



West Allis Police Department

Incident Report

Incident: Assist Other Dept/Service/Requ			
Incident Report Number: 19-005427	Between: Date - Time	And/At: Date-Time 2/10/19	01:37
Incident Location: 821 School Dr, Waukesha			
CFS Code-1: G3	CFS Code-2: ZCM9075	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

DOA	Name (Last, First, Middle) Schmitz, Ted Charles	DOB: 12/23/1964	Race/Sex W/M
Address: (Address, City, State, Zip) 1206 Lambeth Rd #4, Waukesha, WI, 53189			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number
Name (Last, First, Middle)			DOB:
Address: (Address, City, State, Zip)			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number

SUMMARY

LT. Brian Saftig reports: The Milwaukee Area Investigative Team (MAIT) investigated an officer involved death that occurred in the City of Waukesha on Sunday 10 February 2019. The City of Waukesha Police Department is the involved agency and the West Allis Police Department has been designated the lead investigative agency in accordance with Wisconsin State Statute 175.47.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Other Vehicle Information:			Insurance Company:
Reporting Officer(s): Saftig, Brian			NCIC#
Payroll Number : 2103		Report Date: 02/10/2019	
Time Received: 03:41:59	Time Cleared: 09:26:14	Unit(s) Assigned: 151, 155, 156, 160, 253, 482, 5	Pages: 1 of 7
Reviewed by: Saftig, Brian		Payroll Number : 2103	Copy To

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NARRATIVE

LT Brian Saftig reports...

On Sunday 10 February 2019 at approximately 0114hrs., the Milwaukee Area Investigative Team (MAIT) was notified of an officer involved shooting that occurred in the City of Waukesha. A Waukesha Police officer shot an individual (later identified as Ted C. Schmitz, M/W 12/23/1964) in the 800blk. of School Dr. in Waukesha, WI. Preliminary information indicated Schmitz was not likely to survive.

Schmitz was later pronounced deceased at approximately 0135hrs. at ProHealth Waukesha Memorial Hospital (725 American Ave.) by Dr. Szymanski. The investigatory request was made by the involved agency: City of Waukesha Police Department. MAIT was activated and investigated the incident, pursuant to Wisconsin Statute 175.47.

The West Allis Police Department was the lead agency for MAIT in February 2019. Other agencies involved in this investigation included the Wauwatosa Police Department, West Milwaukee Police Department, Oak Creek Police Department, South Milwaukee Police Department, Greenfield Police Department, Wisconsin State Patrol and the Wisconsin State Crime Laboratory.

The officer involved in this incident was identified as Officer Bradley R. Condon of the Waukesha Police Department. Several other Waukesha Police Officers and Waukesha County Sheriff's Office Deputies responded to the scene after the shooting occurred. No other officers or deputies were involved in the shooting, but several rendered aid to Schmitz prior to the arrival of the Waukesha Fire Department.

I notified Captain Christopher Marks 0135hrs. and he responded directly to the scene of the incident in the 800blk.of School Dr. I responded to the Waukesha Police Department (1901 Delafield St., Waukesha) and arrived at approximately 0213hrs. on Sunday 10 February 2019. Each of us were the first West Allis Police Department investigative officers to arrive at each scene. Waukesha Police Department Captain Dan Baumann was the point of contact for the involved agency. The majority of MAIT investigators responded to the Waukesha Police Department and were given assignments from there. Personnel from the WI State Patrol and WI State Crime Lab responded directly to the scene.

The following MAIT members assisted in this investigation:

Captain Christopher Marks (West Allis Police Department)

Captain Eric Lindstrom (Greenfield Police Department)

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Lieutenant Todd Clementi (West Allis Police Department)
Detective Caleb Porter (West Allis Police Department)
Detective Todd Kurtz (West Allis Police Department)
Detective Jason Vanderwerff (West Allis Police Department)
Detective David Madden (West Allis Police Department)
Detective Allison Cerqua (West Allis Police Department)
Detective Lucas Binter (West Allis Police Department)
Detective Sergeant Brian Havican (West Allis Police Department)
Detective Sergeant Wayne Treep (West Allis Police Department)
Detective Brett Mendola (Oak Creek Police Department)
Detective Joe Lewandowski (Wauwatosa Police Department)
Detective James Donovan (Wauwatosa Police Department)
Detective Steve Kirby (Wauwatosa Police Department)
Detective Brian Chic (West Milwaukee Police Department)
Investigator Jon Rivamonte (South Milwaukee Police Department)
Investigator Joe Benson (South Milwaukee Police Department)
Trooper Peter Moe (WI State Patrol - Technical Reconstruction Unit)
Lisa Treffinger (WI State Crime Lab - Crime Scene Response Team)
Christopher Johnson (WI State Crime Lab - Crime Scene Response Team)
Levi Ingebrigtson (WI State Crime Lab - Crime Scene Response Team)
Pamela Taylor (WI State Crime Lab - Crime Scene Response Team)
Lacy Neuendorf (WI State Crime Lab - Crime Scene Response Team)

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Saftig, Brian

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SCENES

It was determined there were three (3) scenes to manage during this investigation:

Shooting Scene: The shooting occurred in the 800blk. of School Dr. The address '821' was later used for reporting purposes. Captain Marks was designated the scene supervisor.

Hospital Scene: Schmitz was transported to ProHealth Waukesha Memorial Hospital by Waukesha Fire Department Ambulance 53 and later pronounced deceased there. Waukesha Police personnel maintained custody of the deceased until Detective Madden (West Allis Police) arrived on scene. Waukesha County Medical Examiner's Office - Deputy Medical Examiner Tabitha Kukes also responded to the hospital.

Waukesha Police Department: All of the officers and deputies involved in this incident returned to the Waukesha Police Department. Photographs and interviews of the officers and deputies occurred here. I was designated the scene supervisor at the police department.

INITIAL INFORMATION

After arriving at the Waukesha Police Department, I was briefed on this incident by Capt. Baumann. Capt. Baumann confirmed the identify of the deceased individual as Ted C. Schmitz, M/W 12/23/1964. Capt. Baumann said officers from his agency had been attempting contact with Schmitz for several weeks, as he was a suspect in a burglary and uttering case. (For further details, please refer to Waukesha Police Department Burglary Report #19-002635, dated Monday 14 January 2019.) Subsequent to this investigation, probable cause was developed to arrest Schmitz for burglary and uttering. Officers attempted contact with Schmitz at his apartment (1206 Lambeth Rd., Apt. #4) on Sunday 03 February 2019, but were unsuccessful. (The abovementioned case indicates this was the second attempt to contact Schmitz - Page #7 of 9 total / Page #1 of 1 labeled 'Supplement #2.')

Officers exchanged calls and voicemail messages with Schmitz for several days as they continued to attempt (physical) contact with him. On 10 February 2019, Officer Benjamin Stern called Schmitz and left a voicemail. Shortly thereafter, Schmitz called Officer Stern back. During this conversation, Officer Stern told Schmitz there was probable cause for his arrest. Officer Stern told Schmitz he would be arrested and released. Schmitz was allegedly upset and was described as having slurred speech, sometimes mumbling incoherently. Schmitz also indicated he was going to slit his wrist(s) during this conversation. During the conversation with Officer Stern, it was determined Schmitz was outside and said he was on "School Drive."

Officer Stern shared this information with Waukesha Police Dispatch and he, along

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with other City of Waukesha officers, headed towards School Dr. in an attempt to find Schmitz. Officer Bradley Condon was the first to arrive on School Dr. and located Schmitz walking east on the south side of the street. Shortly after Officer Condon arrived on scene and made contact with Schmitz, he (Condon) radioed that shots were fired. Several other Waukesha Police Officers, as well as Waukesha County Sheriff's Office Deputies arrived on scene and rendered aid to Schmitz. Waukesha Fire Department Engine #1, Engine #3 and Ambulance #53 later arrived on scene, took over medical care and transported Schmitz (via Ambulance #53) to the hospital.

An initial canvas was completed by Waukesha Police Officers. A secondary canvas was later completed by MAIT personnel. There are only houses on the north side of School Dr., as the south side of the street is bordered by Prairie Park and Prairie Elementary School.

It was determined there were no citizen witnesses and no other law enforcement witnesses to this incident. Several citizens who lived in houses on the north side of School Drive heard gunshots, but did not directly observe the incident other than activity afterwards.

The initial interaction between Officer Condon and Schmitz was captured on Officer Condon's MAVRS (Mobile Audio-Video Recording System) squad video. The actual shooting is not captured, but audio of the entire incident is captured. Please refer to West Allis Police Case #19-005427 / Detective Kurtz's supplemental report 'Squad Video - Officer Brad Condon' for details.

There is no other video footage of the incident, as City of Waukesha Police Officers do not utilize body worn cameras and Waukesha County Sheriff's Office Deputies do not utilize squad or body worn cameras.

NEXT OF KIN NOTIFICATION / SCHMITZ'S RESIDENCE

It was later determined Schmitz lived with [REDACTED]. [REDACTED] was notified of [REDACTED]'s death at approximately 0627hrs. on 10 February 2019. Please refer to Det. Madden's supplemental report for details.

It was later determined [REDACTED]. Officers also made contact with her shortly after leaving [REDACTED]'s apartment. [REDACTED] was also notified of her son's death. Please refer to Det. Madden's supplemental report for details.

INVESTIGATION, INTERVIEWS & REPORTS

The following is a reference list of pertinent reports compiled in this investigation:

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Saftig, Brian

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Waukesha Police Department Burglary Case with Schmitz as suspect: Waukesha Police Department Case #19-002635

Waukesha Police Department Officer Involved Shooting: Waukesha Police Department Case #19-007469 (Includes officer's initial responses, initial canvass, Waukesha Police Department Public Safety Statement provided by Officer Condon and Crime Scene Log)

Scene Diagram: Wisconsin State Patrol Case #2019-044-SER

Scene Photographs and Evidence: Wisconsin State Crime Lab Case #R19-565

Photographs of officers and deputies: Wauwatosa Police Department Case #19-003142 (Includes officer and deputy photographs taken at the Waukesha Police Department, secondary canvass and photographs and interview of Waukesha Firefighter/E.O. Putchinski - Engine 3.)

