknown. At 5:20 PM, Captain LINDSTROM updated the information and confirmed the female suspect was deceased and requested that our team members respond to the Waukesha Police Department, located at 1901 Delafield Street, for a MAIT team briefing. Our Greenfield Police Department case number was identified as 22-29190.

A MAIT team briefing subsequently happened at the Waukesha Police Department, reference Waukesha Police Department case number 22-48209. The incident location was identified as 1623 Oakdale Drive, City of Waukesha. The original call was a wellbeing check received on 12/14/2022, at 3:35PM, to check the welfare of KATIE L POWERS, F/W, DOB 05/30/1982, identified as the deceased female offender in this case. Additional details were provided to our team including information that members of POWER'S family had gathered at the Waukesha Police Department after learning of her death. I was assigned to meet with her family, identify her next of kin and act as a liaison officer as we moved forward with the investigation.

I met with POWERS family in an interview room, located adjacent to the front lobby of the Waukesha Police Department. Present during our meeting was POWERS mother, identified as CATHY J HUGHES, [REDACTED], who resides at [REDACTED] [REDACTED] and POWERS daughter, identified as NADIA A KOWALEWSKI, [REDACTED] who resides at [REDACTED], [REDACTED]. Also present was NADIA'S boyfriend identified as LOGAN A FREISCHMIDT, [REDACTED] who they wished to remain in the room during our meeting.

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I presented the Complaint and Inquest Information Form to HUGHES along with my business card and contact information. The family agreed to speak with me about POWERS and gave me permission to record our conversation with my department issued body camera. The following is a summary of our conversation and the recorded video should be watched for the complete and verbatim record.

HUGHES began by going back to September of this year which is when she said POWERS behavior began to change. HUGHES started getting calls from her daughter's friends that POWERS behavior was erratic and delusional. She was seeing and thinking things that didn't make sense. I was told since September, the Waukesha Police Department had been called to check on POWERS wellbeing two or three times. During one of the more recent wellbeing checks called into police, POWERS refused to answer the door or let anyone inside. HUGHES was advised by police at that time to file a report on her daughter to start the process to get her help. HUGHES advised she went down to the Waukesha County Courthouse and Family Social Services to pick up and complete paperwork to begin that process of getting her daughter committed. She obtained statements from NADIA and a couple of POWERS friends but advised that Three-Party Petition failed after she was told there wasn't enough information provided to do anything. She also tried to convince POWERS to get counseling on her own and provided her with the paperwork and phone numbers for various resources to get help. She even took in her grandson [REDACTED] [REDACTED] [REDACTED]

([REDACTED] to live with her in Oconomowoc for approximately two months while POWERS tried to get herself together. She said POWERS later told her she had just been overwhelmed with work and some other things going on and seemed to be making progress. HUGHES said she believed that to a point but it still didn't explain POWERS delusional thinking. She said things continued to pile up on her, including facing eviction from her residence. Eventually POWERS showed signs of improvement and seemed to be coming back to her normal self who HUGHES described as a good, kind hearted and loving person. HUGHES said in November she started letting her grandson stay with POWERS again and pointed out their wasn't anything legally she could do to keep him anyway. HUGHES said she had just talked to POWERS on Friday or Saturday about the progress she was making with the eviction process and she thought things were getting better.

It was at about this time that NADIA requested to speak with me in private and HUGHES and FREISCHMIDT left the room. NADIA said she just didn't know how far back her grandmother wanted to go and thought it was important to tell me a little more about her life so it made more sense. She said her mom (POWERS) had a heroine addiction for about two years when NADIA was

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approximately 5 years old. Her mom essentially/unofficially lost custody of her during that time and she didn't return to live with her mom until she was approximately 10 or 11 years old.

NADIA said POWERS had been on Methadone since she was about 7 years old until June or July of this year when she switched to Suboxone. NADIA said she moved out from her mother's residence approximately two years ago and hadn't seen her all summer but was contacted by her mom in early September and agreed to meet with her and talk. NADIA said POWERS talked about all this insane stuff, like how she was being followed by helicopters and other people and told her people were sneaking into her house while she was sleeping or not there and put cameras inside her house. She mentioned how underweight her mom was and that she had eating struggles. POWERS thought people were trying to poison her food and take her son away. NADIA initially thought her mom's strange behavior was related only to her medication change but began to question if she had a mental health disorder. She said POWERS was freaking out on everyone, she would lash out. POWERS reportedly wouldn't harm anyone but would get really worked up which just wasn't like her mom's normal personality. Prior to September of this year, POWERS reportedly had never demonstrated this kind of behavior. It got to the point that POWERS told NADIA she didn't trust her because NADIA didn't believe her and accused NADIA of probably being "one of them". She elaborated that POWERS was very secretive, paranoid and didn't know who to trust. NADIA said POWERS was never diagnosed by a doctor with a mental health disorder because she was afraid to get checked.

NADIA spoke about when POWERS opened her own body piercing business in early 2022, called Ritualistic Beauty, located at 403 N. Grand Avenue, Suite 101, City of Waukesha. The business was going well but she believed POWERS got so stressed out that her health declined. She said POWERS was very skinny, only like 85 pounds and was not eating or drinking enough water. She was paranoid people were also stealing from her business and was worried she was being followed so she just stayed home most of the time. She stopped working consistently and got behind on her rent which led to the eviction process from her residence and subsequent police welfare checks. NADIA said POWERS never wanted to harm anyone and didn't think she was suicidal but would make comments that she didn't want to be here anymore, it's too stressful and I just want to end it. NADIA said it always did worry her because she knew POWERS had a gun. NADIA said the gun POWERS had, the gun she had today, was turned over to police during one of the welfare checks a couple months ago. It was her choice to give up the gun to her family who in turn gave the gun to police for safe keeping. POWERS reportedly just got the gun back from the police department last

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week Tuesday. NADIA thought the reason what happened tonight was because if POWERS had extreme paranoia and she heard the cops there, she just felt really scared and grabbed the gun for her protection because she wouldn't just shoot a cop for no reason. She believed POWERS thought in her mind that people were out to get her and were going to harm or kill her.

NADIA identified a close friend of POWERS named JESSICA ADKINSON, phone number [REDACTED] [REDACTED] who may have additional information about her mother and the gun she owned. Apparently ADKINSON told NADIA that POWERS went to the shooting range on Wednesday with an unknown male friend to learn how to shoot the gun.

END SUMMARY

I subsequently contacted ADKINSON by telephone. ADKINSON confirmed the bizarre behavior POWERS displayed over the past several months. When she tried to help POWERS and told her she needed to get help for her delusional and paranoid behavior, POWERS accused her of spying on her. ADKINSON recalled when she heard through second hand information that POWERS was walking to her house to shoot her because she thought ADKINSON was putting microphones and cameras in her house and poisoning her food. That alleged threat is what reportedly led to one of the police welfare checks of POWERS and which ultimately led to her turning her gun over to family members to give to law enforcement. ADKINSON didn't know the name of the male friend who took her to the shooting range but indicated she received a message from POWERS on November 29th, at 10:59AM, who asked if she wanted to go to the shooting range with her. ADKINSON declined the offer because she didn't think it was a good idea for POWERS to have a gun. She heard from POWERS that the male friend was a gas station attendant at an unknown gas station. She new this guy purchased her a new phone approximately two months ago and identified POWERS second phone number as 262-599-0269. She last spoke with POWERS two days ago and said POWERS didn't seem paranoid but still seemed "scattered" and didn't think POWERS was eating or sleeping well. ADKINSON had no additional information to report.

On Thursday, 12/15/22, I was made aware by Detective SIMONS (GFPD) that a male subject identified as AARON BAGLEY, [REDACTED], contacted police and wanted to talk about POWERS recent mental health problems and her needing to see a doctor. I called BAGLEY and arranged to meet with him at our police department on Tuesday, 12/20/22. He identified himself

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as [REDACTED].

BAGLEY is employed at the [REDACTED]

BAGLEY confirmed during our initial phone conversation that he was the friend who took her to the shooting range. I will add to this supplement report once my interview with him is complete.

On Sunday, 12/18/22, I received an email from Detective SIMONS who requested that I contact DENISE CONSTANTINEAU from ASI Achtenhagen Services, Inc. and provided me with her contact information. She wanted to report to police a contact their work crew had with a woman believed to be POWERS at her residence, located at 1623 Oakdale Drive.

On Monday, 12/19/22, I made contact with DENISE by telephone who advised their work crew was assigned to clean gutters at the POWERS residence on Tuesday, 12/13/22. While the crew was cleaning the gutters, a woman from that residence, believed to be POWERS, walked outside and started looking around their work truck. The woman went inside the unlocked truck, took the keys from inside and walked back inside the residence. The work crew knocked on the door of the residence and the female refused to give the keys back. The ASI work crew was identified as SALVADOR HERRERA (Crew Leader), [REDACTED] and ROBERTO BERMEJO (Crew Member), phone number [REDACTED]. I was informed that both subjects were Spanish speaking only, but an ASI Administrative Assistant who is bilingual, identified as MARIA PACHECO, [REDACTED], work phone number [REDACTED], assisted the work crew in getting the keys back from POWERS and possibly had additional information. I then spoke with PACHECO who said she received a phone call from the work crew who explained to her what had just happened and put her on speaker phone so she could communicate with the woman. She said the woman she spoke to on the phone repeatedly accused the work crew of "playing games". PACHECO explained to the female that they were just doing their job and asked that she give the keys back. She said the female who was argumentative, initially refused to give the keys back. PACHECO warned the female that if she didn't give the keys back, she would call the police. Once the police were mentioned, the woman told her to have a great day and gave the keys back to the crew. Because the keys were returned, she did never call the police and they had no additional problems. I was informed that ASI did notify Bielinski of the incident on the date that it occurred and I was forwarded that communication chain which I saved to the case file.

AARON BAGLEY INTERVIEW

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I interviewed BAGLEY on Tuesday, 12/20/22, in Interview Room A142, located inside the Greenfield Police Department. The interview was recorded and saved to the case file. The following is a summary of that interview and the recording should be viewed for the complete and verbatim record.

BAGLEY said he knew POWERS for a little more than a year and they met at the BP Gas Station [REDACTED] POWERS would leave her business cards at the gas station for people to take and would stop in to talk which is how their relationship developed. She stopped coming to the gas station for a period of time (summertime) when she started to date her ex-boyfriend and father of her child [REDACTED] (Senior) again. Sometime in August, POWERS started coming back to the gas station and BAGLEY said he barely recognized her, that she was very thin. POWERS told him she got sick in July but didn't specify what kind of illness. She was going through financial struggles and knew she was being evicted from her home so he tried to help her however he could. He purchased her a new cellphone which he described as a purple iPhone 14 Pro Max, phone number [REDACTED] She apparently had been having problems with her cellphone and service receiving messages which negatively impacted her business. BAGLEY advised he added that phone to his cellphone plan which he is currently paying for and if possible would like the phone back.

BAGLEY discussed his last contacts with POWERS and reviewed his text messages with her from Saturday, 12/10/22 and Sunday, 12/11/22. Since she was being evicted, he had agreed to help clean out her garage to prepare for her moving out. POWERS was supposed to call him on Friday, but never did, so he sent her a text message on Saturday morning (12/10/22) inquiring if they were still cleaning the garage and taking things to the dump. She didn't initially respond to his messages so he called her and she didn't answer. She called him back an hour or two later and told him the eviction process had been stopped and she no longer needed to move out. They agreed the garage still needed to be cleaned and organized and planned to do it the following day.

