

- GBPD/Buchmann stated, in regards to GBPD/Opperman telling MPD/Powell that he was lucky that he was not arrested, that MPD/Powell stated they (MPD/Powell and Thole) were the victims, that they were jumped, so why would they be arrested? GBPD/Buchmann heard GBPD/Opperman tell MPD/Powell, that according to the officers at the scene, they (MPD/Powell and Thole) were not following instructions, that his officers were there to help them, but they (MPD/Powell and Thole) just kept getting in the way and obstructing what the officers were trying to do with their investigation. MPD/Powell and Thole were aggravating the situation.
- GBPD/Buchmann acknowledged that everything in both his written narrative in GBPD Case #13-208448 and in his interview, was true and accurate to the best of his knowledge.

Statement of GBPD Officer Robert Korth

GBPD Officer Robert Korth was interviewed for this investigation from the MPD Internal Affairs Unit on August 5th, 2013, via telephone conference call. GBPD/Korth has been with the Green Bay Police Department for 2+ years (10 years total including other agencies) and was assigned as a FTO Patrol Officer on June 29th, 2013. GBPD/Korth composed a supplement in GBPD Case #13-208448, a police response on June 29th, 2013, regarding a public disturbance involving MPD/Powell and Thole. The following is a summary of GBPD/Korth's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicted by the use of quotations:

- GBPD/Korth acknowledged he composed an officer narrative in GBPD Case #13-208448, a public disturbance incident involving MPD/Powell and Thole.
- GBPD/Korth acknowledged that in his narrative, he did describe what he had witnessed, heard, and/or did prior to and after the scene of the incident.
- GBPD/Korth acknowledged he had read over his narrative prior to the interview, and that he had nothing else new to add to his narrative regarding

his recollection of the incident other than references that other officer's had made after the incident.

- GBP/D/Korth stated he did not know MPD/Powell and Thole prior to the incident.
- GBP/D/Korth throughout his supplement referred to "two white males" that he later learned were MPD/Powell and Thole.
- GBP/D/Korth was a plain clothes FTO officer and was just monitoring everything. Based on how animated MPD/Powell and Thole were, he asked dispatch for more officers to come to the scene because he didn't think the incident could be handled by only one officer (Recruit GBP/D/Andrae).
- GBP/D/Korth stated his recruit, GBP/D/Andrae, was dealing with two "larger black males", both 6 foot plus, so he initially monitored his recruit, but both black males were calm and cooperative, so GBP/D/Korth repositioned himself closer to GBP/D/Denney's position. He did this because he heard MPD/Powell and Thole identify themselves as police officers, and they were being very animated and not listening to GBP/D/Denney. GBP/D/Korth wanted to monitor them (MPD/Powell and Thole) until other officers arrived, just in case things went south.
- GBP/D/Korth described that there was a lot of exaggerated hand movements, raised voices and pacing back and forth by MPD/Powell and Thole. GBP/D/Korth observed MPD/Powell and Thole yelling towards the officers and the two black males. He couldn't hear exactly what they (MPD/Powell and Thole) were saying, but he said they were animated and amped up, and were not excited about having the police there.
- GBP/D/Korth stated that in his ten years of being a police officer, he had never had a negative encounter like that with police officers before. GBP/D/Korth's train of thought when he heard one of the MPD officers (Thole) say "I punched him in the face and I'll do it again", coupled with the exaggerated movements he was making, made GBP/D/Korth nervous that something was going to happen, that it was going to get physical with them.

- GBPD/Korth explained that GBPD/Andrae was in the final stage of his training and that the FTO is not supposed to intervene at all unless something ethically, safety wise, or something completely out of the normal occurs. GBPD/Korth said that this incident was an appropriate time for him to step in and ask for more cars/officers.
- GBPD/Korth stated he did hear from GBPD/Mahoney that a GBPD officer had been given the middle finger, flipped off, by either MPD/Powell or Thole. He also heard that the term "nigger" was used, that Green Bay was referenced as "too nigger friendly", that they (Minneapolis) had a "cunt Chief", and that they (black males involved in the disturbance) were doing their "monkey thing."
- GBPD/Korth acknowledged that everything in both his written narrative in GBPD Case #13-208448 and in his interview, was true and accurate to the best of his knowledge.

Statement of GBPD Officer Kaitlyn Czarnecki

GBPD Officer Kaitlyn Czarnecki was interviewed for this investigation from the MPD Internal Affairs Unit on August 6th, 2013, via telephone conference call. GBPD/Czarnecki has been with the Green Bay Police Department since February 18th, 2013, of this year and was assigned as a Probationary Patrol Officer on June 29th, 2013. GBPD/Czarnecki composed a supplement in GBPD Case #13-208448, a police response on June 29th, 2013, regarding a public disturbance involving MPD/Powell and Thole. The following is a summary of GBPD/Czarnecki's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicted by the use of quotations:

- GBPD/Czarnecki acknowledged she composed an officer narrative in GBPD Case #13-208448, a public disturbance incident involving MPD/Powell and Thole.
- GBPD/Czarnecki acknowledged that in her narrative, she did describe what she had witnessed, heard, and/or did prior to and after the scene of the incident.

- GBP/D/Czarnecki acknowledged she had read over her narrative prior to the interview, and that she had nothing else new to add to her narrative regarding her recollection of the incident other than references that other officers had made after the incident. She stated she did hear from other officers that MPD/Powell and Thole stated earlier in the night to a GBP/D officer that Green Bay was too "nigger friendly". She also heard that Officer's MPD/Powell and Thole got upset when GBP/D/Denney refused to give them a ride across the bridge to another bar.
- GBP/D/Czarnecki stated she did not know MPD/Powell and Thole prior to the incident.
- GBP/D/Czarnecki stated her FTO, GBP/D/Knetzger, did know MPD/Powell from when he (MPD/Powell) was employed with Green Bay. She stated that he told her that MPD/Powell was a very proactive cop when he worked with Green Bay and that GBP/D/Knetzger said nothing negative to her regarding past behavior involving MPD/Powell.
- GBP/D/Czarnecki stated prior to joining GBP/D/Knetzger on-scene, she was cover officer for GBP/D/Andrae. She stated GBP/D/Andrae had already identified the males he was with and was waiting for their names to come back over the radio as "clear." GBP/D/Czarnecki described the males as very calm and collective. She stated from what she gathered at the scene, that MPD/Powell and Thole had either started a verbal argument with some other males that had since left the scene, and that the black males standing in front of her were just trying to break up the fight that had occurred.
- GBP/D/Czarnecki stated her initial reaction upon arriving on the scene, was that MPD/Powell and Thole seemed very upset, just from their body posture and the tone of voice they were using. She observed both of them pacing back and forth while providing cover for GBP/D/Andrae. She said she positioned herself so that she could observe both Officer's MPD/Powell and Thole, and the black males in front of her because Officer's MPD/Powell and Thole were making her nervous due to them not calming down. She stated

they (MPD/Powell and Thole) were not being cooperative and this put her on edge.