Interviews of Waukesha Fire Department Personnel:

Engine 1:

-LT Darren Becker, Firefighter/E.O. Matthew Gundersen and Firefighter Michael Whitehouse were all interviewed by Investigator Benson and Investigator Rivamonte: South Milwaukee Police Department Case #19-003501

Engine 3:

-LT Daniel Holehouse: West Allis Police Department Case #19-005427 / Det. Cerqua's supplemental report 'Statements of Rescue Personnel'
-Firefighter/Paramedic Pere Oleniczak: West Allis Police Department Case #19-005427 / Det. Binter's supplemental report 'Statement of Rescue Personnel'
-Firefighter/E.O. Steven Putchinski: Wauwatosa Police Department Case #19-003142 / Det. Donovan's supplemental report

Ambulance 53:

-Firefighter/Driver Joseph Coffey: West Allis Police Department Case #19-005427 / Det. Binter's supplemental report 'Statement of Rescue Personnel'
-Firefighter/Paramedic Sara Murray: West Allis Police Department Case #19-005427 / Det. Cerqua's supplemental report 'Statements of Rescue Personnel'

Interviews of Waukesha Police and Waukesha Deputies:

City of Waukesha Police Officers:

Officer Bradley Condon - Involved Officer: West Allis Police Department Case #19-005427 / Det. Kurtz's supplemental report 'Interview: Officer Bradley Condon - Officer Involved'

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Officer Benjamin Stern: West Allis Police Department Case #19-005427 / Det. Vanderwerff's supplemental report 'Statement of Waukesha Police Officer Benjamin Stern'

Officer Darin Wittnebel: West Milwaukee Police Department Case #19-001026 / Det. Chic

Officer Terrence Fletcher: South Milwaukee Police Department Case #19-003501 / Investigator Rivamonte

Officer Bryan Spakowicz: West Allis Police Department Case #19-005427 / Det. Binter's supplemental report 'City of Waukesha Police Officer Bryan R. Spakowicz'

Waukesha County Sheriff's Deputies:

Deputy Brian Skaar: South Milwaukee Police Department Case #19-003501 / Investigator Rivamonte

Deputy Kurt Thompson (Canine Officer): Oak Creek Police Department Case #19-003186 / Det. Mendola

Deputy David Schroeder (Field Training Officer): West Allis Police Department Case #19-005427 / Det. Cerqua's supplemental report 'Statement of Waukesha County Deputy David J. Schroeder'

Deputy Amanda Watterson (Trainee of Dep. Schroeder): West Allis Police Department Case #19-005427 / Det. Binter's supplemental report 'Statement Waukesha County Deputy Amanda M. Watterson'

Autopsy Results: Waukesha County Officer of Medical Examiner Case #19-0325

MEDICAL EXAMINER - FINAL CAUSE OF DEATH

On Tuesday 19 February 2019, Det. Sgt. Havican received an email from Waukesha County's Medical Examiner Administrative Assistant Ashley Kirchenberg. There was a 'pdf' document attachment that indicated the cause and manner of death as the following:

Cause of Death: Multiple gunshot wounds

Manner of Death: Homicide

Please refer to the attachment of this document and West Allis Police Case #19-005427 / Det. Sgt. Havican's supplement report 'FINAL Cause/Manner of Death Ted C. Schmitz' for details.

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West Allis Police Department**Supplementary Report**

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New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NAMES**Police Officer**

Stern, Benjamin W/ of 1901 Delafield Street, Waukesha, WI
Business Phone: [REDACTED]

NARRATIVE

Det. Jason Vanderwerff reports...

INITIAL RESPONSE

02/10/19:

At approximately 0216 hours, I received an activation request from the Milwaukee Area Investigative Team to assist in a critical incident investigation that occurred at the 800 block of School Drive, Waukesha, WI.

I responded to the City of Waukesha Police Department, located at 1901 Delafield Street, Waukesha, WI.

STATEMENT OF OFFICER BENJAMIN STERN

At approximately 0430 hours, City of Wauwatosa Police Detective Joe Lewandowski and I interviewed City of Waukesha Police Department Officer Benjamin Stern regarding this incident. The interview was conducted in an administrative office at the City of Waukesha Police Department. Stern had voluntarily agreed to the interview and based the dates and times of this incident to the best of his recollection.

Stern has been employed as a City of Waukesha Police Officer for two years. He obtained his criminal justice degree from the University of Wisconsin-Lacrosse in 2011. He served as a Military Police Officer in the Air Force from 2011 to 2016. Stern [REDACTED].

I spoke to Stern about his duties the night of the incident. He began his shift at [REDACTED] hours and was assigned to the front desk. His squad

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number was TS1. His duties for the shift included checking on prisoners and fielding various phone calls from Waukesha Police Dispatch that did not require a police response.

Stern was aware that City of Waukesha Police Officer Steve Pipia had been conducting a forgery investigation with a suspect identified as Ted C. Schmitz (M/W, DOB 12/23/64). Schmitz had been employed as a janitor at a church and was suspected of stealing from the church and forging checks. Members of the Waukesha Police Department knew that Schmitz was wanted for the offense.

Approximately two weeks ago, Stern went to an address of 1206 Lambeth Rd., #4, Waukesha, WI to look for Schmitz. Stern spoke with [REDACTED] [REDACTED] told Stern that Schmitz did not live there. Stern returned a couple days later to look for him and [REDACTED] said he was not at the residence and she would not allow police inside the residence to look for him.

Around 02/03/19, Stern received a voicemail from Ted Schmitz. Schmitz was upset that police responded to [REDACTED] residence and was upset police were looking for him. He didn't trust the officers and told police to come and get him. Stern advised Officer Pipia of the voicemail so he could follow up.

On or around 02/09/19, at approximately 0100 hours, City of Waukesha Police Dispatch received a call from Schmitz requesting to speak to police about the incident. Stern was on patrol and told dispatch to forward the call to his department cell phone. While waiting for the call, a police pursuit began in the city and Stern never received the call, as he had assisted in the pursuit. The pursuit was not related to the investigation with Schmitz.

On or around the early morning of 02/10/19, Stern called Schmitz's phone number of (262) 506-4367 and left a voicemail for Schmitz. Several minutes later, Schmitz called back to speak with him and Stern talked to him from a phone in the Waukesha Police report room. Schmitz sounded like he was walking around outside when Stern was talking with him because he could hear what sounded like wind blowing. While Stern was on the phone with Schmitz it sounded to Stern like Schmitz had fallen on the ground. Schmitz said he said he was falling all over the place.

Stern told Schmitz that he needed to talk with him about an investigation and that he needed to turn himself into the station. He was honest with Schmitz and said there was probable cause to arrest him. Stern was planning on booking and

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Vanderwerff, Jason

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releasing him after his arrest. Schmitz was becoming upset and said that he wanted an attorney. Stern told him they could get him an attorney, but he needed to turn himself in.

During Stern's conversation with Schmitz, he observed that Schmitz's speech was slurred and he was mumbling incoherently at times. Schmitz's tone of voice changed throughout his phone conversation with Stern. He would go from calm to loud and upset and was growing increasingly agitated. Schmitz was going off on a tangent and becoming incoherent. He had heard Schmitz say something about slitting his wrists, but Stern was not sure if he was talking about a future act or past act. He clarified the statement with Schmitz and Schmitz replied something to the effect of, "I'm going to slit my wrists. I'm not afraid to do it! I'll do it right here in the street. I'm not afraid!" Stern was concerned for Schmitz's well being and spoke with him about his mental health issues, as he wanted to get him treatment. Schmitz agreed to meet with police. He said something to the effect of, "I'm here you can come pick me up." Stern asked where he was and Schmitz replied he was in Waukesha. Stern asked what street he was on and he said, "School Drive", but provided no other information.

Stern got approval from Sgt. David Gawrasch to respond to School Drive and had dispatch enter a call for a welfare check. City of Waukesha Police Officer Fletcher, Squad 106, was originally responding to the call. Stern began responding to the scene with squad fleet vehicle #30, a transport van equipped with a squad video and microphone. He did not have the microphone on his body, as he does not usually respond to calls when assigned as the desk officer. Stern advised dispatch of additional information and that he was unsure if Schmitz had any weapons. He gave a physical description of Schmitz along with the School Drive location, as well as various areas Schmitz was known to frequent.

Waukesha Police Officer Bradley Condon called out on the radio that he was with Schmitz near School Drive and S. Prairie Avenue. Officer Condon later advised via radio that the subject dropped the knife, but he wanted additional officers to respond 10-39. Stern clarified that a 10-39 code meant police should respond in emergency mode with lights and sirens, as the incident was serious. I asked where he was when Officer Condon requested a 10-39 response. Stern believed he was traveling on S. Moreland Rd., near Dopp St.

Condon got on the radio and advised that there were shots fired and the subject had multiple weapons on him and had been advancing towards him.

As Stern arrived on scene another unknown officer advised him via radio to shut down the street on Center and School Rd, which he did. Stern exited his squad

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and responded to the shooting scene on foot. He observed Waukesha Police and Waukesha Sheriff's Deputies providing first aid to Schmitz.

I asked Stern if he saw any weapons on scene. He said there were two knives laying on the ground near Schmitz. The first knife was described as a plain white knife that was approximately three (3) feet away from where Schmitz was laying. I asked if it was similar to a ceramic knife. He said it could be a ceramic knife or some type of contractor knife. The second knife was an extended metal folding knife and was approximately five (5) feet away from Schmitz. Stern approached Condon and asked if he was ok. Condon said he was not hurt and wished Schmitz wouldn't have come at him. Stern secured Condon's handgun, per department policy. Sgt. Gawrisch arrived on scene and took custody of Condon's firearm.

Stern then took a Waukesha PD digital camera and began taking pictures of the scene to help preserve the location of evidence. After taking pictures, Schmitz was being placed in an ambulance for hospital transport. Stern rode in the ambulance with Schmitz while Waukesha Fire continued medical treatment to Schmitz's injuries. Schmitz was not responsive and medical personnel applied a LUCAS Cardiopulmonary resuscitation device to Schmitz. Schmitz was transported to ProHealth Waukesha Memorial Hospital, located at 725 American Drive, Waukesha, WI. He was treated in a hospital room and declared deceased by a doctor.

Stern had not previously known Schmitz and this was the first time that he had actually spoken with him. Stern had looked at prior police contacts in his report management system and knew he had a history of mental health issues. Stern felt that Schmitz's prior mental health history, his angry statements on the voicemail that he didn't like police and to come and get him, and his recent statement about slitting his wrist caused Stern to believe that he had mental health issues and created a danger for officers.

I asked Stern about his prior 24 hours. He had his usual sleep cycle during the day and had nothing out of the ordinary occur until this incident. Stern had his usual equipment on during this incident, including his Glock 17 9mm, serial number [REDACTED] with a TLR-1HL Streamlight tactical light. He had seventeen (17) rounds in each magazine of his three magazines and one round in his chamber.

Stern is not issued a body camera and was not wearing any squad microphone during this incident. He believed his squad had video recording during his emergency response to the scene.

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Vanderwerff, Jason

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Stern turned over the SD card that contained crime scene photographs to me. They were later secured in the West Allis Police Digital Evidence database.

The interview was concluded and Stern was photographed by Wauwatosa Police Detective Stephen Kirby. Stern advised me that he did not change or alter any clothing or equipment he was wearing after the incident.

REVIEW OF INITIAL STATEMENT-BENJAMIN STERN**02/21/19:**

At approximately 1105 hours, I met with Stern at the Waukesha Police Training Center at 800 Sentry Dr., Waukesha, WI. Stern reviewed his initial statement and confirmed his statement that he provided investigators was accurate. He pointed out some minor grammatical issues that did not affect the details of the original statement.

End of supplemental report.

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NAMES

Witness-1

[REDACTED]

Witness-2

[REDACTED]

Contact-1

[REDACTED]

Contact-2

[REDACTED]

Witness-3

[REDACTED]

NARRATIVE

Det. Jason Vanderwerff reports...

02/10/19:

At approximately 0740 hours, I assisted in conducting a neighborhood canvas of the scene. I knocked on [REDACTED] and made contact with the following residents: [REDACTED]

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810 School Dr, Waukesha

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STATEMENT OF ██████████-WITNESS

██████████ I spoke with ██████████ ██████████ in his living room. ██████████ said he was watching television with his wife in their bedroom located in the back of the house when he heard four gunshots in quick succession. He went to the living room window that shows views to the street and observed squad cars in the area with emergency lights on. ██████████ saw rescue personnel conducting medical treatment to a male subject on the ground. ██████████ estimated that they were providing treatment to the subject for approximately 30 minutes.

██████████ did not hear or see anything else during this incident. He did not hear or see anything prior to the gunshots.

STATEMENT OF ██████████-WITNESS

██████████ said she was watching television when she heard two to three gunshots. She looked at her husband and asked, "Is that a gun?" He said it was and they went to the living room. They walked to the front window and saw numerous squads with their lights on. They put their shoes on and went outside. There were 10-12 squads on the street. ██████████ later saw law enforcement looking at the crime scene, but did not see anything else related to the incident. She did not hear or see anything prior to the gunshots.