He messaged her about the garage on Sunday, 12/11/22, at 12:37PM. She responded about 15-20 minutes later and asked him what time he planned on coming over. They made arrangements and she sent him her address so he could forward it to his friend "Sean" who also came over to help. He arrived at her residence just after 2PM at which time he rang the door bell and knocked on the door but nobody answered. He could hear POWERS and her son inside so he sent her a message that he was going back to the garage to get started. POWERS messaged him back that she would

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be back in a second, she's trying to stand up. He referenced her weight loss and recovery from her July illness and believed at that time she was experiencing some kind of complications related to that. POWERS eventually came outside, his friend Sean showed up and they started to clean the garage. After working for a period of time, he walked inside POWERS residence to get a drink. BAGLEY said when he went into her refrigerator, it stunk, and noticed it was unplugged. He asked POWERS about it and she said her refrigerator had been making noises so she unplugged it. He told her to clean it out because all the food inside was spoiled and said he would continue with the garage. POWERS came back outside to the garage a short time later and told him she didn't clean out the refrigerator. He assumed she was having some physical problems so he told her he would help clean it out later.

He also recalled that day she took everything out of the trunk of her car and seemed to have unusual or unreasonable complaints that her car was making strange noises and the tires were going to fall off the vehicle. He told her to stop what she was doing and when they were done with the garage, he would take the car out for a drive with her to see what the problem was. Later that night, they did go for a drive and he didn't notice anything wrong with her vehicle, at least nothing that would explain the level of concern she had about something being wrong with her car. He checked the oil and discovered she had actually over filled the oil. POWERS told him she added oil since the car had been making strange noises.

BAGLEY said the last time he saw POWERS and communicated with her was Tuesday night, 12/13/22, at the BP Gas Station [REDACTED]. She stopped by Tuesday night with [REDACTED] Junior. [REDACTED] came inside the gas station and asked if he could get something to eat because he was hungry. POWERS parked her car by the gas pumps and remained inside her vehicle for "quite awhile". When POWERS finally came inside, she counted some change in attempt to pay for gas and told [REDACTED] that they needed to leave. He said her behavior on Sunday and Tuesday night was so strange that he asked a friend of his who is a CNA about it. That friend recommended that POWERS get a mental health evaluation. BAGLEY said he planned to take her to a clinic on Thursday to get checked.

BAGLEY talked about when he met her at Fletcher Arms, located at 1441 E Main Street, City of Waukesha, to shoot her gun. He checked his messages and advised she picked her gun up from the Waukesha Police Department on November 28th. When BAGLEY asked POWERS why her gun had been at the police department, she told him during her illness in July, she turned it over to them

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because she didn't want the gun at home with [REDACTED] if she should have been hospitalized. He identified the gun she brought to the range as a Taurus 380. POWERS told him she bought the gun from [REDACTED] Senior approximately 4 years ago but she never shot it and wanted to make sure it was safe and she knew how to handle it. They met at the range on Tuesday, 11/29/22, at approximately 12PM. BAGLEY said while at the range with POWERS, he didn't notice anything out of the ordinary with her behavior. BAGLEY said he never noticed anything questionable with POWERS mental health until that Sunday when he helped her clean the garage and she was acting strangely.

END SUMMARY.

Respectfully,

Detective Brock Beal

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NARRATIVE

Monday, 01/02/2023, 7:00 AM

On the above date and time Detective Wallander requested I assist him in reviewing video and audio, provided to us by the Waukesha Police Department, regarding this incident. Detective Wallander indicated all media regarding the incident was located on our (s)drive.

I first reviewed media from the folder named "evidence.com_case_22-48209_package_1_of_2". The first video in this folder is labeled, "(Extraction_1.1)_Shots_Fired_to_be_redacted_for_release". In this report this video will be described as Video 1. This video is body camera from Officer [REDACTED]

[REDACTED] from the incident with the suspect KATIE L POWERS, F/W, DOB 05/30/1982. It should be noted the video appears blurry and out of focus - due to this I am unable to read the time stamp on the video. The video shows Officer [REDACTED] making initial contact with POWERS in the basement. This body camera video is 1:22 long. You can observe POWERS standing next to the furnace wearing a yellow top and jeans. Upon contact with POWERS you can hear her say, "What the fuck was that" and appears to be looking at the ceiling where she is standing. POWERS is observed as having a cigarette hanging out of her mouth. Officer [REDACTED] is shining a flashlight at POWERS and gave two commands for her to show him her hands. POWERS raises both of her hands at this point. In her left hand you can see a red rectangular object that appears to be a cellphone. When POWERS raises her right hand she appears to point her hand in the shape of a gun - with her pointer finger and thumb extended and the remainder of her fingers curled in.

Officer [REDACTED] walks toward POWERS location and she is heard saying, "dude, no, no, no". Officer [REDACTED] walks around to the other side of the furnace and POWERS son, who is identified later as [REDACTED] is now visible on the camera. Upon seeing [REDACTED] Officer [REDACTED] immediately recognizes something in the sons hands, Officer [REDACTED] takes several steps away from [REDACTED] and gives three commands for [REDACTED] to put the item down - which he does. In the background you can hear Officer [REDACTED] ask what [REDACTED] had, and Officer [REDACTED] responds by saying that [REDACTED] had a shank. POWERS is heard in the background during this time saying, "dude, you guys are doing this on fucking purpose, knock it off, I don't give a fuck im leaving". Officer [REDACTED] then gives [REDACTED] commands to walk over to him, and asks him what his name is. The son walks out from

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behind the furnace, and POWERS immediately walks to where [REDACTED] had just dropped the item that Officer [REDACTED] described as a shank, and bends down appearing to attempt to pick something up. Officer [REDACTED] displays his firearm at POWERS and gives her several commands to not reach for anything. [REDACTED] is directed to go upstairs - which he does.

POWERS stops reaching toward the ground and is heard saying, "dude stop, stop, stop, dude stop". POWERS then turns towards Officer [REDACTED] who has his taser unholstered. Officer [REDACTED] is heard saying, "what do you got in your hand?". POWERS responds to Officer [REDACTED] by indicating she has a lighter. Officer [REDACTED] gives her several commands to drop what is in her hand and Officer [REDACTED] again tells Officer [REDACTED] that there is a shank on the ground. Officer [REDACTED] tells POWERS if she does not drop what's in her hand she will be tased. POWERS responds by saying, "stop I was going upstairs, getting my son". Someone, unknown who, responds to this by telling POWERS that her son is safe. POWERS takes two steps toward Officer [REDACTED] and is standing behind the furnace, out of clear view of Officer [REDACTED] and his body camera. POWERS states that her son is not safe and she wants to go see him and then says she wants to go outside and smoke a cigarette. Officer [REDACTED] tells POWERS that they can go outside and smoke a cigarette and that it sounds like a good idea. Officer [REDACTED] reholsters his firearm and approaches POWERS from behind the furnace. Officer [REDACTED] has his flashlight in his right hand at the time of the approach. POWERS tells Officer [REDACTED] that they are not attacking her in her own house, Officer [REDACTED] states that he is not attacking her, he just wants to make sure she does not have anything on her prior to walking upstairs. Officer [REDACTED] takes control of POWERS right arm. Officer [REDACTED] right hand, which is holding the flashlight, takes control of POWERS upper left arm. Officer [REDACTED] grabs POWERS right wrist at the same time. POWERS then crouches to the ground and Officer [REDACTED] releases her right wrist so he can holster his taser. POWERS immediately reaches her right hand behind her back, upon Officer [REDACTED] releasing control of her wrist. After Officer [REDACTED] holster his taser, he again reaches down to regain control of POWERS right arm, and a single gun shot is heard. This gunshot occurred at 1:14 in the video and a small black object appearing to be a firearm is observed in POWERS right hand and muzzle flash is observed coming from this same area. There is a struggle after the initial gunshot by POWERS and other gunshots are heard but due to the struggle I am unable to observe where the gunshots come from or how many shots are exactly fired - either by POWERS or the officers. I do hear one of the officers, unknown if it was Officer [REDACTED] or Officer [REDACTED] yell "drop the weapon" just before the video ends.

The next piece of media provided is labeled 22.48209_KATIE_POWERS,_OIS_911_call,_12-14

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-22. In this report this audio will be labeled as Audio 1. This media is found to be the initial 911 call made by an employee of Bielinski Homes, requesting assistance from the Waukesha Police Department with POWERS. This phone call is 2:30 long. A transcript of this conversation is provided below:

Dispatcher: Waukesha Police Department, how can I help you.

Caller: Hi, I did not wanna call 911 for this, but I am looking for some help. I work for Bielinski Management and we currently have a tenant that is doing some sort of loud construction whatever in the basement, so thats why I got called over, and they wont let me in. She seems out of it, saying that the neighbors are killing people, and thats why they are doing whatever they are doing downstairs um but wont tell me what they are doing.

Dispatcher: what address is this at?

Caller: 1623 Oakdale

Dispatcher: And so shes saying that the downstairs neighbors there are killing people?

Caller: the next door neighbor, its a townhouse, so its like a side by side. And there doing something in the basement, like hammer drilling in the concrete, which obviously they should not be doing and thats kinda why I got called out here. She wont answer the door, shes clearly out of it, theres kids in there. Yesterday her kid stole the keys out of our landscapers vehicle um and kinda (rest of sentence is covered up by dispatcher response)

Dispatcher: whats the females name?

Caller: Oh can you give me one second and I can tell you that, its katie powers, sorry I do know that.

Dispatcher: so thats the female thats supposed to be drilling stuff or is that the caller that called you?

Caller: she is the one in 1623 thats doing the drilling or whatever kind of construction in the basement.

Dispatcher: okay, what is your last name.

Caller: my last name is cooke, spelled c-o-o-k-e.

Dispatcher: and your first name?

Caller: aaron, a-a-r-o-n

Dispatcher: do you have a middle initial at all?

Caller: yes, D as in Daniel.

Dispatcher: and your date of birth?

Caller: [REDACTED]

Dispatcher: and then just a good phone number for you?

Caller: [REDACTED]

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Dispatcher: and shes not answering the door for you and you're the landlord?

Caller: Well she came, I got her to come to the window, um but she will not open the door.

Dispatcher: okay.

Caller: And I told her I was going to call the police, and she and thats when she went into the neighbors are killing people. Which I was over next door the neighbors are not killing people.

Dispatcher: okay, alright, um what ill do is ill get an officer right over there to come help you out aaron, just watch out for them, okay?

Caller: yup, ill just be in my truck out front

Dispatcher: okay sounds good

Caller: thankyou bye

Dispatcher: yup bye bye

The next piece of media in this folder is labeled

"22.48209_KATIE_POWERS,_OIS_Radio_Traffic_1539-1756_hrs,_12-14-22". This audio is 52:45 long and contains the police radio traffic from the incident. This audio will be identified as Audio 2. I have transcribed the first 5:14 of these radio transmissions. This transcript includes the initial dispatch, the shots fired call out, and the immediate aftermath of the shooting.

Dispatcher: [REDACTED] and [REDACTED] and [REDACTED] respond for a well being check, 1623 Oakdale 1-6-2-3 Oakdale cross streets are wysteria and the school. Caller is the landlord received a report from the tenant that lives next door to this address, which is a side by side, saying the female that lives here is drilling into the concrete in the basement. Caller is on scene and the tenant is refusing to open the door for him and is saying that the neighbors that called on her are quote, "killing people in the basement". Caller would like us to stand by while he goes in and talks with her, female is Katie Powers, and the caller is on scene right now 10-40.

[REDACTED]: 10-4

[REDACTED]: 10-4

Dispatcher: and [REDACTED] and [REDACTED] for further there is a Katie Powers, female, is flagged as 10-96 she exhibits signs of schizophrenia and a possible meth user.

[REDACTED]: 10-4

[REDACTED]: [REDACTED] we are both 23

Dispatcher: 10-4

[REDACTED]: [REDACTED] to [REDACTED] can you meet me back there again.

[REDACTED]: 10-4

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Unknown: (transmission occurs at 1:21 in the audio): shots fired

Dispatcher: shots fired, 1623 Oakdale, all squads respond

Unknown [REDACTED] or [REDACTED] 10-52 i am not sure if i am hit.

Dispatcher: Copy 10-52 in route. [REDACTED] and [REDACTED] are you guys okay.

Unknown [REDACTED] or [REDACTED] we are outside, we need an ambo, shes been shot multiple times. Unknown of her status, were upstairs, shes in the basement.