- GBP/D/Czarnecki stated in regards to MPD/Powell's and Thole's behavior, that she was surprised and confused because she wasn't sure why they continued to be so belligerent. She stated that they (MPD/Powell and Thole) may not have been considered suspects at the time, but they were being looked at more closely because of their behavior.
- GBP/D/Czarnecki stated MPD/Powell calmed down when he saw GBP/D/Knetzger, but MPD/Thole continued to be upset, pacing back and forth, raised hands and shoulders, and the tone of his voice still showing he was upset with the situation.
- GBP/D/Czarnecki stated she interpreted MPD/Thole's comment, "I'm not trying to be racist, but there is a very big discretion between the two - There is fucking two white guys and twelve black guys - Where do you think the problem lays?", to mean that because they're black, they were causing the problem. She also interpreted this comment to be racially derogatory. She stated they (MPD/Powell and Thole) seemed surprised that they (GBP/D) were speaking to them and putting more attention on them because they're white and they shouldn't be looked at as suspects.
- GBP/D/Czarnecki believed MPD/Powell and Thole expected preferential treatment based on how they were acting and the statements they were making. She said they (MPD/Powell and Thole) were upset that other officers were trying to get their names and put them into the call. GBP/D/Czarnecki stated she believed MPD/Powell made a comment saying that he knows how it works and he can keep people's names out of the call if he needed to.
- GBP/D/Czarnecki stated MPD/Powell and Thole admitted that they had been drinking, and she stated that when people get upset, sometimes the alcohol will increase that. Based on their behavior, GBP/D/Czarnecki stated that maybe Officer's MPD/Powell and Thole may have had too much to drink.

- GBPD/Czarnecki did hear from other GBPD officers that they (MPD/Powell and Thole) were using the term "nigger" at the scene.
- GBPD/Czarnecki acknowledged that everything in both her written narrative in GBPD Case #13-208448 and in her interview, was true and accurate to the best of her knowledge.

Statement of GBPD Officer Eric Andrae

GBPD Officer Eric Andrae was interviewed for this investigation from the MPD Internal Affairs Unit on August 6th, 2013, via telephone conference call. GBPD/Andrae has been with the Green Bay Police Department since February 2013, and was assigned as a Probationary Patrol Officer on June 29th, 2013. GBPD/Andrae composed a supplement in GBPD Case #13-208448, a police response on June 29th, 2013, regarding a public disturbance involving MPD/Powell and Thole. The following is a summary of GBPD/Andrae's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicted by the use of quotations:

- GBPD/Andrae acknowledged he composed an officer narrative in GBPD Case #13-208448, a public disturbance incident involving MPD/Powell and Thole.
- GBPD/Andrae acknowledged that in his narrative, he did describe what he had witnessed, heard, and/or did prior to and after the scene of the incident.
- GBPD/Andrae acknowledged he had read over his narrative prior to the interview, and that he had nothing else new to add to his narrative regarding his recollection of the incident.
- GBPD/Andrae stated he did not know MPD/Powell and Thole prior to the incident.
- Upon his arrival onto the scene, GBPD/Andrae stated he learned MPD/Thole was a police officer when he (Thole) stated "These motherfuckers came down on us and I told them we were police officers" and then admitted to hitting someone. GBPD/Andrae was taken aback by MPD/Thole's behavior after he identified himself as a police officer, because his actions and body language did not seem to fit with "I'm a police officer."

- GBPD/Andrae was prepared to react to MPD/Powell and Thole as if they were not police officers, because he couldn't verify for sure if they were police officers. GBPD/Andrae said that their physical demeanor, their words and their actions did not indicate to him they were police officers. He expected those three factors to be different coming from a police officer, somebody more cooperative, and somebody that wouldn't continue with the verbal argument and allow the on-scene police officer to do what they needed to do.
- GBPD/Andrae learned from interviewing Civilian/Garth that there was a prior disturbance before he arrived, and that Civilian/Garth and his friend were trying to break it up. He said after the disturbance had been broken up, MPD/Powell and Thole then continued a verbal disturbance with them (Garth and friend).
- GBPD/Andrae stated that the people that were fighting with MPD/Powell and Thole, either were not at the scene when he got there or they had left when GBPD/Andrae activated his squad emergency lights.
- GBPD/Andrae stated Civilian/Garth and his friend were cooperative, answering all of his questions, then released from the scene. Civilian/Garth and his friend told GBPD/Andrae that neither of them were hit by anybody, that it was a verbal disturbance between them and MPD/Powell and Thole.
- GBPD/Andrae stated that while he was interviewing Civilian/Garth and his friend, MPD/Powell and Thole continued to shout across the street, argue and point at them, seeming like they wanted to continue the verbal argument, rather than just calm down and state what happened to the officers talking to them.
- GBPD/Andrae stated he later learned second hand, that they (MPD/Powell and Thole) called GBPD "nigger loving police" and said "This would never happen in our agency." He also heard second hand, that either MPD/Powell or Thole made a comment about their "lesbian Chief" that was looking to fire them.

- GBPD/Andrae acknowledged that everything in both his written narrative in GBPD Case #13-208448 and in his interview, was true and accurate to the best of his knowledge.