STATEMENT OF ██████████-WITNESS

██████████ was sleeping in the basement and did not hear or see anything.

STATEMENT OF ██████████-WITNESS

██████████ was sleeping in the basement and did not hear or see the incident. He later got up and saw emergency lights, but did not see anything.

STATEMENT OF ██████████-WITNESS

██████████ was in the basement and heard three gunshots. She came upstairs and learned something had happened. She did not see anything and had no other information to provide.

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NARRATIVE

Det. Jason Vanderwerff reports...

PHOTOGRAPHS COLLECTED BY WAUKESHA POLICE

02/10/19:

I responded back to the West Allis Police Department with the SD card that Stern provided. The SD card was downloaded to the West Allis Police digital database for long term storage.

End of supplemental report.

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NAMES

Witness

[REDACTED]

NARRATIVE

CANVAS AT [REDACTED]

Sunday 02/10/19, Sgt. Brian Havican

On this date, I was assigned to assist in a canvas of the street where an officer-involved shooting had occurred. At approx. 7:40am this date, I made contact with the resident at [REDACTED]. The resident verbally identified himself as [REDACTED], who came outside and spoke with me in the driveway at his residence.

I asked [REDACTED] if he had been contacted by other LE Officers earlier this date, he confirmed he had been contacted and had spoke with LE regarding the ongoing investigation on his block. I advised [REDACTED] I would like to speak with him about what he heard/observed, since sometimes people recalled additional details about an incident after some time had passed. [REDACTED] agreed to speak with me, and I asked him to tell me about the time leading up to the incident.

[REDACTED] said he was half-asleep on the couch in the living room (where he usually sleeps), with the living room being up in the front (south) of the residence. He said around 12:50am, he heard three "bangs"; I asked about the times and how sure he was in regard to the time being accurate. [REDACTED] said he had not looked at the clock so he was estimating the time he heard the bangs. About 15 minutes later, [REDACTED] got up and saw flashing lights reflecting off the building (school) across the street from his residence. I asked what type of lights he had observed, he clarified it appeared to be Police or emergency type lights. While looking outside, he observed a couple Police squads drive up the street. He said though the street was generally fairly quiet, it was not uncommon to see a squad car come along and shine a spot light into the park near the school, to check on things.

After looking outside through the window, [REDACTED] said he did step outside to

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get a better look. He stood in the driveway of his residence for about one minute, at which time he saw a "bunch of squads" and persons out of the cars moving about. He also saw a Fire Dept. truck on School Dr. at this time. He did not leave his driveway during this time.

I asked [REDACTED] if he had CCTV video cameras or a Nest doorbell camera at his residence. He said he did not have a surveillance system and did not have a doorbell camera. He did not know of any neighbors who had a CCTV video system at the residence on the block. [REDACTED] uses the side (east) door to go in and out of the house, not the front door on the south side of residence (snow was not shoveled and no foot impressions in the snow on the walkway leading to the front door).

I asked [REDACTED] if there was anything else he wanted to add that we had not covered, he said there was not at this time. I advised [REDACTED] to call Waukesha PD if he recalled anything else about this incident.

RESIDENCE LOCATION RELATIVE TO SCENE

[REDACTED]' residence is [REDACTED]
[REDACTED]. I estimated
[REDACTED]' residence was approx. [REDACTED] feet from the scene.

PHOTOS FROM [REDACTED]

Wauwatosa PD Detective Steve Kirby took digital photos from [REDACTED] showing the point of view [REDACTED] would have had from his driveway looking towards the scene. Refer to his Supp Report for additional info on the photographs.

Reporting Officer(s):

Havican, Brian

Payroll Number:

2101

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West Allis Police Department

Supplementary Report

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OTHER NAMES

Waukesha Police Department of 1901 Delafield St, Waukesha, WI, 53188
 Business Phone: (262) 524-3831

Schmitz, Ted Charles W/M-54 of 1206 Lambeth Rd #4, Waukesha, WI, 53189
 DOB: 12/23/1964
 HT: 603 WT: 297 Hair: Bald/Shaved/Unknown
 Eyes: Brown

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
=====				
19-000743				
1	EVI		(1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #1	1.000 \$0.00 [Recovered]
2	EVI		(1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #2	1.000 \$0.00 [Recovered]
3	EVI		(1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #3	1.000 \$0.00 [Recovered]
4	EVI		(1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #4	1.000 \$0.00 [Recovered]
5	EVI		Black folding knife on street south of Squad #48, Item designation #5	1.000 \$0.00 [Recovered]
6	EVI		White plastic knife on street, Item designation #6	1.000 \$0.00 [Recovered]
7	EVI		Newspapers/flyers on street south of squad #48, Item designation #7	1.000 \$0.00 [Recovered]
8	EVI		(1) shoe left on the street,	1.000

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		Item designation #8	\$0.00 [Recovered]
9	EVI	Contents of pockets on sidewalk, Item designation #9	1.000 \$0.00 [Recovered] [Recovered]
10	EVI	2 sets of hand cuffs (silver & black) on sidewalk south side, Item designation #10	1.000 \$0.00 [Recovered]
11	EVI	1 pair of eye glasses with stain on street, Item designation #11	1.000 \$0.00 [Recovered]
12	EVI	(1) black knit hat on the street, Item designation #12	1.000 \$0.00 [Recovered]
13	EVI	2 swabs of possible bloodstain on the street, Item designation #13	1.000 \$0.00 [Recovered]
14	EVI	Clothes with stains on the street, Item designation #14	1.000 \$0.00 [Recovered]
15	EVI	White lighter with stain on the street, Item designation #15	1.000 \$0.00 [Recovered]
16	EVI	1 pair of black gloves on the street, Item designation #16	1.000 \$0.00 [Recovered] [Recovered]
17	EVI	Folding knife from the sidewalk, Item designation #17	1.000 \$0.00 [Recovered] [Recovered]
18	EVI	Hand cuff lock on the street (key pen), Item designation #18	1.000 \$0.00 [Recovered]
19	EVI	2 swabs of possible blood from street by drivers front tire of Squad #48, Item designation #19	1.000 \$0.00 [Recovered]
20	EVI	1 black cell phone with	1.000

Reporting Officer(s): Treep, Wayne	Payroll Number: 9519	Pages: 2 Of 3
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West Allis Police Department**Continuation**

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810 School Dr, Waukesha

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19-000744	1	EVI	stain under clothes (Item #14), Item designation #20	\$0.00	[Recovered]
			WI DOJ State crime lab Item designation log, turned over to Sgt. Treep WAPD	1.000	\$0.00
					[Recovered]

NARRATIVE**Sgt. Treep reports...**

On 02/10/19 at approximately 0200hrs., I responded to the area of the 800block of School Dr. Waukesha, WI 53189 for an officer involved shooting resulting in a death. This was a Milwaukee Area Investigative Team (MAIT) call out and was assigned by Captain Marks to respond.

Sgt. Havican and I responded to the scene at approximately 0336 hrs and was on scene at approximately 0345 hrs. Once on scene, I met with WI DOJ Crime Lab team leader Lisa M. Treffinger who was awaiting her team. It was determined that the WI Crime Lab would be handling all aspects of the crime scene and would be turning over the evidence to me.

At approximately 0920 hrs., WI DOJ Crime Lab team leader Lisa M. Treffinger turned over all property to me, which I in turn placed on WAPD property #19-000743 items 1 through 20. See property description for specific details. WI DOJ Crime Lab team leader Lisa M. Treffinger turned over their Crime Lab designation log form to me, which I scanned and attached to our case file. This form was also placed on property #19-000744-1.

Reporting Officer(s):

Treep, Wayne

Payroll Number:

9519

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West Allis Police Department**Supplementary Report**

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NARRATIVE**Sgt. Treep reports...**

On 02/10/19 at approximately 0936 hrs., I entered Waukesha PD squad #48, which I drove back to their garage to off load the squad video. This squad had 51761.5 for current miles on the vehicle.

I followed Waukesha PD back to their station and entered their garage at approximately 0945 hrs. with ending vehicle miles of 51765.2. I backed the squad into their garage in spot #48 and verified that the squad video was off loading, which it was. I then turned over the vehicle keys and gave my business card to Waukesha PD, informing them I would be back on 02/11/19 at approximately 1030hrs to collect their digital evidence related to this case. At approximately 0954 hrs., I left Waukesha PD and responded back to the West Allis PD.

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OTHER NAMES

Waukesha Police Department of 1901 Delafield St, Waukesha, WI, 53188
Business Phone: (262) 524-3831

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-000721				
1	EVI		(2) USB flash drives containing digital media from incident.	1.000 \$0.00 [Recovered]

NARRATIVE

Sgt. Treep reports...

On 02/11/19 at approximately 1030 hrs, I responded to Waukesha PD and met with Lt. Rice and Captain Baumann. Captain Baumann provided me with 2 USB flash drives containing their digital/video/audio information and a NCIC/III printout of Ted C. Schmitz record.

Back at the WAPD, I turned over the NCIC/III printout to Lt. Saftig. I also made working copies of both the USB flash drives contents and placed these 2 original flash drives on property #19-000721-1.

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NAMES

Witness

[REDACTED]

NARRATIVE

NEIGHBORHOOD CANVAS

Det. Todd Kurtz Reports....

On Sunday February 10th 2019, I assisted with a neighborhood canvas in the area of the shooting. I was advised patrol officers had already made contact with several houses in the area and investigators were now going to make contact to conduct a canvas.

[REDACTED]:

On the above date at approximately 8:30am, I made contact at [REDACTED] with [REDACTED].

[REDACTED] [REDACTED] stated she was home alone last night when the incident took place. Between 12:30am and 12:45am on February 10th 2019 she heard three consecutive gunshots outside of her residence. She was in the living room at the time watching television. The living room in her residence is located in the front of her residence, facing School Dr.

At the time of the gunshots, [REDACTED] [REDACTED] was walking to the bathroom. [REDACTED] [REDACTED] walked to use the bathroom and then called her mother at approximately 12:50am to let her know she was ok in case this incident was on the news later.

Several minutes later (she was not sure how long), [REDACTED] [REDACTED] looked out her front living room window and observed about eight police cars, two fire trucks and an ambulance.

[REDACTED] [REDACTED] observed either police or firemen performing CPR on someone near the far sidewalk. [REDACTED] [REDACTED] does not have any surveillance equipment on

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her residence.

Det. Stephen Kirby took a photograph of what [REDACTED] [REDACTED]'s view would have been from her living room window.

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Kurtz, Todd

Payroll Number:

1848

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West Allis Police Department**Supplementary Report**

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NARRATIVE

Detective Caleb Porter reports:

RESPONSE AND INITIAL INFORMATION

On 02/10/19 at about 0137hrs I was notified of an officer-involved shooting in the city of Waukesha and responded to investigate as a function of the Milwaukee Area Investigative Team.

My initial assignment was to report to the Waukesha Police Department for a briefing. I learned that at about 0033hrs Waukesha Police Officer **Bradley R. Condon** (████████) was dispatched to a suicidal subject near the area of School Dr. in their city. The subject in question was identified as **Ted C. Schmitz** (m/w, 12/23/64).

Officer Condon located Schmitz walking along School Dr and stopped out with him. During this contact, Schmitz reportedly threw two different knives in the direction of Officer Condon and continued approaching Officer Condon while making more furtive movements with his hands. Throughout the event, Schmitz was yelling for Officer Condon to shoot him. Schmitz did not comply with Officer Condon's demands and was shot four times. Multiple knives were located on scene.