Dispatcher: Copy Ive got [REDACTED] body cam up I got everyone coming.

Officer [REDACTED] [REDACTED] my body worn camera fell off so we (radio cuts out)

Dispatcher: thats okay, I got [REDACTED] up, everyone is coming.

Officer [REDACTED] you might hear something from my body cam thats all

Dispatcher: 10-4.

Dispatcher: [REDACTED] I'll put you 10-60.

Dispatcher: All fire apparatuses you are guys are in route for this Officer involved shooting, should be at 1623 Oakdale Drive, 1-6-2-3 Oakdale - cross streets are wisteria and school. Got a female thats been shot, believe officers are okay, if you could just stage upon arrival. just one victim. one.

Dispatcher: [REDACTED] are you out with them? [REDACTED] do you have contact with [REDACTED] and [REDACTED]

[REDACTED] Affirm I am doing an assessment right now.

Dispatcher: Thankyou.

[REDACTED] Ill take command, if you can have the ambo respond directly behind this residence, behind this garage, thats where [REDACTED] is

Dispatch: copy to the garage behind the residence.

[REDACTED] Command to dispatch, I did a quick assessment on [REDACTED] we did not find any wounds of any type. Uhh hes with a couple citizens behind the garage. The female in the basement is allegedly to be alone, does obviously have a weapon.

Dispatch: copy

I continued to listen to the radio transmissions and until 34:49 the audio entails alot of coordination of resources, between the Fire Department and Police. I will continue the transcribing at 34:39 as this is when contact is again made with POWERS in the basement by use of the drone.

[REDACTED] to Command.

Command: Go ahead

[REDACTED] We have a drone in the basement, we confirmed it appears suspect is down, and there is blood visible. No movement.

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Command: 10-4, she was last seen going down in the area of the water heater, just for 43, if shes been moving since then.

████████ to 800: How long until our first entry team is on scene?

After these transmissions, continued coordination continues of resources to get the drone back in and an entry team in to do a suspect rescue. At 38:48 █████ gives an update to this process - I will transcribe the transmissions that follow.

████████ to Command: We got eyes on again with the drone, still no movement, we are going to do a rescue.

Command: 10-4

Dispatch: Dispatch copies.

Unknown: Let us know if you obviously see anything on the drown, we are giving announcements now.

Unknown: we will, no movement.

████████ to Command: Just be aware we have a second team clearing the upper, once we get to the victim here, the house will be clear clear clear. I will call for fire when that is. I will call for fire when its clear.. Just be aware we have teams working upstairs.

Command: 10-4. Command to dispatch if you could have fire come up to 1705 Oakdale.

████████ to Command: House is clear, clear, clear, you can send fire to the basement.

Command: 10-4 dispatch copy, we will need fire to the east side of the residence.

Dispatch: Copy, house is clear, fire approaching.

I listened to the remainder of the audio after these transmissions - these include additional coordination of traffic control and other necessary resources to the scene.

I next reviewed the video labeled "Axon_Body_3_Video_2022-12-14_1546_X60A51657". This video appears to be Officer █████ body camera from his initial appearance on scene - which includes his contact with the original 911 Caller, Aaron Cooke. This video is 10:05 long. The date and time on this video is 12/14/2022 at 1527 Hours and will be described as Video 2 in this report. Officer █████ approaches Cooke and asks him about there contact today and why they think she is drilling holes in the walls. Cooke tells Officer █████ that he can hear a jackhammer or a hammer drill from the outside. Cooke states that he spoke to the neighbors downstairs, that initially

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complained, and went into there side of the residence and could hear the noise coming from POWERS side. Cooke stated he pounded on POWERS door, she finally comes to the window, and requests that she opens the door and POWERS refuses. Cooke said he identified himself as working with Bielinski, and POWERS said she knew who he was, and she still was not going to open the door. Cooke stated he asked POWERS what she was doing in the basement and POWERS told him that the neighbors were killing people and that is when he brought up calling the police. Officer [REDACTED] asked Cooke if he believed there was an emergency within the residence, due to him being required as a landlord to provide 24 hours notice, before entering a renters home. Cooke states that they need to provide 12 hours notice. Officer [REDACTED] asks if he provided this notice - and Cooke states no. Officer [REDACTED] again asks Cooke if he believes there is an emergency going on that would trump this notice being needed. Cooke stated he believed there was an emergency due to the noise. Cooke further states that he believes POWERS is doing damage to the structure of the residence. Officer [REDACTED] asks Cooke for the name of the subject and Cooke states "Katie Powers".

After this initial conversation Officer [REDACTED] is observed walking to the front door of the residence. Officer [REDACTED] and Cooke continue to talk during this time. Officer [REDACTED] [REDACTED] asked Officer [REDACTED] if he saw the call from two days ago, and Officer [REDACTED] states no. Cooke then begins to tell him about POWERS kid stealing the keys from the landscaping truck, almost causing them to call the police on the residence yesterday, but the kid eventually returned the keys. Officer [REDACTED] then tells Officer [REDACTED] about the call from two days ago while Officer [REDACTED] attempts contact at the front door several times by knocking. Officer [REDACTED] states that the police were at the residence two days ago, because kids were in the basement being beat up. Officer [REDACTED] indicated that POWERS was the one that called the police regarding this. Officer [REDACTED] knocks on the door three times with no response. Officer [REDACTED] asks Cooke who all lives in the residence. Cooke advises that POWERS is the only one on the lease, but that her kids live there as well. Officer [REDACTED] states that the kids are probably in school and Cooke states that he observed a child in the residence.

After continued no response from POWERS officer [REDACTED] asks Cooke what he would like to do. Cooke states that he would go in but he would like them to stand by. Officer [REDACTED] explains to Cooke that the police do not have the authority to go in the residence, and that if he goes in it its on him, as its a civil issue. Officer [REDACTED] explains that the police are only on scene to keep the peace. Cooke indicates he is going to open up the door, yell POWERS name, to see if she will then come to

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the door. Cooke unlocks the front door and attempts to open it but indicates that POWERS has barricaded the door and it will not open. Cooke yells for POWERS to come to the door and she does not. Officer [REDACTED] tells Cooke to tell POWERS that he is there to do an emergency inspection. POWERS is verbally responding to Cooke but due to the road traffic outside and the fact the front door is closed it is hard to understand what exactly she is saying. It is clear from Cookes responses that POWERS does not want Cooke in the residence. Cooke explains to POWERS that if he does not come in right then, he will return in the morning at 8 am. Officer [REDACTED] tells Cooke to ask POWERS if there is any damage to the basement. Again the outside traffic makes it hard to hear POWERS response, but Cooke relays that POWERS is digging in the basement, which Cooke tells POWERS is unsafe to do. Cooke tells POWERS he is trying to help her and requests to see the basement - POWERS is heard saying that no one can help her. Cooke and POWERS continue to talk about him coming into the property for awhile but nothing changes with POWERS stance and she continues to be cooperative. Officer [REDACTED] tells Cooke that he believes it is best that he comes back tomorrow, when the full notice is given, and he can call the police back at this time. Cooke locks the front door at this time and Officer [REDACTED] further explains the police policies in regards to landlord/tenant problems. Cooke then walks to his vehicle.

Officer [REDACTED] and Officer [REDACTED] then talk about the situation together. Officer [REDACTED] tells Officer [REDACTED] that he believes landlords have to give 24 hours, not 12 hours notice, unless there is an emergency. Officer [REDACTED] indicates that he believes it is an emergency due to the belief that POWERS is digging in the basement. Officer [REDACTED] agrees with Officer [REDACTED] that it is an emergency and is confused why Cooke will not go into the residence. Officer [REDACTED] states that he believes Cooke is just trying to make sure his ducks are in a row, and even though he believes its an emergency, he also wishes to give her notice so a complaint is not filed against him. The video then ends.

The next video I reviewed is labeled, "Axon_Body_3_Video_2022-12-14_1603_X60A51657" and is 28:20 long The video is time stamped 12/14/2022 at 1602 Hours. This video will be described as Video 3 in this report. The video captures Officer [REDACTED] body camera from his second contact with Bielinski employees that night. At this time - three Bielinski employees are on scene including Cooke. Cooke indicates that they are going to enter the side door. Officer [REDACTED] told Cooke that he feels better about them going in today than waiting for tomorrow. Cooke stated that he spoke to the neighbor and then pointed at something. I can observe a shovel laying against the residence and some dirt that appears to have been shoveled out of the side of the residence. Cooke unlocks the

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side door and has to forcefully push the door open as it had been barricaded. All three of the Bielinski Management employees enter the residence, announcing who they are. One of the employees stated, as he walked in the residence, that there was insulation and drywall on the floor in the entryway. Officer [REDACTED] walks into the residence with the three employees. Cooke appears to walk downstairs, and Officer [REDACTED] asks him not to get to far away from the officers. The two other Bielinski employees stay upstairs. Officer [REDACTED] asks Cooke if POWERS is downstairs and he states that they are and they are "back there" doing something. Officer [REDACTED] asks who "they" are and Cooke responds by saying Katie and her kid.

Officer [REDACTED] makes a verbal announcement to POWERS saying, "Katie, its the police department we are here with Aaron, we are here to keep the peace. Can you come out here? They are here to do an inspection, they are concerned about foundational issues. Katie?". POWERS responds and says that she is coming - this statement is made at 2:21 in the video. POWERS does not come upstairs and Officer [REDACTED] states "Katie" again at 2:34 and POWERS responds by saying, "what? ill be right there.". POWERS continues to not come upstairs and Officer [REDACTED] makes another request to POWERS at 3:14 in the video. POWERS again responds that she is coming, Officer [REDACTED] asks POWERS if she needs help, and she states no. At 3:25 Officer [REDACTED] asks POWERS to come over by him and she says she is coming - again she does not come. At 3:54 Officer [REDACTED] states again, "Katie", and POWERS responds by saying, "Hang on a fucking second". Officer [REDACTED] states Katies name again at 4:27 in the video. POWERS gives no response and at 4:45 in the video Officer [REDACTED] and Officer [REDACTED] decide to go down the stairs into the basement. Officer [REDACTED] advises POWERS that they are coming down the stairs. POWERS responds by saying, "Im coming". Officer [REDACTED] and Officer [REDACTED] both tell POWERS that they are coming down and for her to stay down there. Officer [REDACTED] gets to the basement threshold, points his flashlight in the direction of POWERS, and asks what they are doing. After this point in the video, specifically from 5:08 to 6:28 in the body camera footage, is the same footage that was described in Video 1 above - see that description for more information.

After 6:28 the video shows Officer [REDACTED] and Officer [REDACTED] retreating. Officer [REDACTED] goes up the stairs and Officer [REDACTED] requests that he finds POWERS child just in case he possibly has a firearm. Officer [REDACTED] remains at the threshold of the stairs, with his firearm pointed in POWERS direction. Officer [REDACTED] contacts dispatch on his radio, advises that shots were fired and that he is in the basement. Officer [REDACTED] also gives a command to POWERS at this time not to move. A short time later Officer [REDACTED] screams from upstairs for Officer [REDACTED] to come upstairs and he

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does so. Officer [REDACTED] asks Officer [REDACTED] if he was hit at this time - and he states that he does not know and that he has blood on him. Officer [REDACTED] tells Officer [REDACTED] to check himself for injury and then again asks if [REDACTED] has been checked for weapons. Officer [REDACTED] holds on the side door of the residence and has view of the basement door while doing so. Officer [REDACTED] tells Officer [REDACTED] that he believes he might have been hit in the chest or the body camera, that he feels a lot of pressure in his chest, but that he does not see anything. Officer [REDACTED] stops holding on this side door at this time, with his firearm, and checks Officer [REDACTED] for injuries and does not locate anything. Officer [REDACTED] then goes back to holding on the side door. Officer [REDACTED] asks Officer [REDACTED] if he shot at all - and Officer [REDACTED] states no. Officer [REDACTED] comments that he believes he shot three times. Another officer arrives on scene, takes Officer [REDACTED] off camera to do an assessment, and Officer [REDACTED] continues to hold on the side door.