Statement of GBPD Officer Michael Rahn

GBPD Officer Michael Rahn was interviewed for this investigation from the MPD Internal Affairs Unit on August 26th, 2013, via telephone conference call. GBPD/Rahn has been with the Green Bay Police Department approximately 3 months and was assigned as a Probationary Patrol Officer on June 29th, 2013. The following is a summary of GBPD/Rahn's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicted by the use of quotations:

- GBPD/Rahn was working with Field Training Officer Nate Allen the night he met MPD/Powell and Thole outside the Sardine Can Bar.
- GBPD/Rahn stated he was inside the squad, reading task sheets because he was pretty new to the FTO Program. GBPD/Allen was outside the squad car talking to MPD/Powell and Thole.
- GBPD/Rahn stated GBPD/Allen allowed him to step out of the squad so that he could meet MPD/Powell because he (MPD/Powell) used to work for GBPD.
- GBPD/Rahn stated he spoke briefly with both MPD/Powell and Thole, specifically talking about being in the Army. He stated that MPD/Powell and Thole are Army vets and he (Rahn) was in the Army for about 5 years.
- GBPD/Rahn stated MPD/Powell told him if he keeps his head on straight, pays attention and listens to everything GBPD/Allen says, that he will be a good cop. GBPD/Rahn stated that his contact with both MPD officers was very brief...less than a five minute conversation/interaction.
- GBPD/Rahn stated he did not hear any derogatory or demeaning comments regarding anyone's individual race or ethnicity from either MPD/Powell or Thole while out talking with them.
- GBPD/Rahn denied hearing MPD/Thole make the comment "What is that? Green Bay is too nigger friendly."

- GBP/D/Rahn stated he did not recall seeing a vehicle drive by his location playing loud music, having large shiny rims and being driven by a black male. He did state that it wouldn't have surprised him if a vehicle described as such, were to have been in that particular part of town, "right there on Broadway."
- When asked if GBP/D/Allen told him when he got back into the squad with him, about the comment MPD/Thole had made regarding Green Bay being "too nigger friendly", GBP/D/Rahn stated "I don't recall him ever bringing that up."
- GBP/D/Rahn stated he did hear about MPD/Thole's comment after the fact, as everything unfolded throughout the night, second hand. He again stated that in his limited contact with MPD/Powell and Thole, he didn't recall the comment being said. He described MPD/Powell's and Thole's interaction with him as very friendly and professional.
- GBP/D/Rahn stated that MPD/Powell and Thole had been drinking because he met them outside of a bar and they told him they had been drinking.
- GBP/D/Rahn was in the GBP/D station when MPD/Powell and Thole came into the GBP/D lobby. He was in the patrol room, down the hall from the lobby and said he did not see or hear anything directly. He had learned they (MPD/Powell and Thole) were in the lobby because his FTO, GBP/D/Allen, and other GBP/D officers at the station, went out to the lobby because they knew MPD/Powell.
- GBP/D/Rahn stated he did hear second hand information that night and the following days, regarding derogatory comments/statements made by MPD/Powell and Thole. He said the incident involving MPD/Powell and Thole was the talk of the shift for a while. He stated he heard that derogatory slang referencing African Americans was used by MPD/Powell and Thole as well as comments referencing the sexual orientation of the MPD Chief.
- GBP/D/Rahn stated he never heard anything first hand from MPD/Powell and Thole, only second hand information from other GBP/D officers.

Statement of GBPD Lieutenant Gary Richgels

GBPD Lieutenant Gary Richgels was interviewed for this investigation from the MPD Internal Affairs Unit on August 28th, 2013, via telephone conference call. GBPD/Richgels has been with the Green Bay Police Department for 14 years and was off-duty on June 29th, 2013. GBPD/Richgels did have contact with MPD/Powell via text messages on both June 28th, and 29th, 2013. The following is a summary of GBPD/Richgel's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations:

- When asked if he knew either MPD/Powell or Thole, GBPD/Richgels stated he only knew MPD/Powell. He said that MPD/Powell was previously employed as a police officer with the City of Green Bay Police Department and that he used to work with him.
- GBPD/Richgels stated MPD/Powell had contacted him a few days prior to the weekend, via text messages, to let him know he was coming into town - which was not an uncommon occurrence.
- GBPD/Richgels stated approximately four days prior to the weekend, he received a text from MPD/Powell on his personal cell phone stating he was coming to town and wanted to know if he would be interested in getting together. GBPD/Richgels did let MPD/Powell know that he was around for the weekend, although he had family in town and was planning on having a get-together with them, but invited MPD/Powell to join them if he wanted, but GBPD/Richgels stated he had no plans on leaving his family to come downtown and join MPD/Powell.
- GBPD/Richgels originally thought MPD/Powell was coming to town with family, because he's got a daughter similar in age to his, thinking that would be a good thing. But it wasn't until Friday (06/29/13) evening that GBPD/Richgels heard from MPD/Powell again, texting him and letting him know that he just rode into town with his buddy/co-worker.
- GBPD/Richgels stated he received a second text message from MPD/Powell, addressing that there was a change in management in the pub/hotel he

(MPD/Powell) knew when he worked here, as well as where he would stay when he came to town. The name of the pub/hotel was St. Brendan's Inn.

- Other text messages sent from MPD/Powell to GBPD/Richgels had asked if anyone that he (MPD/Powell) would know from his past there, would they be interested in joining him. GBPD/Richgels sent him a couple names, asking MPD/Powell, "Do you want this guy's phone number or this guy's phone number?" MPD/Powell asked GBPD/Richgels to send him those numbers. GBPD/Richgels stated he believed he sent MPD/Powell the phone numbers of GBPD Officer's Jeff Schilling and Nate Allen, and maybe a recently retired GBPD Lieutenant, Jerry Johnson.
- GBPD/Richgels stated after he had sent the names of the people he thought that MPD/Powell might remember or knew him, and might want to join him, based on their current living situation, being the kind of guys that go to the bar, GBPD/Richgels received a text message from MPD/Powell that stated something similar to, "What's up with all the nigs in Green Bay?" GBPD/Richgels ignored the text and made a comment that would lead him away from a conversation of that nature.
- GBPD/Richgels stated there was a break in the text correspondence, because at the time he was entertaining at his house and wasn't married to his cell phone. GBPD/Richgels received a text message a short time later from MPD/Powell that stated something similar to, "What's an out-of-town cop gotta do to get a ride in this place?" GBPD/Richgels replied to the text a short time later, stating something very similar to, "Where are you at and where do you need to go?"
- Because there was that delay in getting the text, GBPD/Richgels thought that MPD/Powell may have already gotten a ride, but just in case, GBPD/Richgels knew a night-shift Lieutenant that was working that evening, GBPD/Mahoney. GBPD/Richgels texted GBPD/Mahoney at around 10 p.m., confirming that he was working; and he (GBPD/Mahoney) was. GBPD/Richgels told GBPD/Mahoney that a former Green Bay cop, MPD/Powell, is in town and may need a ride. GBPD/Mahoney acknowledged

that he got the text, saying, "I'll be up, just let me know" or, "Let me know what I can do to help" kind of thing. That was the end of any correspondence for a while.