ASSIGNMENT

At about 0425hrs Det. Kurtz and I were assigned to interview Condon about this incident. Det. Kurtz and I met with Officer Condon in a separate room where he was with a support officer (Waukesha Officer Jose Allerno) and WPPA Attorney Andrew Schauer.

We introduced ourselves to Officer Condon and after coordinating with Attorney Schauer, an interview was scheduled for 02/13/19 at 1400hrs at Waukesha PD.

During this contact, Wauwatosa Detective Steve Kirby took photos of Officer Condon, in his full uniform as he was during the incident. Officer Condon did not report any injuries and none were apparent. There did not appear to be any damage to Officer Condon's uniform or equipment.

Officer Condon's uniform consisted of a blue long-sleeved shirt and pants, black shoes, a gun belt consisting of his firearm (right side of body), CEW (Taser), flashlights and expandable baton. Officer Condon wore an external vest carrier (blue) with three pistol magazines, a radio, handcuffs and

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tourniquet. The vest had Officer Condon's name embroidered as well as a badge. The back of the vest carrier had the word "Police" written across it in white reflective lettering. There were also department patches on both of Officer Condon's sleeves.

After the initial photos were taken, Detective Kirby took possession of Officer Condon's duty weapon and extra magazines. The weapon was a Glock 21, .45 caliber pistol with serial number [REDACTED]. The pistol was equipped with a Streamlight TRL-1 weapon light as well as an aftermarket flat faced trigger.

The magazine in the pistol was ejected and nine Federal brand .45 caliber rounds were removed and a Federal .45 caliber round was ejected from the chamber. Next, we inventoried Officer Condon's three extra magazines. There were 13 rounds of ammunition loaded into each magazine, which is the maximum capacity. In magazine #3 (as seen in Det. Kirby's pictures) there were five rounds that appeared to be "Hydra-Shok", while all other rounds appeared to be HST ammunition. All ammunition was marked as Federal +p on the bottom of the casing and the projectile weight appeared to be 230gr.

After photos were taken, the pistol and magazine were secured in a gun box. I maintained possession of this box and later returned it to the West Allis Police Department.

PROPERTY - CONDON'S SERVICE WEAPON

I returned to the WAPD at about 1100hrs. The round from the chamber as well as the loaded magazine from the gun were placed in separate envelopes and secured in the gun box with Officer Condon's service weapon. The gun box was then sealed and entered into the property program under number 19-00694-1.

Next, I packaged the three extra magazines (still fully loaded) from Officer Condon's vest carrier, placed them in heat sealed plastic and entered them into the property program under number 19-000694-2.

These items were secured in a property locker.

End of supplement.

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NARRATIVE**SQUAD VIDEO - OFFICER BRADLEY CONDON**

Det. Todd Kurtz Reports.....

I was assigned the watch the squad video from the marked police car that was driven by City of Waukesha Police Officer Bradley Condon on February 10th 2019 that captured the encounter with the deceased, **Ted C. Schmitz M/W, d.o.b. 12-23-1964**. This squad car had Wisconsin license plate #D623. Note: There was a camera mounted in the squad car pointed towards the front of the car. Officer Bradley Condon did not have a body camera on his person, but did have a microphone for audio. The following is a summary of the video along with the audio.

The video starts with the squad car driving south on Prairie Ave and then turns west on School Dr. The video is dated 02-10-2019 and has a start time of 00:39:00 at the bottom of the screen.

As the squad car drives west of School Dr, it shows Ted Schmitz walking on the sidewalk alone School Dr. Ted Schmitz was on the south side of road and he was walking east on School Dr. Ted Schmitz was on the sidewalk near the pavilion for Prairie Park.

Officer Bradley Condon pulled his squad car so it was slightly facing the southwest. The headlights to the squad car were pointing towards the sidewalk where Ted Schmitz was located. Ted Schmitz was walking east on the sidewalk towards the squad car. The audio was activated once the squad car was placed in park.

The video shows an object in Ted Schmitz left hand that was consistent with a knife.

I could hear Officer Bradley Condon exit his squad car and stated, "Ted".

Ted Schmitz stated, "Yeah".

Officer Bradley Condon stated, "Why don't you go ahead and put those down on the ground right now".

It appeared Officer Bradley Condon used a flashlight (gun light) in the direction of Ted Schmitz because I observed some light on Ted Schmitz.

Ted Schmitz stated "Shoot me"!

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Officer Bradley Condon stated, "I am not going to shoot you, put the knife down".

Ted Schmitz stated, "Fuck you"!

Officer Bradley Condon stated, "Ted, put the knife down".

Ted Schmitz stated, "Shoot me". (At this point, Ted Schmitz walked off the sidewalk and towards to street / squad car. The knife was still in his left hand)

Officer Bradley Condon stated, "Put the knife down" "Put the knife down".

Ted Schmitz stated "Shoot me" "Shoot me". (Ted Schmitz stopped walking, placed his knife up to the left side wrist and then switched the knife to the right side of his neck).

Officer Bradley Condon stated, "Don't do that".

Ted Schmitz stated, "Shoot me".

Officer Bradley Condon stated, "I am not going to shoot you, don't do it, put the knife down". (Ted Schmitz still had the knife held to the right side of his neck).

Ted Schmitz stated, "Shoot me, shoot me, shoot me, I sick and tired of this". (Ted Schmitz threw the knife with his right hand towards the ground with some force behind it). At this point Ted Schmitz was about 10 feet from the front of the squad car.

Officer Bradley Condon was heard on the police radio; " 114 (squad number) he placed the knife down, but send me 10-39 (emergency response)".

Ted Schmitz continued walk towards the squad car.

Officer Bradley Condon stated "Stay right there, let me see your hands". (Ted Schmitz reached into his right rear pants pocket with his right hand and pulled out a stack of newspapers. He threw the newspapers in the directions of Officer Bradley Condon.)

Ted Schmitz stated, "Fuck that, I'll give you everything".
Officer Bradley Condon stated, "Don't, let me see your hands".

Ted Schmitz reached into his right rear pocket and pulled out an object consistent with a knife and threw it on the ground towards the road in the general direction of Officer Bradley Condon and stated, "Here is another knife,

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fuck my hands". (Note: it sounded like metal hitting the ground)

Ted Schmitz yelled, "Shoot me!" as he quickly walked towards Officer Bradley Condon in an aggressive manor, which was towards the driver's side of the squad car and I could no longer see Ted Schmitz on the video.

Officer Bradley Condon stated, "Get back, Get back or I will"!

Ted Schmitz yelled, "Shoot, Shoot"!

I could hear four quick gunshots and possible bullet fragments skip off the ground in front of the squad on the ground.

Officer Bradley Condon got on the police radio and said, "114, 10-78 (officer needs assistance) shots fired he had multiple weapons and kept coming at me. I am ok. A safe approach is going to be off of School from Prairie and I am going to need a 10-52 (ambulance) for him. Multiple gunshots wounds to the chest, he is still breathing right now".

I could hear dispatch acknowledging they received the message.

Officers Bradley Condon stated, "Ted, talk to me, can you hear me"? "Ted talk to me".

I could hear sirens in the background responding to the scene.

A responding officer arrived and asked if Ted Schmitz was cuffed. Officer Bradley Condon stated, "no not yet, I have cover on him right now".

Officer Bradley Condon stated, "can you hear me bud".

A second Waukesha County Deputy arrived on scene and assisted.

One of the Deputies stated roll on your stomach. The officers asked where the knife was. I could hear Officer Bradley Condon say he had one more in his back pocket he threw and one that Officer Bradley Condon just kicked back. One of the Deputies stated to get EMS rolling and another person said that was already done. One of the Deputies stated Ted Schmitz had some agonal breathing. Ted Schmitz body was out of view, but the Deputies were handcuffing him on the ground at the front driver's side bumper of the squad car. It sounded like the officers needed two sets of handcuffs to cuff Ted Schmitz. The officers talked about doing a pat down and someone asked where he was hit and Officer Bradley Condon stated the chest. A Deputy asked if they had a med bag and Officer Bradley Condon stated that he did not.

Another Deputy asked for a chest seal and officers continued to attend to Ted Schmitz injuries.

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Officer Bradley Condon was heard pointing out one of the knives to the responding officers and he stated he kicked the other one back and it was closer.

The microphone was turned off at this time, but the video still played.

Several more responding officers arrived on the scene and attended to Ted Schmitz. I could not physically see Ted Schmitz body in the video because he was on the ground and just off video. It appeared some of the officers were doing CPR based on their body movements.

Fire Department personnel also arrived on the scene and continued to perform CRP and other life saving measures.

Note: Ted Schmitz appeared to be angry and aggressive in this video. He did not comply with Officer Bradley Condon's repeated commands.

I downloaded this video into the DIMS system.

SQUAD VIDEO - BACKSEAT

The video camera was pointed to the backseat of Officer Bradley Condon's squad car. I could hear the same audio and more, but this camera view did not offer anything of new value.

The audio on the backseat squad camera played longer. The audio showed officers medically tending to Ted Schmitz as they were getting chest seals, scissors, ect.

DESCRIPTION OF TED SCHMITZ

Ted Schmitz was a large 54 year old white male. He was wearing a winter coat with a hood under it, pants, tennis shoes and a knit hat. He was also wearing glasses.

Ted Schmitz's Wisconsin Criminal History shows he is Hgt: 603 and Wgt: 315 pounds.

TIME FRAME DURING ENCOUNTER

This entire incident took place in a short amount of time. The following is a summary of estimated time that took place during the encounter between Officer Bradley Condon and Ted Schmitz:

Approximately **32 seconds** occurred between the time Officer Bradley Condon first

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encountered Ted Schmitz and said, "Ted" to the first shot fired.

Approximately **3 seconds** occurred between when Ted Schmitz was standing in front of the squad car and aggressively / quickly moved towards Officer Bradley Condon off camera and the first shot was fired.

Approximately **50 seconds** between gunshots and when the first back up officer (Waukesha County Deputy) arrived on scene.

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Supplementary Report

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New Incident:	Original CFS Code - 1:	New CFS Code - 1 :
		New CFS Code - 2:

OTHER NAMES

Schmitz, Ted Charles W/M-54 of 1206 Lambeth Rd #4, Waukesha, WI, 53189
 DOB: 12/23/1964
 HT: 603 WT: 297 Hair: Bald/Shaved/Unknown
 Eyes: Brown

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-000720				
1	EVI		1-DNA Card from Ted C. Schmitz 12/23/1964, obtained at autopsy at Waukesha CO Medical Examiner	1.000 \$0.00 [Recovered]
2	EVI		CD, contains x-ray images taken during autopsy (Ted C. Schmitz) by Accurate Imaging Inc.	1.000 \$0.00 [Recovered]
3	EVI		1-tin, contains a large partially jacketed slug from back right side recovered during autopsy (Ted C. Schmitz) (1 of 2)	1.000 \$0.00 [Recovered]
4	EVI		1-tin, contains large partially jacketed slug from back right side recovered during autopsy (Ted C. Schmitz) (2 of 2)	1.000 \$0.00 [Recovered]
5	EVI		1-tin, contains large partially jacketed slug from mid back recovered during autopsy (Ted C. Schmitz) slug #3	1.000 \$0.00 [Recovered]
6	EVI		1-men's right shoe, Dr. Comfort brand, black w/gray trim, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
7	EVI		1-pair gray underpants, recovered during autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]

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8	EVI	1-pair black athletic style shorts, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
9	EVI	2-socks, gray/white color, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
10	EVI	1-pair men's pants, blue, cut; recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
11	EVI	1-belt, black w/metal buckle, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
12	EVI	1-paper bag from the left hand, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
13	EVI	2-paper bags from the right hand (double bagged) recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
14	EVI	1-paper bag with handles, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
15	EVI	1-small syringe (10cc) plastic, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
16	EVI	1-necklace, leather style w/wood style pendant, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
17	EVI	1-white sheet, soiled w/blood, recovered from autopsy body bag (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
18	EVI	1-red plastic Biohazard bag, recovered at autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
19	EVI	1-Request for Non-Disclosure of Info form signed at Waukesha CO Medical Examiner autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]
20	EVI	1-Evidence Dispo Receipt signed at Waukesha CO Medical Examiner autopsy (Ted C. Schmitz)	1.000 \$0.00 [Recovered]

19-000727

Reporting Officer(s): Havican, Brian	Payroll Number: 2101	Pages: 2 Of 5
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West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-005427

821 School Dr, Waukesha

02/10/2019

1 EVI

1-WI State Crime Lab Letter
of Introduction, WI Crime
Lab #R19-565 (Ted C.
Schmitz)

1.000
\$0.00
[Recovered]

NARRATIVE**AUTOPSY****Monday 02/11/19, Sgt. Brian Havican**

On this date, Detective Dave Madden and I attended an autopsy conducted on **Ted C. Schmitz M/W 12/23/1964**, performed at the Waukesha CO Medical Examiner Office in Waukesha, WI. Autopsy was started at approx. 9:30am.