The other officer comes back over to Officer [REDACTED] and asks if he has been hit - and Officer [REDACTED] tells him he is good. Officer [REDACTED] explains to the other officer that POWERS is in the basement and provides a quick layout for this area and how to get there. Radio traffic is overheard and the relevant portions of this have been transcribed in the above paragraph that describes Audio 2. Other Officers begin to arrive on scene and take over Officer [REDACTED] position of holding on the side door of the residence. Officer [REDACTED] walks to a Ambulance and requests help in getting blood off of his hands - which he identifies as likely belonging to POWERS. Officer [REDACTED] approaches the group of Officers by the side door and they ask him some questions. An officer asks Officer [REDACTED] about the type of weapons that POWERS used. Officer [REDACTED] describes it as a small black pistol and describes seeing POWERS pull the trigger and seeing a puff of smoke.

Officer [REDACTED] is requested to go talk to [REDACTED] to see if there is anyone else in the house. Officer [REDACTED] locates [REDACTED] states that only a dog and his mom should be left in the house. [REDACTED] states that his sister used to live there but she moved out and lives with her boyfriend. Officer [REDACTED] then goes back to the side door of the residence and relays this information to command. Officer [REDACTED] is then walked away from the scene by a Supervisor and he turns his camera off which ends this video.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1612_X60A54257 and will be described as Video 4 in this report. The video is timestamped 12/14/2022 at 1612 Hours and is 1 hour and 11 minutes long. The body camera belongs to a responding officer to the scene after the shooting occurs. This responding officer provides support to the perimeter, assists with POWERS

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son for a short time, and assists with clearing the upstairs of the residence.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1613_X60A53875 and will be described as Video 5 in this report. This video is timestamped 12/14/22 at 1613 Hours and is 24:26 long. The body camera belongs to a responding officer to the scene after the shooting occurs. I watched the entirety of this video and this officer assists with perimeter on the outside of the residence upon his arrival. This officer then leaves the scene to be Officer [REDACTED] support officer.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1616_X60A5684C and will be described as Video 6 in this report. This video is timestamped 12/14/2022 at 1616 Hours. This video is one hour and 6 minutes long. The body camera belongs to a responding officer to the scene after the shooting occurs. This officer assists with the outside perimeter of the residence throughout the video and then assists with putting up police tape surrounding the scene.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1617_X60A51736 and will be described as Video 7 in this report. This video is timestamped 12/14/2022 at 1617 Hours. This video is one hour and 6 minutes long. The body camera belongs to a responding officer at the scene who arrives after the shooting occurs. This officer appears to be a K9 Handler as his partner is visible in the video. The K9 Officer and his partner assist with coordination of his partners use and the entry plan. The K9 Officer and K9 do make entry into the residence when the rest of the entry team does and go downstairs to assist in the clearing of the basement. His body camera does not capture POWERS body while in the basement.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1623_X60A5831C and will be described as Video 8 in this report. This video is timestamped 12/14/2022 at 1623 Hours. This video is 59:45 long. The body camera belongs to a responding officer at the scene who arrives after the shooting occurs. The officer assists with holding on the threshold of the side door of the residence with the shield and also makes entry into the residence with the rest of the entry team. The officer makes verbal commands to POWERS when the entry teams approaches the basement door. This officer is the first officer down the stairs, with the shield, and advises the rest of the team that she can see POWERS, does not see movement, but cannot see her hands. This officer again gives verbal commands to POWERS with no response. The officer further approaches POWERS and other officers indicate that they can see the firearm next to her feet - this officer acknowledges seeing this as well. This officer confirms that POWERS has no movement and the rest of the entry

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team clears the remainder of the basement. The Fire Department is observed in the body camera video assessing POWERS. The Fire Department indicates that they will not be transporting POWERS after assessing her and that she is deceased.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1626_X60A58197 and will be described as Video 9 in this report. This video is timestamped 12/14/2022 at 1625 Hours. This video is 57:28 long. The body camera belongs to a responding officer at the scene who arrives after the shooting occurs. The video shows this officer coordinating resources and this officer is also apart of the entry team and does enter the residence with them. This officer does go downstairs upon entry. You can observe POWERS body in this officers body camera. This officer approaches POWERS as the remainder of the officers are clearing the bathroom. This Officer checks POWERS for a pulse - which she does not have and reports no movement. This officer also searches POWERS pockets for additional weapons with negative results. At one point the officer squats down, points his flashlight at the ground, and a firearm is visible at this point near POWERS feet. The fire departments response is also observed in this video.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1643_X60A57228 and will be described as Video 10 in this report. This video is timestamped 12/14/2022 at 1643 Hours. This video is 4:27 long. The body camera belongs to a responding officer at the scene who arrives after the shooting occurs. This officer arrives on scene, approaches several officers, and speaks to them regarding the incident.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1647_X60A51299 and will be described as Video 11 in this report. This video is timestamped 12/14/2022 at 1647 Hours. This video is 35:41 long. The body camera belongs to a responding officer at the scene who arrives after the shooting occurs. This officer arrives on scene and assists in setting up the drones that are used in the operation. This officer does enter the residence a short time after the initial entry team does so and assists with the clearing of the upstairs of the residence. This officer does go downstairs and assists in moving items to create a path for the fire department. POWERS body is not observed on this officers camera.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1649_X60A50588 and will be described as Video 12 in this report. This video is timestamped 12/14/2022 at 1649 Hours. This video is 33:59 long. The body camera belongs to a responding officer at the scene who arrives after

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the shooting occurs. This officer approaches the officers near the side door of the residence and is in this location for the majority of the video. This officer does make entry into the residence with the entry team and then assists with clearing the upstairs of the residence. This officer does go downstairs in the residence and assists in making a clear pathway for the fire department. POWERS body is not observed on this officers camera. This officer then assists with creating an entry log for the crime scene.

The next video I reviewed is labeled Axon_Body_3_Video_2022-12-14_1655_X60A57228 and will be described as Video 13 in this report. This video is timestamped 12/14/2022 at 1655 Hours. This video is 25:13 long. The body camera footage belongs to a responding officer at the scene who arrives after the shooting occurs. The officer joins the group of officers located near the side door of the residence. This officer does make entry into the residence with the entry team and goes into the basement and assists in clearing the basement and then helps clear a path for the fire department and then goes back upstairs.

The next video I reviewed is Axon_Body_3_Video_2022-12-14_1701_X60A53915 and will be described as Video 14 in this report. This video is timestamped 12/14/2022 at 1700 Hours. This video is 22:40 long. The body camera footage belongs to a responding officer at the scene who arrives after the shooting occurs. This officer is observed assisting with the drone that is used in the operation - he is the officer that flies the drone into the basement. The officer locates POWERS on the drone and indicates to another officer that POWERS is in the same position as she was the previous time he had put the drone down there. The entry team enters the residence and request this officer provides updates as to POWERS movement. The officer advises everyone that there has been no movement from POWERS. This officer does not enter the residence.

The next video I reviewed is Axon_Body_3_Video_2022-12-14_1703_X60A51227 and will be described as Video 15 in this report. This video is timestamped 12/14/2022 at 1703 Hours. This video is 9:29 long. The body camera footage belongs to a responding officer at the scene who arrives after the shooting occurs. This officer approaches the house, and is requested to get an entry log, which he does. After retrieving the evidence log he enters the first floor of the residence and his camera is then turned off.

The next video I reviewed is Axon_Body_3_Video_2022-12-14_1847_X60A51299 and will be described as Video 15 in this report. This video is timestamped 12/14/2022 at 1846 hours. This video

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is :44 seconds long. This video has no audio and occurs after the clearing of the residence. The video depicts three Waukesha Police Officers talking in the kitchen of the residence and nothing of significance occurs relevant to the investigation.

I reviewed videos Axon_Body_3_Video_2022-12-14_1923_X60A58876 and Axon_Body_3_Video_2022-12-15_0442_X60A51227. Both of these videos depict the Waukesha Police Department and are unrelated to this investigation. The next 2 videos I reviewed were Axon_Body_3_Video_2022-12-14_2102_X60A57187 and Axon_Body_3_Video_2022-12-14_2313_X60A57187. These videos depict traffic stops conducted by Waukesha Police Officers that are unrelated to this investigation.

The next piece of media I reviewed was an audio clip of a female and male officer speaking to the Bielinski Employees after the shooting had occurred. This audio clip is labeled Axon_Capture_Audio_2022-12-14_170901_381 and is 39:06 long. The Officers are asking questions to a male voice that I am able to recognize as belonging to Bielinski Employee Aaron Cooke. Aaron Cooke is asked why they were down here - and he explains the situation regarding there concerns about the foundation due to POWERS actions. Aaron Cooke explains that POWERS had the back door barricaded by pushing over the stove - but that he was able to make entry. Aaron Cooke said that he talked to POWERS from the top of the basement stairs for a short time and then the police officers told him to leave. Cooke describes the Police Officers going downstairs to talk to POWERS, and then how [REDACTED] came to the stairs, and they were able to get him upstairs. Cooke described that the officers were then talking to POWERS more and then everything happened after that. Cooke stated that he believed POWERS and her child were the only one inside the residence. Cooke also described to the officers there prior history with POWERS.

Cooke stated that when [REDACTED] came upstairs he was complaining that his foot was hurting him. Cooke identifies one of the other Bielinski Employees at this time as, Dave, and stated that Dave took [REDACTED] boot off after his complaints of foot pain. Dave stated that [REDACTED] reluctantly gave his boot to him at this time. Dave speaks about locating something in [REDACTED] boot at this time, and provides these items to the officers he is speaking too. Due to the file only having audio, I cannot see what is provided to them, but from my knowledge of the investigation I know that ammunition was located in [REDACTED] boot. Dave stated that they located the ammunition just shortly before the shooting occurred and they were unable to relay this information to the officers prior to the shooting. This ammunition was turned over to the officers at this time.

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The female officer speaks to Cooke again and they speak further about the two contacts with POWERS that were described in Video 2 and Video 3 - see these descriptions for further. Cooke indicates to the female officer that POWERS moved in September of 2021, has been late on rent, and had been going through the eviction process. Cooke stated this eviction process was being put on hold because POWERS had been given money through Community Advocates and she had not been a bad tenant in the past. Cooke stated that he had done a previous inspection of the residence about a month ago, there was some damage at this point, and POWERS stated that someone had broke in the residence and caused this damage. Cooke reported that this damage included a tear in the carpet and a rip in the vinyl flooring in the kitchen. The female officer asked Cooke if in his previous contact with POWERS he noticed any lack of mental clarity. Cooke stated no and that she responded appropriately in the past. The female officer then asks questions about POWERS mental state on the date of the incident. Cooke reported that POWERS appeared how she always does and stated she seemed off. Cooke stated he believed that POWERS was always on drugs when he had contact with her, that she was very skinny, and "twitchy". Cooke stated that POWERS was not making sense when speaking with her today, that she was talking about the neighbors killing people, and trying to help the dead people by digging them up. The female officer asked about [REDACTED] state of mind and he said that he seemed fine before the incident, but after it happened, he seemed scared but seemed used to the strange behavior.

The female officer then asks additional questions on the Bielinski employees reasoning for entering the residence based on there initial decision to wait until the next morning to do so. Cooke stated that after talking to other Bielinski employees after his first contact with the officers, they decided they did not need to wait to go in, due to the fact that they were concerned about safety. Cooke said that shortly after they made this decision, the officers coincidentally called him to clarify how much notice had to be given to a tenant before entry, and Cooke told the Officers at this time that they wanted to go in then for safety concerns. Cooke stated the officers agreed with this assessment and returned to the residence.

The female officer then again asks Cooke questions about the entry into the residence. Most of what is relayed from Cooke is the same statements that were made earlier in this audio clip described above. However, Cooke does provide some additional details. Cooke describes going down the basement stairs upon entry, with Bielinski employee Sage, and observed POWERS and [REDACTED] Cooke reported that POWERS was standing behind the furnace at this time with her son.