- GBP/D/Richgels stated he then went to bed and went to sleep, and then remembers that his phone was ringing. He stated his wife, who was actually awake feeding his son, had woken him up and said, "Hey, uh, Mahoney (meaning GBP/D/Mahoney) was calling your phone." So she woke him up so he could answer it. His wife also made a comment to him, "Your phone's beeped a couple times since." GBP/D/Richgels then answered GBP/D/Mahoney's call. GBP/D/Mahoney informed him that MPD/Powell and his friend, who was also a police officer from Minneapolis, were involved in a disturbance downtown and that things didn't go smoothly. GBP/D/Mahoney relayed/elaborated to him, they (MPD/Powell and Thole) were not very cooperative, were throwing out some racial slurs, were being very disrespectful to Green Bay officers; specifically flipping the middle finger off to a marked squad car driving by that may not have even been related to the incident.
- GBP/D/Richgels continued, stating GBP/D/Mahoney told him that MPD/Powell and Thole wouldn't leave and that GBP/D officers were just trying to clear the area. GBP/D/Richgels further commented he was told it was a typical bar fight, that any officer that works in a city where there's a bar district understands, just get the participants to go home for the evening, nobody was hurt. GBP/D/Richgels said GBP/D/Mahoney told him nothing was damaged, that it was more of just some liquid muscle. GBP/D/Richgels did not know what he could offer GBP/D/Mahoney because he was not on duty and he lived 20 miles outside the city. He told GBP/D/Mahoney, "Do what you gotta do"...it sounded like a situation where people just needed to go home and sleep it off.
- After GBP/D/Richgels phone call with GBP/D/Mahoney ended, GBP/D/Richgels checked his phone for text messages because his wife had told him his phone had beeped a couple of times earlier. GBP/D/Richgels saw there was a text

from GBPD/Knetzger, who knew that he (Richgels) knew MPD/Powell. GBPD/Knetzger's text message stated something similar to, "MPD/Powell was in a fight or a disturbance downtown, umm, just wanted to make you aware."

- Along with GBPD/Knetzger's text message from earlier, GBPD/Richgels stated he had also received an earlier text message from MPD/Powell, prior to GBPD/Mahoney's phone call. He said it was a fairly long text message that stated something to the effect, "Got jumped by six black guys downtown and then got treated like suspects. I'm done with this fucking city" and then degraded Green Bay P.D. by referring to the department as a "Mickey Mouse Department." GBPD/Richgels stated he did not reply to either text messages from GBPD/Knetzger and MPD/Powell, because so much time had passed and the people that were getting paid to handle the situation were handling it.
- GBPD/Richgels stated he remembered laying back down and falling back asleep. He estimated sometime between 1:30 and 2:30 a.m., or about half an hour after he first spoke to GBPD/Mahoney on the phone, he received another phone call from GBPD/Mahoney. GBPD/Mahoney wanted to tell him that he (Mahoney) had just been notified by the Shift Commander that MPD/Powell was at the Police Department in the lobby and wanted to speak with a supervisor. GBPD/Richgels did not know what GBPD/Mahoney wanted him to do, other than to be kept aware that the incident was continuing. GBPD/Richgels advised GBPD/Mahoney to respond to the Police Department and talk to him (MPD/Powell). GBPD/Richgels wasn't sure what MPD/Powell's reason for going to the Police Department was, but based on his experience, GBPD/Richgels advised GBPD/Mahoney to conduct any conversation in a monitored/video-taped location.
- GBPD/Richgels also recommended to GBPD/Mahoney, to have GBPD/Allen (who GBPD/Richgels knew was working that night) respond to the police station. GBPD/Richgels stated that Nate, of all the people that he knew who used to work with MPD/Powell, was the closest friend of his, that

MPD/Powell may benefit in seeing a friendly face, because GBPD/Richgels didn't know what exactly was causing MPD/Powell to act so out of character. GBPD/Richgels also stated that GBPD/Mahoney is a newer supervisor, so he gave him the advice, "This has to get documented in one way, shape or form", not necessarily in a criminal aspect, as much as this isn't something that we would like people in our profession to be displaying.

- Approximately 40 minutes later, GBPD/Mahoney called GBPD/Richgels, telling him, "That didn't go well." GBPD/Richgels asked GBPD/Mahoney what he meant, to which GBPD/Mahoney told him that MPD/Powell was pretty exaggerated, with his movements and his words in the lobby and that they (MPD/Powell and Thole) were still complaining on how they were treated at the disturbance - that they were treated like suspects and were degrading GBPD.
- GBPD/Richgels stated GBPD/Mahoney had a chance to meet with some of the officers that had dealt with MPD/Powell that evening and shared with him some of the comments that were made. Some of the comments were, "We (meaning Minneapolis) have a lesbian Chief that's looking to fire anybody", "Green Bay is too nigger-friendly", and the reference "monkey dance" directed towards the black males that were either involved in the disturbance or still in the area when police first contacted them.
- After hearing the comments that were made by MPD/Powell and Thole, GBPD/Richgels stated it only exaggerated the need for documenting the incident, that "there are words out there that really strike a nerve of a lot of people...and everyone has their own beliefs, but there's right and there's wrong...and there was a lot of lines that were crossed here by people that take an oath in a profession that is expected to be treated equally or have to treat people equally, and, to me, it just really solidified a reason for documentation...and, the fact that officers were really pulling our people I should say, but they happen to be officers, were toeing the line of a disorderly conduct and, really pushing the issue of the need for some enforcement action by the Green Bay Police Department."