Dr. Lynda Biedrzycki (Medical Examiner) conducted the autopsy, with Jamie Rohn, DME, assisting.

This autopsy was assigned under Waukesha CO ME case #19-0325.

X-RAY IMAGING

X-ray imaging was conducted on the deceased by Evan Cotton (Photo work ID) of Accurate Imaging, Inc. I was provided a disc with x-ray images from the autopsy; these eight images were attached in the RMS and the disc was placed under WAPD Prop #19-000720-2.

DIGITAL PHOTOGRAPHS

I took digital photos at the autopsy, using the WAPD FTS Canon 5DMKIV with Canon 24-70L standard zoom lens and Canon 600 ex-RT II aux flash unit. For some close up/scaled images, I used a Canon 50mm prime macro lens fitted with Canon MR-14ex ring macro flash unit. Images were written in jpg format to a WAPD SD media card; I uploaded these images to DIMS on this date, pursuant to current WAPD Standards regarding archival of digital evidence.

PHOTO LOG

- 1) Wauk CO ME tag #19-0325 Ted C Schmitz
- 2-17) Overall (OA) to mid views; clothing worn by Schmitz, shows front/top views
- 18-21) Mid views-top/sides of Schmitz head
- 22-25) OA views; left side profile of body
- 26-30) OA views; right side profile of body

Reporting Officer(s):

Havican, Brian

Payroll Number:

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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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31) Body bag tag Ted C. Schmitz #19-0325
32-38) Overhead view-body supine
39-42) Mid to specific views-injury to left knee area
43-46) Mid views-chest area w/blood (not washed)
47-48) Mid to specific-right knee w/med port installed
49-50) Both hands w/hand bags intact
51-55) Specific views of right hand
56-59) Specific views of left hand
60-66) Specific views-both hand bags removed from hands on clean cloth
67-68) Mid view-gunshot wound (GSW) #A w/scale chest area
69) Mid view-GSW #C right chest
70) Mid view-GSW #D right chest
71-72) Mid to specific-GSW #B right chest
73-74) Mid to specific-GSW #E left side near waist area
75) Specific-necklace (removed from deceased)
76-79) OA views-overheads of chest/abdomen after washed
80-84) OA views-left side of body views
85-89) OA views-right side of body views
90-91) Specific-abrasions on top side right hand w/scale
92-93) Specific-abrasions/marks on right hand/thumb w/scale
94) Specific-mark/wound near left side/armpit
95-96) Mid views-right hand/wrist bottom/top views
97-101) Specific-left hand/wrist bottom/side/top w/scale
102-104) Mid views-GSW A-D w/letter markers/scale
105-106) Specific to close up (CU) view-GSW #A
107-108) Specific to CU view-GSW #C
109-110) Specific to CU view-GSW #D
111-112) Specific to CU view-GSW #B
113-115) Specific to CU view-GSW #E
116-138) OA views-rear/back side of clothing/property from deceased after removal
139-140) Specific-left knee injuries w/scale
141) Specific-bruising to left hip area w/scale
142-143) Specific view-abrasions/contusions to nose area w/scale
144-146) OA views from above-body prone
147-148) Mid to specific view-bruising/contusion on lower right back area/waist area w/scale
149) OA view-top of head/body prone
150-153) OA views-right side of body/prone position
154-157) OA views-left side of body/prone position
158) OA view-back/prone position; shows swollen/bruised area along lower right back/waist
159-165) Mid to Specific views-incision in lower right back/waist area; shows bullets (projectiles under skin surface)
166-173) Specific to CU views-recovered partially jacketed slug/projectile from right side low back w/scale
174) OA view-overhead view body supine, chest opened

Reporting Officer(s): Havican, Brian	Payroll Number: 2101	Pages: 4 Of 5
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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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175-178) Mid to specific views-shows tissue/organ damage/chest open
179-182) OA to mid views-organs removed for exam
183-184) Specific view-GS damage to liver
185-187) Specific views-brain/skull cap removed
188) Specific view-GSW in organ(s)
189-192) Mid to specific views-heart and right kidney
193-194) Mid views-right lung
195-198) Mid to specific views-liver/GS damage
199-200) Specific view-GSW to right inner chest cavity
201) Specific view-GSW inner lower chest
202-203) Specific views-one partially jacketed slug/projectile recovered from mid back area
204) Specific view-preliminary drug test; shows positive for THC
END OF PHOTOS.

EVIDENCE RECOVERED FROM WAUK CO ME AUTOPSY

After photographs were taken, I collected evidence from this autopsy and placed it under WAPD Prop #19-000720-1. Refer to the Prop Supp section for full description and info on evidence collected and transported to WAPD for secure storage.

EVIDENCE-WI STATE CRIME LAB INTRO LETTER

I received a WI State Crime Lab Introduction letter from Capt. Marks; this was scanned and attached in the PHOENIX RMS and original was placed under WAPD Prop #19-000727-1. All evidence from this investigation was placed into secure FTS storage at the WAPD.

Reporting Officer(s): Havican, Brian	Payroll Number: 2101	Pages: 5 Of 5
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West Allis Police Department

Supplementary Report

Incident Report Number: 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NAMES

Invest Othr Agency

Kukes, Tabitha W/ of 515W. Moreland Blvd, Waukesha, WI, 53188
 Work Phone: [REDACTED] Business Phone: [REDACTED]

Police Officer-1

Bergman, Kyle U/ of 1901 Delafield Street, Waukesha, WI, 53188
 Work Phone: [REDACTED]

Police Officer-2

Cde Baca, Jacob U/ of 1901 Delafield Street, Waukesha, WI, 53188
 Work Phone: [REDACTED]

Contact-1

Kenealy, Patrick U/ of 1901 Delafield Street, Waukesha, WI, 53188
 Work Phone: [REDACTED]

Contact-2

Habaneck, Gerald U/ of 1901 Delafield Street, Waukesha, WI, 53188
 Work Phone: [REDACTED]

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-000871	1	EVI	CD with photos of deceased from hospital	1.000 \$0.00 [Recovered]
19-000873	1	EVI	Waukesha County Medical Examiner Office Property Disposition Receipt for CD with photos	1.000 \$0.00 [Recovered]

Reporting Officer(s): Madden, David	Payroll Number : 1871	Report Date: 02/12/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 4

West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

NARRATIVE**PRELIMINARY INFORMATION**

I responded for this investigation and was assigned to go to Waukesha Memorial Hospital where the deceased, Ted Charles Schmitz, was transported by ambulance.

CONTACT LT GERALD HABANEK

I arrived at WMH at 0328 hrs., and located LT Gerald Habanek outside the room Schmitz' body was in. Schmitz was initially treated in the Emergency Department area and, once he was pronounced dead, he was placed in a small ED treatment room. LT Habanek stated the City of Waukesha Officers stood by outside the treatment room and did not enter once Schmitz was put in the room.

SGT Kyle Bergner, PO Benjamin Stern, PO Jacob Cde Baca, and PO Patrick Kenealy were also present outside the hospital room. LT Habanek briefed me on the incident and provided me with a list of City of Waukesha Fire Department personnel who responded to the incident.

As PO Stern had information regarding the incident, I asked that he be taken to the City of Waukesha Police Department, where officer interviews were taking place. SGT Bergner took PO Stern to the City of Waukesha Police Department. I spoke to PO Kenealy, PO Cde Baca, and LT Habanek. None of these officers had any contact with Schmitz during this incident and had no first hand knowledge of the incident. All responded directly to the hospital to assist.

PRONOUNCEMENT OF DEATH

Dr. Szymanski had pronounced Schmitz dead at 0135 hrs.

MEDICAL EXAMINER FORENSIC INVESTIGATOR

At 0338 hrs., Waukesha County Deputy Medical Examiner Tabitha Kukes arrived at the hospital and conducted her investigation. She advised the autopsy would be Monday, 02/11/2019. No one entered the room with Schmitz body until Deputy Medical Examiner Tabitha Kukes arrived.

I assisted Deputy Medical Examiner Kukes, along with PO Cde Baca, PO Kenealy, and LT Habanek, in putting Schmitz in a body bag. At 0423 hrs., Deputy Medical Examiner Kukes put body tag number 3085 on the body bag containing Schmitz body, securing the bag closed.

Reporting Officer(s):

Madden, David

Payroll Number:

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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019
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At 0429 hrs., Schmitz was loaded into Deputy Medical Examiner Kukes' vehicle for transport to the Medical Examiner's Office. I followed her to the Medical Examiner's Office with LT Habanek. Deputy Medical Examiner Kukes arrived at the Medical Examiner's Office at 0447 hrs., and at 0452 hrs., Schmitz body was secured in the cooler.

At the Medical Examiner's Office, I inspected the clothing that was with the body with Deputy Medical Examiner Kukes. We found gray underwear, charcoal gray athletic shorts, blue pants that had been cut, one right foot DRC athletic shoe, two white socks, and a black belt. The clothing was wet and or soiled. The clothing was secured in the medical examiner's office to dry.

PHOTOS

Waukesha County Deputy Medical Examiner Tabitha Kukes provided me with a CD with photos of Schmitz from the hospital treatment room. I put the disc on property inventory as set forth above.

The following photos were taken of Schmitz:

1. Body on bed, from foot of bed;
2. Blood splatter on floor of room, on side of bed;
3. Toe tag Ted C. Schmitz;
4. Back of Schmitz, rolled onto right side;
5. Medium view of back of Schmitz, bruising appears to be bullets under skin;
6. Back of Schmitz, rolled onto right side;
7. Medium view of suspected gunshot wound to side;
8. Medium view of suspected GSW to chest;
9. Medium view of suspected GSW to chest;
10. Left eye, open;
11. Right eye, open;
12. Medium view of suspected GSW to side;
13. Medium view of suspected GSW to chest
14. Medium view, face from top of head;
15. Medium view, left side of head;
16. Medium view, left side of head;
17. Medium view, left side;
18. Medium view, left side of chest, suspected GSWs;
19. Medium view, right side of chest, suspected GSWs;
20. Medium view, right side of chest, suspected GSWs;
21. Medium view, right side of upper chest/head, suspected GSWs;
22. Medium view, right side of upper chest/head, suspected GSWs;
23. Medium view, right side of upper chest/head, suspected GSWs;
24. Medium view, right side of head;
25. Medium view, top of head;
26. Medium view of legs from knee down;
27. Medium view of legs from knee down;

Reporting Officer(s): Madden, David	Payroll Number: 1871	Pages: 3 Of 4
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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

28. Close up, right leg, medical device inserted;
29. Overview, body chest to knees;
30. Medium view, chest from right side, suspected GSWs;
31. Close up, medical device in body;
32. Overview, body from right side.