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Cooke said that he talked to POWERS for a short time and then the officers had asked him to go back upstairs. Cooke said that he believed the officers asked him to go upstairs because they saw what was going on and believed it was escalating. Cooke said that [REDACTED] began walking towards the basement stair threshold, he grabbed him, and they all went up stairs. Cooke stated that [REDACTED] was able to leave his mom on his own free will. Cooke said he went back downstairs, with Sage, after turning the child over to Bielinski employee Dave. Cooke said he could see POWERS face at this time and saw that she had a cigarette in her mouth and can hear POWERS tell the officers that she wanted to go outside to smoke. Cooke stated that he then went upstairs, because Dave had requested him to, after he found the ammunition in [REDACTED] shoes. Cooke stated he talked to POWERS son about the ammunition and he told them it was for protection. Cooke said after receiving this information, he was going to go downstairs to tell the officers, but then the Officers started yelling at POWERS to not reach behind her back and then heard the gunshots. Cooke stated that Sage was at the bottom of the stairs when the incident happened and reported that Sage had cellphone video. Cooke provides additional information on the damage that POWERS did to the residence, and goes through cellphone pictures he had taken on his phone, of the damage.

The female officer asks more questions regarding POWERS mental state. Cooke stated that POWERS was confused, she seemed like she was rushed or working with a purpose, to help save the people that she claimed were being killed by the neighbors. Cooke stated this was the first time that he had heard POWERS made these claims before. The officer asks more clarifying questions about the shooting incident itself, specifically the direct aftermath. Cooke states after they hear the shots being fired they grabbed [REDACTED] and ran outside. Cooke said about a minute later the two officers also come outside. Cooke said that he heard Officer [REDACTED] state that he had blood on him, but he did not know if it was his blood, and it seemed like he was trying to find out if he was shot. Cooke indicated that he heard 4 to 5 shots being fired.

The next audio clip was labeled Axon_Capture_Audio_2022-12-14_171200_381 and is a continuation of the first audio clip this is described above. This audio is 2:17 long. Cooke states that he did not know who fired which shots, as he was not in the basement at the time of the shots. This is the only new information provided by Cooke in this audio clip.

I then reviewed surveillance video from the Waukesha Police Department that is labeled.Axon_Interview_- Room_13_- 270_- Cam_1. This video is timestamped 12/14/2022 at 1815 hours and is 2 Hours long. The next video is labeled Axon_Interview_- Room_13_- 270_-

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- Cam_2 and is the same video from a different camera. The area shown in the video appears to be a soft interview room and [REDACTED] and another unknown male civilian subject are in the video initially talking about [REDACTED] feelings regarding the incident. [REDACTED] did talk to this male subject about POWERS. [REDACTED] said that POWERS told him that school and work were done. [REDACTED] said that POWERS told him that this was the end and that something might happen. The male subject asked [REDACTED] about what POWERS meant by this, and he said he was not sure, that she did not specify. [REDACTED] said she told POWERS that he had to go to school - and that POWERS told him that he did not have to go anymore.

Two members of the Waukesha Police Department enter the soft interview room and make contact with [REDACTED]. The female officer, identifies herself as Shelly, and begins conducting a forensic interview with [REDACTED] regarding this incident. A summary of this interview is provided below. Shelly tells [REDACTED] that she has never met him before and asks [REDACTED] to tell her about himself. [REDACTED] then begins talking about his day. [REDACTED] said that it was a normal day until him and POWERS began hearing things. [REDACTED] said that POWERS started doing stuff - but did not provide details. [REDACTED] said that POWERS and him grabbed tools and whatever they could to protect themselves with. [REDACTED] advised that POWERS made him hold a plastic pumpkin carving knife and a piece of wood with a nail in it. [REDACTED] said that Bielinski attempted to get in the house and POWERS asked him to put things in front of the door so they could not get in. [REDACTED] said that Bielinski then called the police and he saw two police officers. [REDACTED] said that POWERS told Bielinski that they did not have permission to come in. [REDACTED] said he tried to get his mom to let Bielinski come in but she refused.

[REDACTED] stated that there neighbor then came outside - because she was wondering what was going on. [REDACTED] said after Beilinski and the neighbor talked more Police Officers came and additional unknown men were outside. [REDACTED] said he then heard the door open and saw Bielinski coming in. [REDACTED] said that he took off his left boot and POWERS put bullets in this boot. [REDACTED] said that POWERS had her gun downstairs, and he also had the two items in his hands to defend himself with. [REDACTED] said the police officer saw the two items in his hand, and he asked him to drop those things, and he did. [REDACTED] told Shelly that he then went by the other police officer. [REDACTED] said he heard the officer yelling at his mom to put the weapon down and he then ran for it. [REDACTED] advised that after he ran upstairs he heard 7 or 6 gunshots. [REDACTED] said he believed the first one was fired by POWERS. [REDACTED] told Shelly he then heard more gunshots, and heard the Officers tell POWERS to get on the ground, and he then ran out of the house. [REDACTED] then described the police response to his residence and who he spoke to - including police officers and family.

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Shelly then told [REDACTED] she was going to ask him some questions to attempt to get more details. Shelly asked [REDACTED] what his mom's name was and he responded - Katie Powers. Shelly asked [REDACTED] if he lives alone with his mom, and he said yes that he only lives with his mom, but that they live in a side by side so he has neighbors. Shelly asked [REDACTED] if he went to school that day and he stated no. [REDACTED] said that POWERS told him that school was done and over with - and that she said work was done as well. Shelly asked [REDACTED] some more questions about his schooling and POWERS work situation.

Shelly asked [REDACTED] to describe his entire day - specifically asking when [REDACTED] woke up and he did not know. [REDACTED] said when he woke up he and POWERS heard noises. [REDACTED] stated that he was very anxious about what was going to happen and he was concerned about Bielinski management coming and knew it was going to be bad if they came. [REDACTED] continued to talk about how POWERS told him he was not going to school anymore, how he attempted to talk about his dad and she asked him to stop, and that he asked POWERS to stop making loud noises. [REDACTED] said that POWERS tore up the house. Shelly asked [REDACTED] about the noises that they heard and [REDACTED] said it sounded like people were shuffling and moving around. [REDACTED] said they went downstairs and in the kitchen to check this noise out. [REDACTED] said his mom escalated, and began tearing up the house, and took a picture of a person that was in the wall. [REDACTED] said his mom got very upset after this and began crying. [REDACTED] said that he told his mom that they made a mess and asked how they were going to clean it up. [REDACTED] said that Bielinski asked to come in, and that POWERS told them to go into the neighbors basement, because people were dying over there.

Shelly asked [REDACTED] why he was so worried about Bielinski coming in. [REDACTED] said he was worried about them coming over because he did not know what they were going to do. [REDACTED] said that he wanted to open the door for Bielinski but he was worried about his mom being mad at him for doing so. [REDACTED] then goes on to talk about Bielinski's attempts to get in the house, how they called the cops, attempted to get in once unsuccessfully. [REDACTED] described overhearing the conversation between the cops and Aaron Cooke about waiting to come into the house until the next morning. Shelly asked [REDACTED] why he thought Bielinski was coming to the house and he said he believed it was because POWERS stole the keys to a Bielinski truck. Shelly asked [REDACTED] about POWERS stealing the keys to the truck. [REDACTED] said he was upstairs sleeping, woke up to his mom not there, and went downstairs to find her. [REDACTED] said when he found POWERS she told him that he had stolen the keys to the truck. [REDACTED] said that POWERS eventually returned the keys. [REDACTED] described

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the truck and the location of it. Throughout this conversation it appears that [REDACTED] believes that Bielinski is a person not a company.

Shelly asked [REDACTED] about tearing up the house. [REDACTED] does not provide many details, but said that his mom was tearing up the house, and she was doing so to find things. [REDACTED] said that POWERS actions were very loud and that he asked her to stop a couple times. [REDACTED] described POWERS cutting into a wall in the bathroom with a saw. Shelly asked [REDACTED] why POWERS was cutting into the walls and [REDACTED] said that POWERS was looking for people. Shelly asked [REDACTED] why she was doing this. [REDACTED] answer to this question was confusing and hard to comprehend. [REDACTED] stated that ever since they moved into the house things had been "switched". [REDACTED] told Shelly that they would wake up, items would be switched around, and moved, and that the house felt like it was on hydraulics. [REDACTED] also mentioned that POWERS felt like she had been kidnapped.

Shelly then asks [REDACTED] about POWERS and himself grabbing tools to protect themselves. [REDACTED] said that they were grabbing tools, and packing, just in case they were going to leave in the car. [REDACTED] said when he was packing up the tools, POWERS gave him two things to defend himself with, along with a purse. [REDACTED] stated that he did not know why he was given the purse - and that it contained a bunch of unknown papers. Shelly asked [REDACTED] about the bullets in the boot and if they were still in his boot and he stated no. [REDACTED] said that someone took the bullets out of his boot when he was at the house. [REDACTED] said that POWERS put bullets in his boot in an attempt to hide them. Shelly then asked [REDACTED] about POWERS firearm. [REDACTED] stated that POWERS had the gun, that the safety was on, and it was loaded. [REDACTED] said that he saw his mom turn the safety off and then observed POWERS put more ammunition in the gun. [REDACTED] also reported seeing a bullet come out of the gun - his description made me thing that POWERS discharged a bullet from the chamber. [REDACTED] said that the gun was purchased by his father for POWERS. [REDACTED] described the gun as a pistol and handgun. Shelly asked [REDACTED] what happened after POWERS loaded the gun with ammunition and he said that she put the firearm down and continued to damage the house.

Shelly then asked [REDACTED] about Bielinski coming into the house. [REDACTED] said he heard the Bielinski employees and the cops come into the house. [REDACTED] said he asked his mom to take off his boot, that had the bullets in it, and she would not let him. Shelly asked [REDACTED] where he was when Bielinski and the cops entered the house and he said he was by the bathroom near the basement steps. [REDACTED] said at this time POWERS was downstairs. Shelly asked [REDACTED] what POWERS was saying at this time and he said that POWERS told the cops multiple times that she was coming upstairs multiple

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times but never went. [REDACTED] described the police officers coming downstairs and shining a flashlight at him. [REDACTED] said that he heard the officers ask his mom to put her hands up, and she did. [REDACTED] told Shelly that the police officer saw what was in his hands and told him to put them on the ground - so he did. Shelly asked [REDACTED] where the gun was at this time, and he said it was right by the "big knife". [REDACTED] said the big knife and gun were by POWERS. Shelly asked [REDACTED] if POWERS was holding the knife or gun or if it was sitting somewhere and [REDACTED] said it was sitting somewhere.

[REDACTED] later states the gun was sitting on a tiny shelf in the basement that had drawers in it. Shelly then asks questions again about the weapons [REDACTED] was holding and how he was holding them. Shelly asks [REDACTED] what he saw after he had dropped the weapons and began to walk away from POWERS. [REDACTED] said he saw the officers flashlight and the officers gun out ready to take fire at his mom at any moment. [REDACTED] said he then ran upstairs to be safe.

Shelly then asks personal and background questions to [REDACTED] that are unrelated to the investigation. Shelly leaves the room for a short time and then asks additional questions about the incident. Shelly asked [REDACTED] how he knew there was police at the door. [REDACTED] said that he peeked out the door and he recognized them as police due to there uniforms. [REDACTED] then describes the two officers, said one had glasses and the other one had a beard, and they were both wearing police uniforms. Shelly asked [REDACTED] to describe the uniform. [REDACTED] said he observed a holder on one side and a taser on the other. Shelly asked [REDACTED] if there was any writing on what the police were wearing. [REDACTED] said that he did observe something on the two officers that said police but could not describe where. Shelly asked [REDACTED] what the police said when they entered the house and he said that they requested that they come out with there hands up. Shelly asked [REDACTED] if the police said why they were there and [REDACTED] said no.