- GBPD/Richgels stated that as officers, we've all been involved in situations that are kind of a gray area and some people can keep pushing, and pushing, and pushing to the point where our job is to take enforcement and he was hoping it wouldn't go down that road, but this incident was something that was very similar to an example like that.
- When asked if he recalled GBPD/Mahoney stating that either MPD/Powell or Thole, when at the Police Station, claimed that they were victims of an assault and that they were there to file a police report, GBPD/Richgels stated he didn't remember that, and if he had, he probably would have given slightly different advice to GBPD/Mahoney. GBPD/Richgels stated he told GBPD/Mahoney to document the incident and order officers to write details on the situation. He specifically said he instructed GBPD/Mahoney to not pull/generate a police report number; to make it a narrative written incident report because all the facts of what had happened/transpired on the scene with other people involved, potential victims, was not known. He then told GBPD/Mahoney to write it up and report it to his Captain. GBPD/Richgels stated had he been informed that MPD/Powell and Thole were stating they wanted a police report, he said he would have told GBPD/Mahoney to generate a police report number, that you're gonna do that as a service to any member of the community, whether it's a former officer or not.
- GBPD/Richgels stated that he remembered GBPD/Mahoney had relayed during one of the three phone calls he had with him; that MPD/Powell and Thole identified themselves as Minneapolis 13.43 officers. GBPD/Richgels stated that in his experience, people who identify themselves as officers or give their profession, are trying to, or expect some type of professional courtesy - either extra service or to look the other way.
- GBPD/Richgels stated after GBPD/Mahoney contacted him following the GBPD lobby incident with MPD/Powell and Thole, he went to sleep and didn't get any more phone calls and didn't believe there were any more text messages until approximately 9:00 a.m. (Saturday, June 29th). He stated at 9:00 a.m., he was going out with his family for breakfast and received a

- phone call from MPD/Powell, but he ignored it. MPD/Powell followed up his phone call pretty quickly with a text message, asking GBPD/Richgels to call him. GBPD/Richgels responded with a text message stating he was busy with his family and it would have to wait. MPD/Powell texted him back with something to the effect, "I got jumped last night by some black guys. Got treated like suspects by GBPD...I'm done with this place. Green Bay's a joke."
- GBPD/Richgels stated that's where he put an end to it because he didn't feel the need to or even wanted to get involved in it anymore. GBPD/Richgels stated he let MPD/Powell know, via text message, that he knew what had happened, letting him (MPD/Powell) know that he received calls around 1:00, 2:00, 3:00 a.m., and it sounded like a bad night for everyone involved. MPD/Powell responded back with "Sorry I got you involved." GBPD/Richgels replied back, "No apologies necessary, I'm not involved. Let's hope this goes away or let's hope that this...everything settles down." This was then the last contact GBPD/Richgels had with MPD/Powell.
 - GBPD/Richgels stated on his next scheduled workday, Monday, he contacted GBPD/Warych in the Professional Standards Division to let him know that he was available for questioning pertaining to his involvement regarding the incident, primarily because he knew this information was documented and would probably be making its way to GBPD/Warych's office.

Statement of Civilian Robert Garth

- Robert Allen Garth, DOB 10/02/1977, is listed as "Other Party" in GBPD Report #13-208448. On 08/11/2013, I mailed a certified letter to Civilian/Garth, addressed to 3476 Leeds Castle Dr., Green Bay, WI 55413, requesting him to contact me to set up an interview date/time. Civilian/Garth's address was not provided in the GBPD report, so I had inquired and was given his contact address by the GBPD.
- On 08/15/2013, at 3:25 p.m., I received a phone message from Civilian/Garth acknowledging the receiving of the letter. He left me his contact phone

number, 920-645-9256, and stated he would be available to talk on Friday, 08/16/2013.

- On 08/16/2013, at 9:27 a.m., I called Civilian/Garth at the number he provided, but the phone was not answered. I left a message with Civilian/Garth, identifying myself and the purpose of my call. I requested a return phone call as soon as possible.
- On 08/26/2013, Civilian/Garth was interviewed for this investigation from the MPD Internal Affairs Unit, Room 112, via recorded telephone conference call. The following is a summary of Civilian/Garth's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations:
 - ♦ Civilian/Garth stated he was part of the altercation involving MPD/Powell and Thole on June 29th, 2013, at approximately 0115 hours. He identified himself as the one in the GBPD squad video wearing the red shirt and white shorts. He also identified himself as the one who was interviewed by the GBPD and most likely it is his voice that can be heard on the GBPD Squad video/audio. He also identified the black male wearing the black pants/shirt as his friend, Darrin Higgs.
 - ♦ Civilian/Garth stated that he and several other friends, about 12 total, including himself, were out that night celebrating a friend's birthday. They had all met up at the Oval Office Gentleman's Club and were there for about a half hour. They then left and headed downtown, but not all together, and everyone arrived downtown at different times.
 - ♦ Upon arriving downtown with his friend, Darrin Higgs, Civilian/Garth stated they parked their vehicle on Doty St., exited the vehicle and saw a group of guys in the middle of the intersection of Washington St./Doty St. He stated he saw a lot of his friends from his group that he knew and two Caucasian males. He and Darrin hurried over to the intersection to mediate the situation. He stated he tried to send both parties their separate ways in order to diffuse the altercation.

- ♦ Civilian/Garth further explained that several guys from his group were pulling other guys from trying to go after the two Caucasian males, herein after known as MPD/Powell and Thole. He stated he was able to step in between both parties, sending his group one way and then proceeded to talk to MPD/Powell and Thole. Civilian/Garth at this point, did not know that MPD/Powell and Thole were police officers. He thought they were regular citizens like the other guys.
- ♦ Civilian/Garth stated that everyone in his group of friends were all African Americans, except for one, who was Caucasian.
- ♦ Civilian/Garth stated MPD/Powell and Thole got upset with him and Darrin for intervening. He stated they (MPD/Powell and Thole) started using profanity, saying, "fuck you", "who in the fuck do you think you are", "you don't know who I am." Civilian/Garth's response was "dude, it doesn't matter, the nights over, no one's gonna fight, you know, just go home...exactly what we told 'em." Civilian/Garth added that one of them (MPD/Powell and Thole) said, "I will beat your ass too...we'll beat your ass too, who the fuck do you think you are."
- ♦ Civilian/Garth stated that when the Green Bay Police had arrived, he tried to explain to them that everything was under control, that everybody had left, and that they (Garth/Higgs) we're leaving, headed back into the bar. Civilian/Garth stated after telling the GBPD this, MPD/Powell and Thole said, "fuck those niggers, they don't know who the fuck we are"..."We'll beat their ass." This is when Civilian/Garth got upset.
- ♦ When asked which one had made the aforementioned comment, Civilian/Garth stated, "I don't, and in the heat of the moment I wasn't really, you know, asking either. To me...I didn't know those guys from any other person in the world...So it's kind of hard to decipher who said what, when, where and how, but it was said, I know that's a fact."
- ♦ Civilian/Garth stated the racial comment was made while they were still in the intersection, in the presence of the GBPD officer.