I downloaded the above photos into DIMS for reference.

Reporting Officer(s):

Madden, David

Payroll Number:

1871

Pages:

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West Allis Police Department

Supplementary Report

Incident Report Number: 19-005427	Incident Location: 810 School Dr, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
=====				
19-000739				
1	EVI		1-USB flash drive containing 335-photos taken by WI State Crime Lab Response Team at 800 blk School Dr Waukesha WI	1.000 \$0.00 [Recovered]
2	EVI		DVD, contains digital images taken by Wauwatosa PD Detective S. Kirby; these are Waukesha PD/WKSO Officers and canvas/witness views on School Drive Waukesha WI	1.000 \$0.00 [Recovered]
19-000745				
1	EVI		1-WI State Crime Lab Receipt of Physical Evidence; USB drive containing 335-photos from School Dr Waukesha WI	1.000 \$0.00 [Recovered]

NARRATIVE

WI STATE CRIME LAB EVIDENCE

Wed. 2/13/19, Sgt. Brian Havican

On this date, I met with Lisa Treffinger at the WI State Crime Lab-Milw. She turned over evidence to me, a USB drive containing copies of the crime scene photos taken from 800 block School Dr Waukesha WI taken on 02/10/19.

Photos (jpg format) were uploaded to DIMS for archival; the USB drive was placed under WAPD Prop #19-000739-1. I signed a WI State Crime Lab Evidence Receipt for this and was provided with a copy; the signed copy was scanned and attached in the RMS under this case # and original was placed under WAPD Prop #19-000745-1.

WAUWATOSA PD PHOTOS

On this date, Detective Jason Vanderwerff turned over a DVD he had obtained on

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 02/13/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 2

West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-005427

810 School Dr, Waukesha

02/10/2019

02/12/19, from Wauwatosa PD Detective Steve Kirby. This DVD contained 105-digital photos of Waukesha PD and Waukesha CO Sheriff Department Officers/Deputies involved with the School Drive incident, as well as the canvas/witness perspective photos.

These photos were uploaded from DVD to DIMS for archival; the DVD was placed under WAPD Prop #19-000739-2.

Reporting Officer(s):

Havican, Brian

Payroll Number:

2101

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West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 810 School Dr, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Det. Jason Vanderwerff reports...

02/12/19:

OFFICER PHOTOGRAPHS

I responded to the City of Wauwatosa Police Department and took custody of one disc and supplemental report from Detective Stephen Kirby. The disc contained photographs of the officers involved in this incident and witness viewpoints from School Drive.

The photographs were later turned over to Forensic and Technical Services Bureau Sgt. B. Havican.

Reporting Officer(s): Vanderwerff, Jason	Payroll Number : 9515	Report Date: 02/13/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 810 School Dr, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Det. Jason Vanderwerff reports...

11/13/19:

SOCIAL MEDIA PROFILE

I generated a virtual identity report via LexisNexis software and located a Facebook page for Schmitz. The Facebook profile URL was <https://www.facebook.com/Freenow113128/timeline?lst=100003830275663%3A100003263448500%3A1550090360>. The vanity name on the Facebook page was Ted Schmitz.

The Facebook page contained numerous photos of him and his profile was last updated on 12/27/18. He did not have any current post, check-ins, or location information that would provide detail of his whereabouts prior to this incident.

End of supplemental report

Reporting Officer(s): Vanderwerff, Jason	Payroll Number : 9515	Report Date: 02/13/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: G3	New CFS Code - 1 : New CFS Code - 2:

NAMES**Police Officer**

Condon, Bradley R W/M-█ of 1901 Delafiled St, Waukesha, WI, 53188

DOB: █

Work Phone: █

NARRATIVE**STATEMENT - OFFICER BRADLEY CONDON**

Det. Todd Kurtz Reports...

On Wednesday February 13th, 2109 at approximately 2:00pm, Det. Caleb Porter and I met with Police Officer Bradley Condon at the Waukesha Police Department, Chief's Conference Room along with his WPPA Attorney Andrew Schauer. The following personnel were also present for the interview: WPPA Business Agent Brent Hart and Waukesha Police Department Union President Jason Trimborn. This interview was not recorded. Note: Officer Bradley Condon did not view his squad camera video prior to this interview. The following is a summary of the interview.

Officer Bradley Condon explained some of his background information to me. Officer Bradley Condon has been employed by the City of Waukesha Police Department for the past 5 1/2 years. His date of hire was June 4th, 2013. He was not employed at any other Police Department in the past. Officer Bradley Condon is currently assigned █. He has been assigned to the █ for 2-3 years and was assigned to █ prior to that.

Officer Bradley Condon is a two year member of the Civil Disturbance Unit, which is a county wide unit that deals with crowd control issues and riot control. The Civil Disturbance Unit trains three to four times a year.

Officer Bradley Condon has attended training to include, but not limited to, Street Survival, REID Interviewing Technique, Speaker Ken Williams and Radar Instruction. Officer Bradley Condon is not an instructor for any specialized areas at the Waukesha Police Department.

Reporting Officer(s): Kurtz, Todd	Payroll Number : 1848	Report Date: 02/13/2019
Reviewed by: Saftig, Brian	Payroll Number : 2103	Page: 1 Of 8

West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Officer Bradley Condon graduated from UW Platteville with a major in Criminal Justice. After graduation from college, he attended the Waukesha County Technical College Police Academy. Officer Bradley Condon was hired by the City of Waukesha Police Department about 4-5 months after graduating the Police Academy.

Officer Bradley Condon described the police uniform he was wearing the night of the incident, February 10th, 2019. He was dressed in his patrol uniform that consisted of a long sleeve shirt with an external vest carrier. The word "POLICE" was on the center of his back in large lettering. Both upper arms on his sleeve had patches with the words "Waukesha Police Department." He had a velcro badge on his upper left chest area with the word "Police." His external vest had three fully loaded magazines for his Glock 21 (45cal duty pistol) and a police radio on the left side. Each magazine holds 13 rounds. On the right side of his external vest were handcuffs and a tourniquet.

Officer Bradley Condon had a police belt with his service weapon (Glock 21, 45 cal pistol), OC spray, small flashlight, microphone and keys. On the left side of his police belt he had a taser, baton and a larger flashlight.

Officer Bradley Condon's pants had cargo pockets. He had a small folding Smith & Wesson knife that was black/gray in color and had about a three inch blade.

Officer Bradley Condon described the weapon that was used in this incident as a Glock 21, 45 cal semi-auto pistol that has serial # [REDACTED]. This pistol was equipped with a TLR1 flashlight, night sights that do not work well, extended slide release and an after market Agency Arms Trigger. Officer Bradley Condon has owned this firearm since his hire date at the Waukesha Police Department.

Officer Bradley Condon last qualified with this firearm at the end of January of 2019. Everything that was equipped with the firearm on February 10th, 2019 was the same at the time he qualified with the firearm.

Officer Bradley Condon stated he had a total of four magazines on his person on February 10th, 2019 for his Glock 21 pistol. There were three magazines on his external vest and one magazine inside his pistol. All magazines were fully loaded, which consisted of 13 rounds. The Glock 21 pistol also had one bullet in the chamber. Officer Bradley Condon stated the ammunition was supplied by the Waukesha Police Department, which was the brand Federal.

Officer Bradley Condon stated he was assigned squad car #48 on February 10th 2019. This was his normal squad car that he drives 90% to 95% of the time. The squad car is a Ford Explorer SUV. It is a fully marked police vehicle with several "POLICE" markings on it. There is an emergency light bar on the roof, two spot lights, and a prisoner cage in the back.

There is a squad camera mounted in the front of the car facing the hood and a

Reporting Officer(s): Kurtz, Todd	Payroll Number: 1848	Pages: 2 Of 8
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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Officer Bradley Condon was recently in the report room and heard a voicemail from Ted Schmitz that was played on speaker phone. Ted Schmitz was ranting and raving on this voicemail and sounded very angry. The voicemail was about five minutes long. Officer Bradley Condon did not remember exactly what Ted Schmitz was talking about on the voicemail, but he was upset the police were looking for him.

Officer Bradley Condon described the encounter he had with Ted Schmitz. On Saturday, February 9th, 2019 and after midnight, Sunday, February 10th, 2019, Officer Condon was assigned squad number 114, which is the southern half of the city. Officer Bradley Condon's squad section included him being a roamer car. He was assigned squad car #48, which is a Ford Explorer SUV and is a fully marked police vehicle. Officer Bradley Condon was a one man squad car as he normally is. After roll call, Officer Bradley Condon performed his regular squad car check. Everything was in working order and his squad camera was also functional.

Officer Bradley Condon did not take any calls for service or conduct any traffic stops before this incident. Officer Bradley Condon heard dispatch give out a call for service to Officer Terry Fletcher, who was squad number #106. Dispatch stated, Ted Schmitz was on the phone with the desk officer and he was claiming he was suicidal with a knife at Center Rd. and School Dr. Dispatch also advised Officer Terry Fletcher that the desk officer would be responding with him. The desk officer was Officer Benjamin Stern. At the time the call was dispatched, Officer Bradley Condon was at the intersection of Rivera Dr. and East Ave. This was about 1-2 miles away from where the incident occurred. Officer Bradley Condon did not radio that he was responding to this call for service. It is normal for third shift officers to respond to calls for service as additional back up without advising it on the police radio. The area of Center Rd. and School Dr is in the rover area for Officer Bradley Condon for this incident and Officer Terry Fletcher was dispatched because it was technically his primary assigned area for the night.

Officer Bradley Condon did not respond lights and siren to this call, but he was traveling quicker due to the nature of this call and to assist other squads quickly if needed. Officer Bradley Condon responded to this call for service using the route of north on East Ave to Sunset Dr, then west to S. Prairie Ave, then south on Prairie Ave and west on School Dr.

When Officer Bradley Condon arrived on School Dr, it was clear he was the first officer to arrive on scene. There was some lighting on School Dr, but it was overall dark and not well lit. As Officer Bradley Condon was driving west on School Dr. he observed a person with a large build on the south side of the street near a parked van. Officer Bradley Condon angled his marked squad car towards the sidewalk and the subject to light up the area with his headlights. Officer Bradley Condon stopped his squad car to check if this

Reporting Officer(s): Kurtz, Todd	Payroll Number: 1848	Pages: 4 Of 8
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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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person was Ted Schmitz, who was near the park pavilion.

Officer Bradley Condon manually pushed a button on the squad camera to activate it at this time before he exited his squad car. He did not activate the emergency lights or siren at this time, however he was in a fully marked squad car. The male party was now on the sidewalk walking towards Officer Bradley Condon's squad car. Officer Bradley Condon could see this person was holding an object in his left hand, which was lowered towards his leg.

Officer Bradley Condon was outside of his squad car, near the open driver's side door. He could see this person was Ted Schmitz based on booking photographs he has seen several times in the past. Ted Schmitz was approximately 30-40 feet away on the sidewalk still walking towards Officer Bradley Condon. Officer Bradley Condon said he could see the object in Ted Schmitz's hand was a knife with about a four inch blade.