[REDACTED] said he was going down in the basement when the police came in because he wanted to see what the commotion was. [REDACTED] was asked to describe the commotion and he stated that things were being moved around and people walking around. Shelly asked to clarify his statements due to him saying earlier that he was upstairs when the police came in and now he was saying he was downstairs. [REDACTED] stated he was on the step for the basement, and when he heard them, he quickly went down into the basement. [REDACTED] said when he gets down the steps POWERS is right by him and then she goes back to hide behind the heater [REDACTED] said she followed POWERS to this area. Shelly asked questions to [REDACTED] about what POWERS is saying during this time and he states that POWERS kept telling the police that she was coming. [REDACTED] said when POWERS never did actually go upstairs the police came down into the basement. [REDACTED] says 3 or 4 police officers are in the

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basement at this time. Shelly again asks [REDACTED] about the location of the gun. [REDACTED] says that it was on the shelf in the drawer. Shelly asked if he has ever seen the gun anywhere else - and he said he saw it on a different table not in the basement. Shelly asked [REDACTED] if he ever saw the gun elsewhere in the basement - [REDACTED] said that he had given the gun to his mom at one point. Shelly asked more questions about this. [REDACTED] said that the gun was sitting on the shelf, and POWERS told him the safety was on, and he grabbed it and gave it to his mom. Shelly asked [REDACTED] when he would have given the gun to POWERS - [REDACTED] said this was when him and his mom were sitting on the floor. Shelly asks more questions to see if [REDACTED] can describe where and when this happened but [REDACTED] answers do not provide any clarity. Shelly then asks additional questions about him and his mom's contact with the police and Bielinski in the basement. [REDACTED] provides limited new details when speaking about this other than what was described above. [REDACTED] did describe that Bielinski employees ran up the stairs with him after the cops told him to go up. [REDACTED] also stated that he provided the Bielinski employees with the bullets that were in his boot. [REDACTED] said right after he gave the bullets to the Bielinski employees is when he hears the gunshots and they all run outside together after this. The remainder of the conversation between [REDACTED] and Shelly provided no additional relevant information.

The next video I reviewed is the drone video that was captured prior to officers entry into the residence to conduct the offender rescue after the shooting had occurred. This video is 1:18 long - there is no timestamp on the video. The video depicts the basement of the residence and you can clearly observe POWERS body. POWERS is wearing a yellow sweater, jeans, and boots, and has a purse slinged across her body. You can see blood on POWERS yellow sweater. You can also clearly observe the firearm laying on the ground next to POWERS feet. POWERS is not observed moving in this video and does not appear to be breathing.

The next video I reviewed was labeled Shots_Fired_to_be_redacted_for_release. This video is 1:22 long and is time stamped 12/14/2022 at 1607. This is the same video that is described in Video 1 earlier in the report. See above paragraphs for description of this video. The only difference between these two videos is that the video is off better quality and you can clearly view the timestamp. The last video I reviewed in this folder was labeled Shots_fired_to_be_released. This is the same video described in Video 1 as well.

Detective Wallander reviewed the video in the folders labeled evidence.com_case_22-48209_package_2_of_2_created_2022-12-15T2 0_11_00Z and

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evidence.com_evidence_package_1_of_1_created_2022-12-28T17_16_37Z. See his supplemental report for additional information on these videos

Officer Shannon Riddle, #112
SKR

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NARRATIVE

Friday, 12/16/2022 at 9:00AM

On the above date and time, I responded to 515 W Moreland Blvd, Waukesha County Medical Examiner's Office, along with Officer Triumph and Officer Riddle to witness the autopsy that was going to be performed on KATIE L. POWERS, F/W, DOB: 05/30/1982. I was advised while processing the crime scene on 12/14/2022 by the Waukesha County Medical Examiner's Office Staff to bring every firearm collected and samples of the ammunition. I had removed the three pistols recovered from the incident and the like ammunition from the Greenfield Police Department Property Room. Also in attendance for the autopsy was Waukesha Police Department CID Sergeant Ian Dekarske and Det. Ken Stucker and from the Waukesha County District Attorney's Office, Assistant District Attorney Alyssa Jay. The autopsy was performed by Associate Medical Examiner Amy Sheil, M.D. POWERS was removed from the freezer area and I observed that the lock #0003307 was still intact. The lock was cut by the Waukesha County Medical Examiner's Staff where I observed that POWERS' hands were still bagged. There were multiple clothing items still on. After POWERS was photographed, her clothing was removed and placed onto a table to dry and get photographed. It should be noted that in POWERS' left boot, four GECO brass colored .380 caliber bullets were located. In the POWERS' right boot a school compass was also located. Collected clothing items are as follows:

- One pair of red colored winter boots
- Two pairs of socks- one green and one grey
- One pair of blue jeans
- One pair of black leggings
- Two pairs of underwear- both black and pink in color
- One black colored bra
- One maroon long sleeve waffle pattern shirt
- One yellow sweater
- One grey colored purse
- One black AV cable

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Inside of the POWERS' grey purse was the following:

- 89 loose unfired GECO .380 caliber bullets
- \$1.21 in loose change
- One .380 caliber pistol magazine containing four GECO .380 bullets and one Hornady .380 bullet
- One fruit roll up
- One granola bar
- One charging block
- One safety pin
- One bottle of hot sauce
- Two pieces of wood
- Two candles
- One Bic lighter
- One screwdriver
- One set of four various screw driver heads
- One bottle opener
- One Ziploc bag
- One small plastic baggie containing 14 peach colored round pills

Using drugs.com pill identifier, which I have used in the past and know to be accurate, identified the pills as Adderall 20mg. An x-ray was completed on the deceased and observed that there was a metallic object in the left chest area and several metal pieces in POWERS' right thigh and hip area. Four total defects were located on the deceased. Two defects were in the right rib area, one defect in the right thigh area, and one defect in the right shoulder blade or back. Metal fragments were removed from POWERS' thigh and hip area and what appeared to be a fired bullet was removed from POWERS' left chest. Dr. SHEIL stated that the cause of death was multiple gunshot wounds and the manner of death as homicide. Due to the pills that were located in POWERS' purse and the preliminary drug screen that was completed a more in depth drug screen was requested. Below this narrative will be the property sheet for the evidence and other items recovered during the autopsy. All evidence turned over to me was transported to the Greenfield Police Department Property room where it was inventoried and placed into a property locker. A further supplemental report will be completed once I have been provided with the final cause of death and toxicology reports. This is all of the information I have for this case at this time.

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Detective John J. Lucas #94

JJL

OTHER NAMES

Powers, Katie L W/F-40
of 1623 Oakdale Drive
waukesha, WI, 53189
DOB: 05/30/1982
Phone 1:(262) 993-7853

Item#	Type	Reason
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23-000026 - 1 Article Evidence

Description:

One yellow blood stained sweater

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 2 Article Evidence

Description:

One maroon blood stained long sleeve shirt

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 3 Article Evidence

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Description:

Pair of red colored boots

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 4	Article	Evidence
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Description:

Purse with misc contents

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 5	Article	Evidence
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Description:

Pair of blue jeans

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 6	Article	Evidence
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Description:

Hair tie that was in hair at time of autopsy

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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23-000026 - 7 Article Evidence

Description:

Numerous body piercings removed at time of autopsy

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 8 Article Evidence

Description:

School compass from right boot and hair ties

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 9 Article Evidence

Description:

Handbags recovered at time of autopsy

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 10 Article Evidence

Description:

Pair of black leggings

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Continuation

Incident Report Number	Incident Location:	Incident Date:
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Item# **Type** **Reason**

23-000026 - 11 Article Evidence

Description:

89 loose GECO bullets and magazine with 1 Hornady a 4 GECO FMJ bullets found in purse

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

23-000026 - 12 Article Evidence

Description:

AV cable tied around waist of POWERS

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

23-000026 - 13 Article Evidence

Description:

Pink and black underwear removed at autopsy

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

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

23-000026 - 14 Article Evidence

Description:

1 black bra removed at autopsy

Continuation

Incident Report Number	Incident Location:	Incident Date:
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Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 15	Article	Evidence
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Description:

2 pairs of socks one gray one green removed at time of autopsy

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 16	Article	Evidence
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Description:

4 unfired bullet casings found in left boot

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 17	Article	Evidence
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Description:

Rubber glove removed from POWERS' right hand

Quan/Value: 1.000 / \$2.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 18	Security	Evidence
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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Description:

\$1.21 found in POWERS' purse

Type: Coin - Federal Reserve

Quan/Value: 1.000 / \$1.21

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 19	Article	Evidence
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Description:

DNA card

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 20	Article	Evidence
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Description:

Left fingernail clippings

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 21	Article	Evidence
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Description:

Right fingernail clippings

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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Continuation

Incident Report Number	Incident Location:	Incident Date:
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23-000026 - 22 Article Evidence

Description:

Pulled scalp hair

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 23 Article Evidence

Description:

Two grey and one copper colored metal fragment from right thigh

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
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23-000026 - 24 Article Evidence

Description:

One gray and copper colored metal projectile from left chest

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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NARRATIVE

Friday, 01/06/2023 at 11:38AM,

On the above date and time, I responded to the Wisconsin State Crime Lab to submit evidence for this case. Once I arrived at the State Crime Lab, I was met by State Crime Lab employee CLAUDIA MORENO. I provided MORENO with one heat sealed plastic bag containing a projectile recovered from left chest of KATIE L. POWERS at autopsy contained in sealed metal can (Greenfield Police Department Property #23-000026-24), one sealed manila envelope containing fired bullet recovered from floor next to furnace at scene (Greenfield Police Department Property #22-002891-004), one sealed box containing handgun described as Taurus Spectrum .380 with one unfired cartridge and magazine (Greenfield Police Department Property #22-002891-005), and one sealed box containing handgun described as a .40 cal Glock 23 Gen 4-P12 recovered from Officer [REDACTED] (Greenfield Police Department Property #22-002893-12). I was also provided with a Receipt of Physical Evidence form that was signed by CLAUDIA. The Receipt of Physical Evidence form provides a Wisconsin State Crime Lab case#R22-3544. A copy of the Receipt of Physical Evidence Form will be attached to the case file. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

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NARRATIVE

December 14, 2022 4:30pm

On the above date and time, I was notified through the Milwaukee Area Investigative Team (hereafter MAIT) that there was a potential for the team callout to the City of Waukesha for an officer involved shooting in which a Waukesha Police Officer had been shot. At this time it had turned into a barricaded subject and it was unknown if the offender was deceased. The Greenfield Police Department was the lead investigative agency for this incident.

At approximately 5:20pm, the MAIT was updated that the female shot by police was deceased and this would be a callout to the City of Waukesha. We were instructed to meet at the Waukesha Police Department for the briefing.

I arrived at Waukesha Police Department, 1901 Delafield St, Waukesha WI at approximately 5:50pm. Shortly after I arrived, Lt Jerry Habanek provided an overview of what had occurred.

I learned that at 15:35 hours, Waukesha Police Officers were sent to 1623 Oakdale Dr, City of Waukesha, Waukesha County for a check on welfare type call. The Patrol Officers assigned to this call were Officer [REDACTED] and Officer [REDACTED]

There they met with a property manager AARON COOKE from Bielinski Management requesting assistance with the tenant in this rental property. The neighbor in the attached unit at 1621 contacted COOKE about the female resident in unit 1623 identified as KATIE L POWERS, DOB 05/30/82 was drilling into the concrete in the basement. COOKE had reported upon his arrival that POWERS would not answer the door and was saying that the neighbor that called are killing people in the basement. COOKE had requested Waukesha Police Officer to stand by while he goes into the unit to talk with POWERS.

Lt Habanek played a portion of the body camera footage from Officer [REDACTED] body camera. Lt Habanek stated that the body camera for Officer [REDACTED] was still on scene.