Civilian/Garth stated he was offended by what was said. He remembers one of the MPD officers pushing Darrin, and then the GBPD cops separated him from MPD/Powell and Thole. Everyone was eventually separated and Civilian/Garth remembers maybe six or seven GBPD officers at the scene at that point.

- ♦ Several GBPD officers were now talking to he and Darrin, and several GBPD officers were talking to MPD/Powell and Thole across the street. Civilian/Garth stated he and Darrin explained to GBPD officers that they were just trying to break the fight up, that they did know others in the group, but that they were like innocent bystanders trying to prevent something from happening.
- ♦ Civilian/Garth stated that MPD/Powell and Thole were still yelling from across the street, using racial slurs. Civilian/Garth stated he told GBPD officers, "see listen to 'em, listen to these (inaudible) over there...this is what we just had to go through."
- ♦ GBPD asked Civilian/Garth "which one of you guys hit him or which one of you guys did he hit." Civilian/Garth told GBPD "neither one of us, like we were trying to break the fight up. He's like, so you guys weren't involved in the altercation. We were like no, we tried to break the fight up. So that's when the officer asked for my ID." Civilian/Garth gave the GBPD officer his ID and after he was cleared to leave the scene, he left."
- ♦ When asked if he knew who had started the altercation, Civilian/Garth stated that after GBPD cleared him from the scene, he went to Kittner's Bar (200' north of the incident intersection). He stated once he got inside of the bar where the rest of his friends were, one of the guys said to him, "hey...what happened with those cops, with those undercover cops outside?" Civilian/Garth still up to this point did not know MPD/Powell and Thole were cops.
- ♦ Civilian/Garth stated someone from his group, possibly "Mike Hill", because Mike was still agitated and upset, told him "the dude fucking

punched me.” Civilian/Garth asked him what had happened and he was told that they (Civilian/Garth’s group of friends) were going across the street; they were coming down Washington Street from the parking lot. The two MPD officers were also coming across the street, so neither one of them wanted to go around each other. They were walking in each other’s path and neither one wanted to go around each other. Reiterating that he had heard this from his friends, not actually had seen it, was that the MPD officers basically walked right through the middle of the whole group - his group - and there would have had to have been maybe nine or ten guys. And the two officers proceeded to walk through them, instead of trying to avoid them, they just kind of walked through the group of people.

- ♦ Civilian/Garth continued, stating from what Mike said happened was that MPD/Powell and Thole called them “fucking monkey’s...get out of our way”, to which Mike reacted by saying something to the effect, “who the fuck you calling a monkey.” Mike then proceeded to walk towards the cop (MPD/Powell) and that’s when the cop punched him. Civilian/Garth stated then most of his guys were grabbing Mike away because Mike’s a fighter, so the group’s first reaction was to grab Mike. Civilian/Garth continued, stating everybody’s grabbing Mike while everybody else is about to go after the two cops and that’s when he and Darrin saw what happened. When the group was going after MPD/Powell and Thole, that’s when Civilian/Garth and Darrin were able to come in and intervene.
- ♦ Civilian/Garth stated he first learned MPD/Powell and Thole were Minneapolis Police Officers when Darrin sent him the e-mail link from the news.
- ♦ Civilian/Garth didn’t see anybody strike anybody else. He stated Mike could have shot back after he got hit, but that he didn’t see it, but it could have happened. Civilian/Garth admitted that Mike’s a feisty

guy, but he also knows Mike is not the kind of guy to just punch someone for no reason.

- ♦ When asked if he had talked to anybody from the group since the incident, Civilian/Garth stated he had and that "people were actually looking into trying to file a lawsuit because, you know, they were, they supposed to be protecting us and, you know, but I think that just kind of fell on deaf ears and for us right now like we don't even talk about it anymore...so it's just, it's over and done with for us."
- ♦ When asked if anyone from the group would be willing to talk to me, Civilian/Garth stated, "You can try Chris McKeefry, he was the only, he was the Caucasian guy that was there and I mean that would just kind of give you an unbiased..." Civilian/Garth also stated that he was 80% sure it was Chris that was the one who told him that they (MPD/Powell and Thole) were undercover cops.
- ♦ When asked if the racial slurs that his friends told him were said, was the cause of them getting upset, Civilian/Garth stated, "Well, I mean you're asking their opinion, you know if someone called you - being called like a porch monkey or a monkey or anything like that for us is not a good thing. You know what I'm saying...It's, it's almost as bad as being called a nigger itself...so yeah, if someone's walking by telling us, oh yeah look at these monkeys, you know, walking around, you know, ha, ha, ha...yeah we all take that as racial."

Contact with Civilian Darrin Higgs

- On 08/29/2013, at approximately 11:30 a.m., I called Darrin Higgs at 920-737-8884. I identified myself and the purpose of my call. Civilian/Higgs stated he was part of the altercation involving MPD/Powell and Thole on June 29th, 2013, at approximately 0115 hours. He identified himself as the one in the GBPD squad video wearing the black pants/black shirt. He stated at the time, he was with his friends Civilian/Garth and Civilian/Sarah Schrader. A portion into our phone conversation, I turned on my digital

recorder as Civilian/Higgs began to speak freely. I did not notify Civilian/Higgs that the phone conversation was being recorded. Civilian/Higgs stated the "N" word was used towards him by MPD/Powell and Thole. He stated he did not want the officers to get into trouble even though he felt the officers were clearly in the wrong by their actions and behavior, no matter what had transpired before his intervention into the altercation. Civilian/Higgs stated that the only individual in the group that he knew, that was involved in the disturbance with the MPD officers, was his friend Chris McKeefry. Civilian/Higgs stated that all the other individuals in the group were friends of Chris's. Civilian/Higgs stated he would reach out to both Chris and Sarah and see if they would be willing to give a statement on what they observed and/or heard at the disturbance involving MPD/Powell and Thole. At the onset of our phone conversation, Civilian/Higgs was hesitant at first in agreeing to meet with me and give a statement, but later he did decide to participate in an in-person interview that was scheduled to take place in Green Bay, WI on Saturday, September 7, 2013, at 11:00 a.m.