Officer Bradley Condon pointed his service weapon (Glock 21, 45 cal pistol) at Ted Schmitz and ordered him to drop the knife. Ted Schmitz continued to walk toward him and said something to the effect of "you will have to shoot me." Officer Bradley Condon continued with orders like; "Stop", "Don't move", and "Drop the knife."

Ted Schmitz ignored these commands and continued to walk towards Officer Bradley Condon with the knife still in his hand. Ted Schmitz stated something to the effect of "Shoot Me"! Ted Schmitz was yelling and upset. Ted Schmitz turned off of the sidewalk and walked on an angle towards the front of Officer Bradley Condon's squad car.

Ted Schmitz was approximately 10 feet away from the front of the squad car when he transitioned the knife to his right hand. Ted Schmitz held the blade of the knife to his left wrist and stated, "You will have to shoot me". Ted Schmitz was staring directly at Officer Bradley Condon and Officer Bradley Condon told him to put the knife down.

Ted Schmitz then moved the blade of the knife to the right side of his neck and said something before violently throwing the knife to the ground. The knife landed 2-3 feet away from Officer Bradley Condon, which was directly in front of him and slightly to his left. This knife was forcefully thrown to the ground. When this occurred it raised Officer Bradley Condon's threat awareness because he did not feel Ted Schmitz's responses were normal and did not indicate compliance.

Ted Schmitz then put his hands out like he was going to place them on the hood of the squad. Officer Bradley Condon then radioed that Ted Schmitz dropped the knife, but asked for an emergency response from squads, which is a 10-39 code. Officer Bradley Condon said he still had his service weapon pointed at Ted Schmitz and he planned on waiting for other police officers to respond to his

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Incident Report Number

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821 School Dr, Waukesha

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location.

As soon as Officer Bradley Condon had finished his radio transmission, Ted Schmitz reached his right hand behind his back towards his waist to the point where Officer Bradley Condon lost sight of his hands. Officer Bradley Condon yelled, "Let me see your hands" and "Stop"! Ted Schmitz said something to the effect of, "You will have to shoot me" and something about having more weapons. Ted Schmitz whipped out rolled up newspapers from this waistband and threw the newspapers towards Officer Bradley Condon with two hands. The newspapers struck the V of the driver's side door where Officer Bradley Condon was standing. As Ted Schmitz threw the newspapers he said something to the effect, "I will give you all of them!"

Ted Schmitz was still standing near the hood of the squad car when he reached with his right hand towards his waistband again and Officer Bradley Condon lost sight of his hands. Ted Schmitz quickly pulled out a four inch white knife that appeared to be made of a hard polymer. Ted Schmitz side armed (threw) the white knife in the general direction of Officer Bradley Condon. Officer Bradley Condon heard this knife hit the ground 2-3 feet in front and slightly to the left of him.

Officer Bradley Condon yelled, "Stop, don't move"! Ted Schmitz aggressively lunged/charged towards Officer Bradley Condon who was still standing at the driver's side door of the squad car. Officer Bradley Condon had to create some distance and backpedaled towards the rear of his squad car. Officer Bradley Condon stated he was about three feet off the side of his squad car, which made him feel vulnerable.

Ted Schmitz was yelling at Officer Bradley Condon something to the effect, "You will have to shoot me!" "Shoot me!" Officer Bradley Condon stated he felt there was no longer a buffer between himself and Ted Schmitz and he feared for his life and safety. Officer Bradley Condon told Ted Schmitz not to move or he would shoot him. Ted Schmitz yelled, "Shoot" as he was coming at Officer Bradley Condon.

Officer Bradley Condon felt Ted Schmitz was going to attack him with another weapon or possibly try and take his weapon. Ted Schmitz was now standing where Officer Bradley Condon was before at the driver's door and closing in. Ted Schmitz was 4-6 feet away at this point. The last command he gave Ted Schmitz was something to the effect, "If you don't stop, I will shoot!"

Justification For Deadly Force:

Officer Bradley Condon stated he feared that if Ted Schmitz got a hold of him, he would be seriously harmed or killed and felt his only option at this point was to shoot and use deadly force. Officer Bradley Condon gave me the following reasons why he used deadly force in this situation: Ted Schmitz

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showed he had multiple weapons and was aggressive with them, he feared Ted Schmitz had additional weapons on his person, he did not listen to his repeated commands, Ted Schmitz was telling him to shoot him, Ted Schmitz reached for the rolled up newspaper and it felt like he was trying to bait Officer Bradley Condon by the way he grabbed them from his waist band, Ted Schmitz was a much larger person and Officer Bradley Condon felt he was at a disadvantage in size, the roads were wet and icy in spots, Ted Schmitz closed the gap and aggressively came towards Officer Bradley Condon to seriously harm or kill him. After Schmitz closed the gap he was now standing in the immediate area where he had thrown both knives that he could access again. Officer Bradley Condon stated he could not turn and run because he would have been at a serious disadvantage of being attacked from behind and he had no other choice, but to use his service weapon to protect himself.

Officer Bradley Condon stated he shot 4 times and could see the rounds striking the chest of Ted Schmitz. The rounds were effective because Ted Schmitz's left shoulder twisted back as he fell to the ground causing Officer Bradley Condon to stop shooting. Officer Bradley Condon maintained lethal cover on Ted Schmitz.

Officer Bradley Condon transmitted on the police radio that he needed assistance (10-78) and that shots were fired. He could see that Ted Schmitz was still breathing, which he also called over the police radio. Officer Bradley Condon called for an ambulance (10-52) and also radioed a safe approach for responding officers.

Officer Bradley Condon tried to talk with Ted Schmitz and told him help was on the way. Officer Bradley Condon saw the first knife that Ted Schmitz threw was now near Ted Schmitz's feet so he moved it back away from Ted Schmitz with his foot.

Waukesha County Deputy Skaar arrived just about 20 seconds after he radioed that shots were fired and Waukesha County Deputy Thompson arrived just seconds after that. Both deputies handcuffed Ted Schmitz, while Officer Bradley Condon provided cover with his service weapon. Both deputies put Ted Schmitz on his back and began medical attention. Deputy Skaar was asking for chest clots or something similar.

Officer Jose Arellano arrived and was assigned as Officer Bradley Condon's support officer. They walked back to Prairie Rd where a police car was parked and stayed there for about 45 minutes. Officer Benjamin Stern took custody of Officer Bradley Condon's service weapon (Glock 21). Officer Bradley Condon moved to the inside of the police car for warmth. Approximately 30 minutes later, Officer Bradley Condon and Officer Jose Arellano moved to the Command Center RV.

Officer Bradley Condon gave a public safety statement to Sgt. David Gawrisch,

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which included shot direction, if others were injured and what evidence to preserve.

Lt. Rice had arrived on scene and wanted Officer Bradley Condon's firearm returned to him. Sgt. David Gawrisch and Officer Bradley Condon walked to squad 28 where his firearm was secured in a locked vault. Officer Bradley Condon returned to the Waukesha Police Department with officer Jose Arellano and stayed in the CID room.

I had provided Officer Bradley Condon with a color diagram of a Technical Reconstruction Unit from Wisconsin State Patrol from the scene. Officer Bradley Condon used a blue pen and showed where he was standing, where Ted Schmitz was standing / moved and along with where the knives were thrown. Officer Bradley Condon signed the diagram and so did I.

The interview was basically done and we took a break at approximately 3:47pm.

At approximately 3:55pm, after the break Attorney Andrew Schauer asked to view the squad camera privately with Officer Bradley Condon, which he was allowed to do.

At approximately 4:00pm, the interview resumed. Officer Bradley Condon recalls after seeing the squad video he did use his gun light to illuminate Ted Schmitz during the incident.

Officer Bradley Condon stated he has been involved in SIMS training and other shoot - don't shoot scenario training with suicidal people and he is aware of the dangers.

The interview was ended at approximately 4:15pm.

INVENTORY

I placed the following item on West Allis Police Department inventory.

Property #19-000858-1: Wisconsin State Patrol Diagram - Marked by Officer Bradley Condon in interview

I also scanned the diagram into Phoenix as an attachment.

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New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NAMES**Contact-1**

Murray, Sara J W/F-24 of 2440 Les Paul Pkwy, Waukesha, WI, 53189
DOB: [REDACTED]
Work Phone: [REDACTED]

Contact-2

Holehouse, Daniel J W/M-53 of 2440 Les Paul Pkwy, Waukesha, WI, 53189
DOB: [REDACTED]
Work Phone: [REDACTED]

NARRATIVE

Detective Allison Cerqua reports...

INITIAL RESPONSE

On Sunday, February 10th, 2019 at approximately 0217hrs, I received an activation request from the Milwaukee Area Investigative Team to assist with an officer involved shooting that occurred in the City of Waukesha.

I responded to Waukesha Police Department, located at 1901 Delafield St., Waukesha, WI, to assist with the investigation.

Upon arrival at the police department, Lieutenant Brian Saftig tasked me with obtaining statements from members of the Waukesha Fire Department who were working out of Fire Station 3, which is located at 2440 Les Paul Pkwy, Waukesha, WI. Detective Lucas Binter and I responded to Fire Station 3 to obtain statements from members of the fire department that staffed both Ambulance 53 and Engine 3.

STATEMENT OF SARA MURRAY

The first member of the fire department I spoke with was the medic on Ambulance 53, Sara J. Murray, F/W [REDACTED]. Sara Murray stated she was currently working a 72 hour rotation that started on Friday, 02/08/19, at 0800hrs and ends Monday, 02/11/19, at 0800hrs.

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Sara Murray said they received notification this morning for a "police tactical" call. Sara Murray stated when they receive a police tactical call, no details are broadcasted at that point, and it informs them to standby and be ready. Sara Murray advised before they left the fire station, the call was upgraded to an Echo level, due to gunshot wounds, which stands for cardiac arrest.

Sara Murray stated they received additional information that the police were initially looking for a suicidal subject with knives. Sara Murray advised they were informed by dispatch that the safe approach was to take Prairie to School. Sara Murray said Engine 1, Engine 3, and Ambulance 53 all arrived at the same time, and the streets were being blocked off by squad cars.

Sara Murray explained when she walked up to the male party with the gunshot wounds on the ground, later identified as Ted C. Schmitz, M/W 12/23/64, she observed one police officer performing CPR, and the other police officer was doing ventilations with a pocket mask. Sara Murray stated the AED was also hooked up to the Ted Schmitz, but no shocks were given because no shocks were advised by the AED.

For the remainder of this report, when the male party on the ground is referenced, he will be referred to by his name, Ted Schmitz.

Sara Murray said the fire department took over and initially checked Ted Schmitz for a pulse, but he did not have one.

Sara Murray advised she was getting ready to kneel down next to Ted Schmitz, and she noticed a lot of blood surrounding him. Sara Murray said if she had to provide an estimate, she observed about 50-100ml of blood pooling around his back.

Sara Murray stated she observed wounds to the Ted Schmitz's chest as they were giving him ventilations. Sara Murray said the decision was made to get Ted Schmitz off the ground and onto the cot so he could be moved to the back of the ambulance.

Sara Murray advised once they were in the back of the ambulance, she observed four gunshot wounds to Ted Schmitz's upper right chest area. Sara Murray said she also observed a hole to his bottom left abdomen area. Sara Murray stated their protocol is to do a full assessment of a patient initially, and she did not observe any exit wounds from the gunshots or any visible injuries to Ted Schmitz's head or back.

Sara Murray said while they were doing the assessment of Ted Schmitz, he was hooked up to Lucas, which is the mechanical CPR, and it was still operating when they turned him for the assessment.