Watching the body camera footage, Waukesha Police subsequently assisted COOKE and other

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Bielinski employees by entering the residence to check on POWERS. Waukesha Police Officers verbally announced themselves at the top of the basement stairs requesting POWERS to show herself and come talk to them. When POWERS refused to comply, both Officer [REDACTED] and Officer [REDACTED] went down to the basement where they encountered POWERS and her [REDACTED] year old son identified as [REDACTED] standing next to the furnace. After numerous request to keep her hands visible to them and to walk out from behind the furnace, the [REDACTED] year old son [REDACTED] did comply and walked away from the furnace after dropping something he was holding. This was originally reported to be some type of "shank".

[REDACTED] complies with Officers direction to go upstairs which he does. Officers then continue to get POWERS to comply with commands to show her hands as she was still behind the furnace. As Officer [REDACTED] moved in along with Officer [REDACTED] POWERS does not comply with Officers and as they go to gain control of her, POWERS crouched down to avoid being controlled by officers. Very quickly after that, POWERS presents a firearm from somewhere and shot in the direction of Officer [REDACTED] Officer [REDACTED] returned fire at which time they retreat from the basement.

This was a quick view of the body camera from Officer [REDACTED] body camera of the incident to show MAIT Investigators what had occurred and a further more detailed analysis of Officer [REDACTED] body camera footage was later reviewed by MAIT Investigator Shannon Riddle.

As the lead agency for this MAIT assignment, Greenfield Detective Scott Simons was the team leader and had assigned me to handle the collection and analysis of all digital evidence. This included body worn camera footage, drone video, and police radio communications. Officer Shannon Riddle also was assigned to assist me with this.

I was informed by Detective Simons that Waukesha Police Lt Habanek would be the point of contact to obtain the digital evidence from and provided me his business card. Later that same evening, 12/14/22, I emailed Lt Habanek and requested this information be forwarded to me once compiled.

On the following date, 12/15/22, I received an email link through Evidence.com containing information two zip folders of information, one containing approximately 18.2GB (Package 1) and the other 10.7GB (Package 2). Officer Shannon Riddle started to go through this information.

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Officer [REDACTED] Body Camera Video

Officer [REDACTED] [REDACTED] body camera had been collected at the crime scene by other investigators and it was found to have sustained damage during the shooting. This camera was subsequently sent to Axon to determine if any information from the camera could be retrieved.

On 12/28/22 while on vacation, I received two emails through Axon Evidence.com from Waukesha Police Lt Habanek which contained two separate body camera videos from Officer [REDACTED] body camera. The email indicated that Axon was able to recover a portion of the video while Officer [REDACTED] was in the basement but abruptly stops when it is damaged.

Upon returning from vacation the following week, I learned that Detective Lucas also had received this same information and had already downloaded to our internal drive.

I viewed the videos for Officer [REDACTED] body camera. This is a synopsis of what I viewed and not intended to be a transcription of everything said or done. For further details, the videos should be viewed.

First Officer [REDACTED] Video

Officer [REDACTED] body camera has a serial number on the screen of [REDACTED]. This video starts at 15:46 and Officer [REDACTED] is exiting his squad after already arriving at the Oakdale Dr address. Upon exiting, he is met by Waukesha Police Officer [REDACTED] and the caller, AARON COOKE, the Property Manager for Bielinski Management.

COOKE explains to the Waukesha Officers that when he arrived he could hear the sound of a jackhammer or a hammer drill while he was outside. COOKE said that the neighbor is the one that called him. COOKE said he pounded on the door and talked with KATIE POWERS through the window and she refused to answer the door. COOKE said he told POWERS he was from Bielinski Management and she told him that she knew who he was but was not going to let him in. When COOKE asked POWERS what she was doing in the basement, she told COOKE that the neighbors were "killing people".

Continuation

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Officer [REDACTED] asked COOKE if he had provided a notice to enter the unit and he said he did not.

Officer [REDACTED] also asked COOKE if he felt there was an emergency to justify an inspection.

COOKE said he felt there was based on potential damage she was doing to the foundation.

At that time, they approach the front door and Officer [REDACTED] attempted to communicate with POWERS by knocking on the front door. Officer [REDACTED] asked who lives in the unit and COOKE tells Officer's that POWERS is the only one on the lease however she has children and that he saw there is a child inside with POWERS. COOKE told Officer [REDACTED] that POWERS had previously caused damage to the garage by putting a hole in wall.

After receiving no answer, Officers asked COOKE what he would like to do and said that they could stand by to keep the peace if he felt he had to enter. COOKE said he would like to open the door and yell for her to see if she would talk to him. COOKE does this by using his key to unlock the deadbolt but finds the door is barricaded by something to prevent the door from opening and only opened a few inches.

COOKE does engage in a conversation with POWERS through the door however the body camera audio can not pickup what POWERS was saying. COOKE tells POWERS that he needed to do an emergency inspection of the basement. He advises her that the police were there with him and that if he didn't do the inspection now he would have to do it in the morning. COOKE tells POWERS that he was providing her notice that he would be back in 12 hours.

COOKE then asks POWERS what she was going on in the basement. COOKE asked POWERS if she is digging in the basement and then says "that's not safe" and that he was trying to help her. COOKE explained that he had a right to come in to inspect because she doesn't own the building. COOKE further explains to COOKE he has authority to inspect the property upon notice and tried to get her to allow him to inspect the property now. After POWERS does not comply with COOKE'S request, he told Officers that he would come back in the morning. Officer [REDACTED] suggested that he should contact the police department again if he decides to come back to make his inspection and that their department has had numerous contacts at this residence recently so its probably best to call them back tomorrow. The video ends with them leaving at 15:56.

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Second Officer [REDACTED] Video

Officer [REDACTED] second body camera video starts at 16:02 and again meets with Officer [REDACTED] at the front of POWERS residence. At this time, COOKE has two other persons with him from Bielinski Management. They walk to the side door on the south side of the residence and make entry into the kitchen area.

COOKE is at the top of the basement stairs along with Officer [REDACTED] who announces themselves to POWERS stating that they were there to complete an inspection of the property. The body camera audio picks up a faint female voice of POWERS talking but it is not audible enough to understand. Officer [REDACTED] asks POWERS if she needed some help.

Officer [REDACTED] noticed the refrigerator was unplugged and had rotting food in there. At 16:07, both Officer [REDACTED] and Officer [REDACTED] make their way down the stairs to check on POWERS as she was not complying with coming up stairs. As they both get to the bottom of the stairs, they turn to the left and confront POWERS next to the furnace. Officer [REDACTED] tells POWERS to let him see her hands.

As Officer [REDACTED] walks to the right side of the furnace he finds POWER'S son and tell him "put it down, put it down". POWERS tells the Officers "You guys are doing this on purpose". Officer [REDACTED] orders the juvenile to come out from behind the furnace and he complies with his hands visible. As this is happening, [REDACTED] is yelling towards POWERS who is not visible and behind the furnace, "Don't reach for anything, Don't reach for anything!" As this is happening, Officer [REDACTED] is ordering the juvenile to get upstairs and he is seen pass by Officer [REDACTED]

Officer [REDACTED] removes his Taser from his holster and directs it towards POWERS who is now visible but still partially behind the furnace. Officer [REDACTED] asks POWERS what she has in her hand. In POWERS right hand was a red cellphone. POWERS had something small in her left which may have been a lighter and a cigarette in her mouth. POWERS is saying "I was going to smoke". Officer [REDACTED] tell her "Drop it on the ground" and POWERS does not comply with that request at which time Officer [REDACTED] says she is "going to get tased". POWERS then says "Stop, I was going upstairs, give me my son". At this time the body camera video stops at 16:08.

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Additional Waukesha Police Officer Body Camera Footage

I reviewed additional body camera video provided by Waukesha Police Department from Waukesha Police Officer's that were secondary responding units after the shooting occurred. My review of the videos are a basic summary of what I viewed for each video and not meant to be a transcription with everything observed and said as this would be very difficult and confusing in a written format. For further details the videos retained as part of this investigation should be viewed. I do not have the Waukesha Police Officer's names for each of these cameras and are categorized by unique serial numbers.

Body Camera [REDACTED]

This officer's body camera starts at 16:09:46 hours and is a view from inside the squad responding to the scene. Upon arrival, the officer obtains a rifle and exits the patrol vehicle. It appears this officer is the first additional officer to arrive on scene and met with Officer [REDACTED] and Officer [REDACTED] at the side door (south) of the residence. Officer [REDACTED] was maintaining cover at the side door as this officer escorts Officer [REDACTED] to a position of cover near the garage to assess him for injuries sustained in shooting. This officer responds to dispatch as [REDACTED] when asked if he was on scene.

Officer [REDACTED] tells this officer that he felt a pressure up on the chest area of his vest and thinks she shot off his camera as it was no longer attached to his exterior vest carrier. After this brief assessment, this officer returns to a position of cover with Officer [REDACTED]

At approximately 16:25 hours, you can hear the Waukesha Police deploy a drone into the residence to clear it. This officer maintains a perimeter position as the drone clears through the residence. At approximately 17:14 hours, radio transmissions heard indicate that the house had been cleared by tactical officers and the fire department was being sent inside. The officer with this body camera does not enter the house and ends the video at 17:22 hours.

Body Camera [REDACTED]

This Officer's body camera starts at 16:12 hours and arrives at 16:14 hours and joins other officers at the side (south) entrance door. At 16:51, this officer moves with the others to take a position

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Continuation

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behind the Sheriff's armored vehicle while maintaining perimeter on the south door while the drone clears the residence. At 17:02, the tactical team makes a plan to move into the house and to the basement. This officer is part of that entry team and they enter the south door at approximately 17:09. Audio on the video indicates a female officer on the entry team attempts verbal contact with "Katie" and receives no response. The tactical team then moves down stairs along with the drone. The officer with shields move towards the furnace. I could hear an officer indicate he could see a gun at her feet and no movement and an officer checks vitals. The officers determined the basement is clear and request fire personnel to enter. The Waukesha Fire Department medics then assess the patient. The body camera view does not show them treating the patient and could hear them say no transport would occur. At 17:20 this officer goes back upstairs and exits the house. This officer provides his name to another Waukesha Officer upon exiting as Officer Richard Young III. Officer Young then checks out with the Command Post and clears the scene. The video ends at 17:26.

Body Camera [REDACTED]

This Officer's body camera started at 16:12 and arrives at 16:13. The Officer takes position of cover with other Officers behind a tree near the street on the NE corner of the residence. This officer remains at this location until 17:13 when radio traffic is heard that the house was clear. The officer then assists with placing yellow police tape around the residence. The video ends at 17:30.

Body Camera [REDACTED]

This video starts at 16:15. This female Officer is already on scene and has a shield near the garage in the alley. The Officer then moves to join other Officers at the south entrance door to maintain a visual into the residence. At 16:47 this Officer goes to her squad parked in the alley and returns to the other officer's location on the south side of the house behind the armored vehicle while the drone clears the house. At 17:09, this officer is part of the tactical entry team and makes entry into the house. After entry into the home and the other Officers made entry into the basement, this officer remained upstairs for a few minutes. At 17:18, the officer goes downstairs and remained at the base of the steps. At 17:20 this officer goes back upstairs and exits. At 17:28, this officer is back in her squad and the video ends.

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Body Camera [REDACTED]

This video starts at 16:16 with the Officer already on scene and approaches the south side door from the alley with a shield. This Officer remains at the south door while the drone is inside the residence. This Officer along with others move to a position of cover behind an armored vehicle. At 17:09 this Officer enters the residence and is part of the entry team that goes into the basement. Due to holding the shield, a lot of the camera view is blocked. At 17:12, this officer approaches POWERS near the furnace and mentions the gun is on the floor and tells other there is no movement from her. The officer then helps clear the remaining portions of the basement. At 17:21 this officer exits the residence. This officer checks in with the Command Post and then makes his way back to his squad parked in the alley behind the residence. The video ends at 17:28.