- On 09/06/2013, at approximately 1:55 p.m., prior to my leaving Minneapolis for Green Bay, I called Civilian/Higgs at 920-737-8884 to confirm our scheduled interview time/date. Civilian/Higgs answered the phone and reconfirmed that he will be there to participate in the interview. I then hung up and began to attempt confirmation with Civilian/McKeefry and Civilian/Hill regarding their scheduled interview date/time. After learning Civilian/McKeefry was not going to participate in an interview and the lack of a response from Civilian/Hill, I made the decision not to travel to Green Bay for just Civilian/Higgs interview. I called Civilian/Higgs back (09/06/2013 @ 2:42 p.m.), but he did not answer his phone. I left him a detailed message regarding the cancellation of my trip to Green Bay and told him I would contact him in the near future for a potential over the phone interview with him.

- On 09/11/2013, at approximately 5:00 p.m., I called Civilian/Higgs at 920-737-8884, but he did not answer his phone. I left him a message regarding the possibility of conducting a phone interview with him at a time/date that would be convenient for him. I will await his return phone call and his response to my phone interview request.
- Civilian/Higgs never responded to the last phone message I had left him.

Contact with Civilian Christopher McKeefry

- On 08/29/2013, at approximately 11:00 a.m., I called Christopher McKeefry at 920-246-0442, but the phone was not answered. I left a message with Civilian/McKeefry, identifying myself and the purpose of my call. I requested a return phone call as soon as possible.
- On 09/03/2013, at approximately 3:25 p.m., I called Christopher McKeefry a second time at 920-246-0442, as he had not returned my phone message. Civilian/McKeefry answered the phone. I identified myself and the purpose of my call. Civilian/McKeefry stated he was part of the altercation involving MPD/Powell and Thole on June 29th, 2013, at approximately 0115 hours. The brief phone conversation was not recorded. During the conversation, Civilian/McKeefry did identify the individual who was punched by MPD/Thole to be Civilian/Michael Hill. Civilian/Michael Hill's older brother, Civilian/Sean Hill (a.k.a. Dantae) was the individual described to have been wearing the white framed glasses. Civilian/McKeefry stated that MPD/Powell and Thole used the "N" word, to which Civilian/Michael Hill turned around and asked them "what'd you say?" Civilian/McKeefry stated both officers turned around and took a fighting stance, and then the officer (Thole) punched Civilian/Michael Hill in the jaw. Civilian/Michael Hill's older brother, Civilian/Sean Hill, then reacted and came to Civilian/Michael Hill's defense. Civilian/McKeefry described Civilian/Sean Hill as an effeminate, gay, black male, very thin/slight in stature and not in the least bit intimidating. Civilian/McKeefry stated that punches were exchanged by both sides, but only after the "N" word was said and because the initial punch was

thrown by MPD/Thole. Civilian/McKeefry stated he would reach out to both Civilians/Michael and Sean Hill and see if they would be willing to give a statement on what they observed and/or heard at the disturbance involving MPD/Powell and Thole. Civilian/McKeefry believes Civilian/Michael Hill may be afraid to come forward and give a statement to police because he may have a warrant. Civilian/McKeefry agreed to participate in an in-person interview that was scheduled to take place at his residence, 1122 Countryside Dr., De Pere, WI on Saturday, September 7th, 2013, at 1:00 p.m.

- On 09/06/2013, at approximately 1:55 p.m., prior to my leaving Minneapolis for Green Bay, I called Christopher McKeefry at 920-246-0442, to confirm our scheduled interview time/date, but the phone was not answered. I left a message with Civilian/McKeefry, leaving him my work cell phone number, requesting a return phone call as soon as possible. At 1:59 p.m., I received a text message from Civilian/McKeefry, stating "Hey Tom...I called you earlier today. I'm currently at work so can't talk on phone. I'm unable to meet with you. Our attorney advised us we meet together..." At 2:03 p.m., I then received a phone call from Civilian/McKeefry who stated he was advised by his attorney not to talk to me. Civilian/McKeefry gave me the name of attorney Joshua Williams, and asked me to contact him at 612-486-5540, if I had any questions. At 2:06 p.m., I called attorney Joshua Williams and we had a 13 minute conversation. He stated that he had talked to Civilian/McKeefry (and another individual he would not disclose, possibly Civilian/Michael Hill) regarding my request to interview him. Attorney Joshua Williams stated he had not yet secured a client/attorney relationship with Civilian/McKeefry, but that he was in the process of talking with him. He stated he did advise Civilian/McKeefry not to talk to me. At 2:40 p.m., I called Civilian/McKeefry back and left him a detailed message, stating that I had spoken to Mr. Williams and that I would not be coming to Green Bay to conduct the interview. I told him to contact me if he had any questions.

- On 09/09/2103, at 8:00 a.m., I retrieved a phone message left by Christopher McKeefry dated Friday, 09/06/2013 @ 4:06 p.m. Civilian/McKeefry had

called my desk line and had left a phone message stating he would not be available for his interview on 09/07/2013, as scheduled. He did however offer to participate in an interview on Friday 09/06/2013, or Sunday 09/08/2013. This information was retrieved after the fact that on 09/06/2013, Civilian/McKeefry cancelled his scheduled interview in Green Bay due to the advice from his attorney, to not participate in an interview with me.

- On 09/11/2013, at approximately 3:55 p.m., I called Christopher McKeefry at 920-246-0442, but the phone was not answered, going directly to voicemail. I left a message with Civilian/McKeefry asking him whether he had formally/legally retained an attorney, and if so, could he contact me regarding the possibility of him still participating in an interview. I requested a return phone call as soon as possible. This phone call was the last attempt at contacting Civilian/McKeefry regarding him being interviewed for this investigation.
- Civilian/McKeefry never responded to the last phone message I had left him.