Detective Brian Wallander #91

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New Incident:		

NARRATIVE

Friday, 01/06/2023,

On the above day and date, I received the Axon Body Camera from Axon. The device was shipped with its original packaging as evidenced by my initials on the tape. Also with the processed body camera I received 42 photographs that were taken. They are listed in RMA449885_Photos and are split into two separate folders. The first folder is labeled "Check In" and contains 37 photographs. The second folder is labeled "Check Out" and contains 5 photographs. These photographs have been attached to the case file in the Archive Media Folder. The Axon Body Camera was placed back into property. In speaking with Sr. Investigations Engineer Bryan Chiles, RMA Engineers will be completing reports for how the body camera was processed and I will attach them once they are received. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

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NARRATIVE

Thursday, 01/05/2023,

On the above day and date, I was requested by Detective Simons to forensically analyze the electronic devices that were collected in this case. The four items are as follows:

- One red Apple iPhone with cracked screen that was removed from Greenfield Police Department Property #22-2891-15(Greenfield Police Department Property #23-000033-2)
- One black iPad with Apple pencil that was removed from Greenfield Police Department Property #22-2891-15(Greenfield Police Department Property #23-000033-1)
- One Apple iPhone 14 (Greenfield Police Department Property #22-002891-24)
- One Apple iPhone 11 (Greenfield Police Department Property #22-002891-26)

I used GreyKey, which is a cellphone data extraction tool, to analyze the devices. Once the data was extracted from each device, the data was placed into Cellebrite Physical Analyzer which then created a Cellebrite Reader Report. Due to the size of the data extractions the data was unable to be placed onto a disk. The data will remain on the Greenfield Police Department Servers. Once the devices were analyzed, the devices were re-packaged. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

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NARRATIVE

Friday, 01/13/2023,

On the above day and date, I received a body camera report from Axon Sr. Investigations Engineer BRYAN CHILES that he had received from Axon's RMA Engineering Supervisor BRYAN HARRIS. The body camera report will be attached to the case file. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

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NARRATIVE

Monday, 01/16/2023 at 1:08PM,

On the above date and time, I received a Death Certification Summary from the Waukesha County Medical Examiner's Office regarding KATIE L. POWERS, F/W, DOB: 05/30/1982. The Death Certification Summary states the Cause of Death as "multiple gunshot wounds". The Manner is listed as Homicide. For further information regarding this form see the attached document. This is all of the information I have for this case at this time.

Detective John J. Lucas #94

JJL

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NARRATIVE

Wednesday, 01/18/23

On the above day and date, I submitted information to ATF in regards to a Taurus .380 semiautomatic handgun, serial #1F078706.

Results indicated the firearm was purchased on 09/20/19 by STEVEN M. STRUBE, [REDACTED] [REDACTED] The firearm was purchased from The Shooters Shop, 2465 South 84th Street, West Allis.

It should be noted that in conducting the trace, it appeared the Waukesha Police Department had previously conducted a trace on this weapon. The weapon had been recovered by them in an investigation on 09/08/22.

CIB Captain Chuck R. Fletcher #105

CRF/jbw

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NARRATIVE

Wednesday, 2/22/23

On the above day and date, I received details from Waukesha Police Department Captain James "Ty" Hoffman. These details identified the Waukesha Police personnel assigned to specific body worn cameras recovered as part of this investigation. The body worn camera serial numbers were documented in the supplemental reports by Detective Brian Wallander and Detective Shannon Riddle. The personnel assigned to each body worn camera are as follows:

- [REDACTED]
- [REDACTED] [REDACTED] [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED] [REDACTED]

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- [REDACTED] [REDACTED]

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- [REDACTED] [REDACTED]

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- [REDACTED] [REDACTED]

Detective Scott Simons #90

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NARRATIVE

Friday, 03/03/23

On above day and date, Detective John Lucas and I met with Waukesha County District Attorney (DA) Sue Opper, other Waukesha County officials, and family members of the decedent, KATIE L. POWERS.

DA Opper discussed the investigation with family members and advised no charges would be issued against officers involved in this incident. The formal and detailed decision is electronically attached to this case file.

Detective Scott Simons #90

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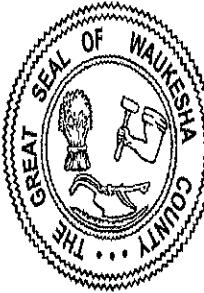
District Attorney
Susan L. Opper

Deputy District Attorneys
Lesli S. Boese
Ted S. Szczupakiewicz
Michael D. Thurston

Office Services Coordinator
Julie A. Moelter

Victim/Witness Program
Jennifer S. Dunn, Coord.

Support Staff Supervisor
Rebecca L. Gifford



Assistant District Attorneys
Mary C. Brejcha
Andrea M. Will
Lindsey H. Hirt
Abbey L. Nickolie
Melissa J. Zilavy
Shawn N. Woller
Kristina J. Gordon
Jack A. Pitzo
Molly M. Schmidt
Zachary A. Wittchow
Randolph P. Sitzberger
Claudia P. Ayala Tabares
Peter M. Tempelis
Edward M. Bremberger
Patrick R. Campbell
Andrew M. Nesheim
Chelsea C. Thompson
Christian A. Farina
Alyssa M. Schaller
Alyssa M. Jay
Charles P. Hoffmann

Waukesha County *Office of the District Attorney*

March 3, 2023

REPORT ON THE USE OF DEADLY FORCE BY OFFICER [REDACTED] 2022WK007525

I have completed my review of the investigation into this incident occurring December 14, 2022 at 1623 Oakdale Drive in the City of Waukesha. During the incident, Officer [REDACTED] used deadly force against Katie Powers, resulting in her death. For the reasons stated below, I conclude that Officer [REDACTED] use of deadly force was warranted and necessary to prevent imminent death or great bodily harm to himself or others.

Waukesha Police Officer [REDACTED] were dispatched to 1623 Oakdale Drive to assist the landlord of the residential rental property at this location. The property is a side-by-side duplex with Katie Powers and her [REDACTED] year old son occupying the south unit. Neighbors in the north unit, 1621 Oakdale Drive, had reported to the landlord that Powers was apparently drilling into the foundation of the residence and causing damage. Powers had a known history of mental illness and this was made known to the officers by dispatch. Officer [REDACTED] also used his squad computer *en route* to query the premise history which revealed prior mental health related calls, juvenile problems, and potential child protective service issues at the address. Officer [REDACTED] shared this information with Officer [REDACTED] as they stood outside the residence.

Officers [REDACTED] and [REDACTED] stood by as the landlord attempted to make contact with Powers. When Powers refused to answer the door, the landlord entered due to the ongoing destruction of property believed to be occurring inside. Upon unlocking the door, the landlord found the door to be barricaded shut by the stove. The landlord was able to push the stove aside and make entry. Two other employees of the property management entered. Officers [REDACTED] and [REDACTED] then entered at the request of the landlord to assist in keeping the peace.

Once inside, both Officers observed the home in disarray and unsafe living conditions for Powers and her 12-year old son, who was known to be present at the time. The landlord located Powers and her son in the basement, but she refused to come up. Officers concluded it was necessary to check on the well-being of Powers and her son and possibly render emergency aid due to the mental instability of Powers and the possible child neglect of her son. Officer [REDACTED] stated in his interview that with knowledge of the original information that the tenant was drilling in the basement, the exterior door having been barricaded, the poor living conditions, the premise history, and the female tenant refusing to come upstairs, they made the decision to go down into the basement to make contact with the female to check her well-being and to see if the juvenile was safe. Officer [REDACTED] said in his interview

that he overheard Officer [REDACTED] talking to one of the maintenance men that the refrigerator was unplugged and the food inside was moldy. Officer [REDACTED] was thinking they would have to possibly get Waukesha County Crisis involved and this was becoming a child neglect and mental health investigation.

Officer [REDACTED] initially stood at the top of the stairs and tried to get Powers to come up, calling to her several times. She verbally indicated she would come up, but failed to actually do so. When she refused, they went down.

Powers was found in a back corner of the basement, near the furnace. Her son was standing nearby and was holding an object, similar to an ice pick. Officers commanded the son to drop his weapon, which he did and then went upstairs as directed by the officers. Officers tried talking to Powers and get her out from behind the furnace and walk upstairs where they could talk further, but Powers would not comply. Powers moved toward the weapon that had been discarded by her son. Officers then gave Powers commands to show her hands as she was still behind the furnace. As Officer [REDACTED] moved in along with Officer [REDACTED] Powers does not comply with Officers and as they go to gain control of her, Powers crouched down to avoid being controlled by officers. Very quickly after that, Powers produced a firearm from somewhere and shot at Officer [REDACTED] from very close range. Officer [REDACTED] was temporarily dazed and then saw [REDACTED] was still physically struggling with Powers. Officer [REDACTED] returned fire, striking Powers. Officer [REDACTED] fired a total of three times. He reported he fired once but saw it had no effect on Powers and he had not seen her drop the gun, so he fired two more times. After firing the third time, he saw Powers go down and stop struggling and the threat appeared to be stopped. Both officers then retreated from the basement.

All of these facts were corroborated by video recordings from Officer [REDACTED] and Officer [REDACTED] body cameras and one of the landlords who was recording on his cell phone.

It was later determined the bullet fired by Powers struck the body camera being worn by Officer [REDACTED] causing the camera to become dismounted and damaged. Immediately after being shot, Officer [REDACTED] felt pain in his chest and later it was determined he had minor injuries, but he was not more seriously hurt.

Katie Powers was pronounced dead at the scene. An autopsy was performed and four total defects were located on her body: two defects were in the right rib area, one defect in the right thigh area, and one defect in the right shoulder blade or back. Dr. Sheil determined that the cause of death was multiple gunshot wounds.

Use of deadly force by a law enforcement officer is analyzed in the same manner as the use of deadly force by any person. Under Wisconsin law, a law enforcement officer has a legal privilege to use deadly force to protect themselves or others where the officer reasonably believed that there is an actual or imminent unlawful interference directed at themselves or another person and the officer actually and reasonably believes that such force is necessary to prevent imminent death or great bodily harm to themselves or the other person. Wis. Stat. §939.48(4); Wisconsin Jury Instructions-Criminal 830. Under this privilege, the reasonableness of the officer's actions is to be judged from the standpoint of an ordinary, prudent, and reasonably intelligent person in the officer's position, having the knowledge and training that the officer possessed, and acting under the circumstances that existed at the time.

§175.44, Wis. Stats. further controls the use of force by law enforcement officers. According to §175.44 (2), Wis. Stats.:

When using force, a law enforcement officer is required to act in good faith to achieve a legitimate law enforcement objective. A law enforcement officer is authorized to use force that is objectively reasonable based on the totality of the circumstances, including:

1. The severity of the alleged crime at issue.

2. Whether the suspect poses an imminent threat to the safety of law enforcement officers or others.
3. Whether the suspect is actively resisting or attempting to evade arrest by flight.

Under the circumstances stated above, I conclude that any reasonable person in Officer [REDACTED] position would have determined that an imminent danger of death or great bodily harm to himself and others existed. Powers was noncompliant throughout these events. More importantly, Powers herself used deadly force first. Powers suddenly and without warning produced a handgun and shot Officer [REDACTED] leaving him no choice but to use deadly force back in order to protect himself and Officer [REDACTED] and stop the threat she posed. Any reasonable officer would have concluded, as Officer [REDACTED] did, that he and others were in danger of death or great bodily harm. Therefore, the use of deadly force was objectively warranted.

A reasonable person in the position of Officer [REDACTED] would also have concluded that no reasonable alternative other than using deadly force existed. Powers was completely disobedient to officers' commands and efforts to control her movement. There was no place where he or Officer [REDACTED] could have safely retreated. There was no time to do so. A reasonable person in Officer [REDACTED] position would reach the same conclusion that no reasonable alternative existed other than to use deadly force once it became absolutely necessary.

For these reasons, I conclude that the use of deadly force by Officer [REDACTED] was warranted in order to protect himself and Officer [REDACTED]. There is no basis to prosecute Officer [REDACTED].

Sincerely,



Susan L. Opper
District Attorney
State Bar No: 1017918