Contact with Civilian Michael Hill

- On 08/29/2013, at approximately 2:25 p.m., I called Michael Hill at 920-257-9720, but the phone was not answered. I left a message with Civilian/Michael Hill, identifying myself and the purpose of my call. I requested a return phone call as soon as possible.
- On 09/05/2013, at approximately 10:20 a.m., I received a phone message from 1-920-257-9720, Civilian/Michael Hill's contact number. The phone message was a "text to land line message" that gave instructions to call 408-970-0000 to retrieve it. I called the number and the message was a voicemail from an individual who stated he was Civilian/Michael Hill. Civilian/Michael Hill stated he was calling in response to the phone message I left him a week ago. He then stated for me to call him back, that he would be checking his phone throughout the day. I immediately called Civilian/Michael Hill back at approximately 10:35 a.m. We had a brief

conversation that was not recorded. Civilian/Michael Hill stated he was involved in the altercation with MPD/Powell and Thole on 06/29/2013. Civilian/Michael Hill stated he was punched by one of the MPD Officer's and would be able to identify him if given a photo lineup. He also stated that the altercation began because one of the MPD Officer's had walked by him and his group of friend's and used the "N" word. Civilian/Michael Hill stated when he heard them say the "N" word, he immediately turned around and asked them (MPD Officer's), "what did you say?" It was at this time he said they (MPD Officer's) turned around, squared off at him and his friends, and took a fighters stance. They (MPD Officer's) then identified themselves as police officers. Civilian/Michael Hill stated that he was then struck with a closed fist to the jaw by one of the officer's. Civilian/Michael Hill's brother, Sean (a.k.a. Dantae) Hill, came to his defense. Civilian/Michael Hill stated "Dantae" was the one wearing the white framed glasses. Civilian/Michael Hill also stated his other brother, Traymon Hill, and his friend, Chris McKeefry, were also present.

- On 09/06/2013, at approximately 1:55 p.m., prior to my plans of leaving Minneapolis for Green Bay, I called Civilian/Michael Hill at 920-257-9720 to confirm our scheduled interview time/date, but the phone was not answered. I left a message with Civilian/Hill, leaving him my work cell phone number, requesting a return phone call as soon as possible. Civilian/Hill never responded to the phone call/message I had left him.
- On 09/09/2013, at approximately 10:00 a.m., I called Civilian/Hill at the number of the "text to landline" messaging service (408-970-0000) and left a response voice mail to Civilian/Hill's original voice mail to me. I asked Civilian/Hill to contact me to let me know if he was still willing to participate in an interview or, if he had in fact retained an attorney, and did not want to participate in an interview.
- As of 09/18/2013, I had not heard from Civilian/Michael Hill. There will be no more attempts at contacting Civilian/Michael Hill regarding him being interviewed for this investigation.

Statement #1 of Officer Brian Thole

Officer Brian Thole was interviewed for this investigation at the MPD Internal Affairs Unit on August 14th, 2013. MPD/Thole has been with the Minneapolis Police Department since 07/30/2001, as an officer since 12/22/2002, and was assigned as a 2nd Precinct **13.43 - Personnel Data** when this investigation was assigned. The following is a summary of MPD/Thole's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations:

- MPD/Thole prepared for the interview by reviewing the non-redacted Green Bay Police Report and supplements, the recorded GBPD Squad videos and the recorded GBPD lobby video, all which were provided by the MPD IAU per request from the Police Officer's Federation of Minneapolis, who was representing MPD/Thole.
- At the onset of the interview, when asked for any inaccuracies in the written GBPD report, MPD/Thole referred to the comment in which he was to have said, "Green Bay is too nigger-friendly" and later denied he had said that comment.
- MPD/Thole stated he went out to Green Bay, WI with MPD/Powell and that it was a pre-planned trip. He and MPD/Powell have been best friends for a number of years and are police partners at work. He left his home in [REDACTED] [REDACTED] sometime between 12:00 p.m. and 2:00 p.m. on Friday, June 28th, 2013. He rode his motorcycle from Blaine to MPD/Powell's home in River Falls, WI. He and MPD/Powell rode their motorcycles from River Falls, WI to Green Bay, WI, stopping a few times along the way due to inclement weather. One of those stops was at a Harley Davidson dealer (location unknown) where [REDACTED]

13.43 - Personnel Data

- MPD/Thole had time entered into WorkForce Director (WFD) for Friday, June 28th, 2013. MPD/Thole had MIL (Military) entered from 0700 to 1500

hours and BBK (Buyback/GET-ATF) from 1530 to 2330 hours. His entered time had already been compensated for, yet he stated he was on the road to, and in Green Bay, WI, during the same time period.

- MPD/Thole was questioned regarding his time entered into WorkForce Director. He stated that he was at 13.43 - Personnel Data military time and had received a PC Pickup notice, via e-mail (from MPD/Sgt. Hawes at 2nd Precinct), regarding a recent burglary. MPD/Thole stated he had an ongoing 7 ½ month long burglary investigation, and that the suspects in this recent burglary were/may be the same suspects in his big case. He asked MPD/Hawes if she wanted him to come back and help. MPD/Hawes told him "absolutely, if you can." MPD/Thole talked to his military commander who then [REDACTED] so that he could come back and help MPD/Hawes. MPD/Thole stated he worked approximately 18 hours on Wednesday (06/26/2013) and 20 hours on Thursday (06/27/2013) executing search warrants and interviewing people. Because of the amount of hours worked, he said he split the hours up under BBK after his military time. He stated he was told by MPD/Lt. House to put his investigation time under buyback instead of overtime, but that MPD/House did not tell him to split up his time like he did. MPD/Thole said he didn't know how to put his time in, so he just put it in like he did, on Thursday night (06/27/2013).

- o Combined MIL (8) and BBK (8.5) hours on Wednesday, 06/26/2013, equal 16.5 hours total.
- o Combined MIL (8) and BBK (8) hours on Thursday, 06/27/2013, equal 16 hours total.
- o Combined MIL (8) and BBK (8.5) hours on Friday, 06/28/2013, equal 16.5 hours total.

Although the total hours (32.5) of time entered on Wed/Thurs appear to be mathematically close to what MPD/Thole stated he believed he worked (38 hours over the Wed/Thurs timeframe), the question of whether working an investigation under both military time and buyback time, over a two day period, then splitting up that time and entering it as if it was worked over a 3