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Sara Murray stated they placed an endotracheal tube inside Ted Schmitz's mouth to assist him with breathing. Sara Murray said they also placed two needles in Ted Schmitz's upper right chest area to reinflate his lung. Sara Murray explained an additional needle was placed through Ted Schmitz's chest into his heart to remove the blood pooling in the cavity surrounding the heart.

Sara Murray advised they made contact with Dr. Szymanski, from Waukesha Memorial Hospital, who informed them they could call it and pronounce Ted Schmitz deceased if they wanted to. Sara Murray stated they decided to transport Ted Schmitz to the hospital and continued CPR the whole way there. Sara Murray said Dr. Szymanski ultimately pronounced Ted Schmitz deceased at 0135hrs on 02/10/19.

STATEMENT OF DANIEL J. HOLEHOUSE

After I finished obtaining a statement from Sara Murray regarding this incident, I made contact with Lieutenant Daniel J. Holehouse, M/W [REDACTED]. Lieutenant Holehouse stated he was the lieutenant on Engine 3 today and was working 24 hour rotation that started on Saturday, 02/09/19, at 0800hrs and ended on Sunday, 02/10/19, at 0800hrs.

Lieutenant Holehouse said they received a police assist call, which tells them to stand by for a tactical or well being type situation. Lieutenant Holehouse stated prior to leaving Fire Station 3, they received additional information that the incident was a potential suicide, and once they left the fire station, information was received that it was a confirmed suicide.

Lieutenant Holehouse explained Ambulance 53 led the way to the incident location, but they were unable to approach the male party, Ted Schmitz, initially because the road they approached from was blocked off by a number of squad cars. Lieutenant Holehouse stated they had to go a block up for the safe approach and Engine 1 arrived first, followed by Engine 3 and Ambulance 53.

Lieutenant Holehouse said they were led to where Ted Schmitz was located, and multi police agencies were already on scene. Lieutenant Holehouse stated deputies from the Waukesha County Sheriff's Officer were on scene performing CPR, along with an AED.

Lieutenant Holehouse explained he was notified that the incident was an officer involved shooting once he arrived, and rescue personnel took over patient care after that.

Lieutenant Holehouse stated they went through their protocol with Ted Schmitz, and the first thing they do is check his rhythm. Lieutenant Holehouse said he made the decision to get Ted Schmitz onto the cot and into the ambulance right away, but prior to doing that, they covered the wounds on Ted Schmitz's chest and hooked him up to their Lucas machine, which is the mechanical CPR.

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Lieutenant Holehouse advised Ted Schmitz was ultimately strapped down to the cot in the back of the ambulance, and the AED machine was set up on him. Lieutenant Holehouse said Ted Schmitz was asystole, but they continued to work through their protocol. Lieutenant Holehouse stated they managed Ted Schmitz's airway, and they continued to perform CPR, but no shocks were advised by the AED.

Lieutenant Holehouse said they gave Ted Schmitz three rounds of epinephrine and one round of sodium bicarbonate. Lieutenant Holehouse stated an IV was placed in Ted Schmitz's leg, and they also performed a chest needle decompression in order to remove the blood from around his heart.

Lieutenant Holehouse advised Ted Schmitz was ultimately transported to Waukesha Memorial Hospital and pronounced deceased by Dr. Szymanski at 0135hrs on 02/10/19.

Lieutenant Holehouse stated he obtained information through some of the other firefighters that five holes were observed on Ted Schmitz's body, which were described as four gunshot wounds with one possible exit wound.

After I finished obtaining a statement from Lieutenant Holehouse, he provided me the dispatch, arrival, and clear times for Engine 3 and Ambulance 53. Lieutenant Holehouse stated they were dispatched to the call at 0040:46, arrived on scene at 0047:35, and cleared at 0306:11.

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New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Detective L. Binter reports:

INITIAL RESPONSE

On 02/10/19 at approximately 0216 hours, I received an activation request from the Milwaukee Area Investigative Team to assist in a critical incident which occurred in the 800 block of School Drive, Waukesha, WI. I responded to the City of Waukesha Police Department, located at 1901 Delafield Street, Waukesha, WI,

STATEMENT OF OFFICER BRYAN R. SPAKOWICZ

On 02/10/19 West Allis Police Department Detective Allison Cerqua and I interviewed City of Waukesha Police Department Officer Bryan R. Spakowicz regarding this incident. The interview was conducted in an interview room at the City of Waukesha Police Department. Spakowicz had voluntarily agreed to the interview. Spakowicz based the dates and times of this incident to the best of his memory.

Spakowicz has been employed as a City of Waukesha Police Officer since May of 2014. Spakowicz is currently assigned to [REDACTED]. At the time of this incident, Spakowicz was working on third shift, for minimum staffing, on overtime, after completing his [REDACTED].

Spakowicz was aware that City of Waukesha Police Officer Steve Pipia had been conducting a forgery investigation with a suspect identified as Ted C. Schmitz (M/W, DOB 12/23/64). Members of the Waukesha Police Department knew that Schmitz was wanted for this offense and could be arrested as there was probable cause. Spakowicz also knew Schmitz was uncooperative based on an attempt contact from last week.

On Wednesday (02/06) or Thursday (02/07) Spakowicz explained he responded as a cover officer to [REDACTED], to look for Schmitz related to the forgery. Spakowicz covered the rear door of the residence while officers attempted contact at the front door. Spakowicz learned Schmitz's sister did not open the front door but spoke through it to officers. The sister did not allow police inside to search the residence for Schmitz.

On 02/10/19, sometime past midnight, Spakowicz was on patrol in the City of Waukesha. Dispatch relayed a welfare check for Schmitz in the area of School

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Drive. Officer Stern advised there is probable cause to arrest Schmitz for the forgery discussed above. Officer Stern was also responding from the station. Spakowicz stated it was unusual for Officer Stern to leave the station under these circumstances. It is also strange that Schmitz would be walking around outside in the cold as he normally does not leave his residence. Spakowicz is also aware Schmitz is approximately 6' 4" tall and 300 pounds and is uncooperative. For these reasons Spakowicz started to respond to the area as well.

Waukesha Police Officer Bradley Condon called out on the radio he was out with Schmitz near School Driver and S. Prairie Avenue. Officer Condon advised over the air he (Schmitz) dropped the knife but wanted additional officers to respond 10-39. Spakowicz clarified 10-39 code meant police should respond in an emergency fashion with lights and sirens activated. At this time Spakowicz was around Sunset Dr. and Oakdale Dr., in the City of Waukesha.

Condon advised over the air 10-78 shots fired and requested an ambulance for gun shot wounds. Spakowicz clarified 10-78 to mean officer needs assistance. Spakowicz arrived on scene shortly after this radiotransmission. Spakowicz saw two deputy sheriffs had moved Condon away from the scene. Other deputies had started to administer first aid on Schmitz. Spakowicz dismounted and ran up to the scene to assist with whatever needed to be done.

Spakowicz observed Schmitz was on the southside of the street. Schmitz's head was near the base of the sidewalk while his feet were going into the street. Schmitz was laying face up with his back on the ground. Schmitz's arms were handcuffed behind his back while his legs were straight. Schmitz's pockets had been emptied by another officer at this time. Spakowicz assisted other officers with first aid getting necessary items.

Spakowicz observed what appeared to be three gun shot wounds to Schmitz's chest region. Schmitz had blood on his face and chest. Schmitz's shirt had been cut or opened in some fashion to apply halo pads and combat gauze. A knife, with a white handle, estimated to be 8-10" in total length, was near Schmitz to the southwest. Multiple shell casings were located near the back end of the squad car. These shell casings were marked by Waukesha Police Officer Fletcher. Fletcher had also gotten an AED which somebody else applied to Schmitz. Spakowicz was aware there was another knife located near Schmitz by another officer.

Spakowicz secured Schmitz's cellular phone, from his neck/shoulder region, before it was covered in blood. This item was secured for evidentiary purposes. Medical personnel arrived on scene within approximately 5-10 minutes. At this time Spakowicz conducted a canvass of the area with other officers.

Spakowicz had his usual equipment with him during this incident to include his Glock 21 .45 caliber handgun, with a TLR-1HL Streamlight tactical light.

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Spakowicz had four total magazines which held thirteen (13) rounds in each magazine. Each magazine was checked which was found to be at full capacity. The Glock 21 was pressed checked and one round was found to be in the chamber.

END OF SUPPLEMENTAL

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NAMES**Police Officer**

Schroeder, David J W/M-27 of 515 W Moreland Blvd, Waukesha, WI, 53188
 DOB: [REDACTED]
 Work Phone: [REDACTED]

NARRATIVE

Detective Allison Cerqua reports...

ASSIGNMENT

On Sunday, February 10th, 2019, I assisted with an Officer Involved Shooting investigation as part of the Milwaukee Area Investigative Team that took place in the City of Waukesha.

Lieutenant Brian Saftig first tasked me with obtaining statements from some of the fire department personnel that responded to the shooting scene. After Detective Lucas Binter and I finished obtaining statements from fire department personnel from Waukesha Fire Station 3, we responded back to the Waukesha Police Department and were tasked with obtaining statements from some of the deputies and officers who responded to the incident location after the shooting took place.

STATEMENT OF DAVID J. SCHROEDER

The first Waukesha County Sheriff's Deputy that Detective Binter and I obtained a statement from was Deputy David J. Schroeder. Deputy Schroeder has been with WKS0 for the past four years and two months. Deputy Schroeder works [REDACTED]. Deputy Schroeder said he was working his fourth day of his five day work week, but it was only the third day he worked that week. Deputy Schroeder is currently assigned to [REDACTED].

Deputy Schroeder is a Field Training Officer, and 02/10/19 was his first shift with a new trainee, Deputy Amanda M. Watterson. Deputy Schroeder stated he was at the station working on a pursuit report, and he was scanning the City of Waukesha on his portable radio.

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Deputy Schroeder said the initial call that came out over the City of Waukesha radio channel was in reference to a man with knife. Deputy Schroeder stated after the Waukesha police officer arrived at the call, he informed, over the radio, that the male party, later identified as Ted C. Schmitz, M/W 12/23/64, dropped the knife.

Deputy Schroeder advised the next thing he heard come over the City of Waukesha radio channel was "10-78," which Deputy Schroeder said means officer needs assistance. Deputy Schroeder stated the Waukesha police officer also broadcast, over the radio, that shots were fired.

Deputy Schroeder said he met up with Deputy Watterson, and she drove them to the incident location under the direction of Deputy Schroeder. Deputy Schroeder stated they were informed the safe approach to the incident location was to take Prairie to School, which they did. Deputy Schroeder said Deputy Watterson blocked the intersection off with their squad car, and he ran up to where the incident took place.

Deputy Schroeder advised Deputy Kurt Thompson was already on scene and was performing chest compressions on Ted Schmitz on the ground. Deputy Schroeder stated he offered to take over for Deputy Thompson, and Deputy Thompson informed him to take over after he finished his last round of chest compressions.

Deputy Schroeder said he told Deputy Watterson to go back to their squad car to wait for the ambulance to arrive on scene in case she needed to move the squad for them to get through.

Deputy Schroeder described the incident location and said there was a school on the south side of the street, and a residential area, with several houses, on the north side of the street. Deputy Schroeder stated Ted Schmitz was lying on the ground, on his back, handcuffed. Ted Schmitz had a bare chest, and his jacket and other clothing was hanging off of him. Deputy Schroeder observed Ted Schmitz did not have any shoes on, and he only observed one shoe in the street.

Deputy Schroeder said he observed chest seals on three wounds, on Ted Schmitz, and a fourth wound was observed uncovered by his armpit.

Deputy Schroeder stated a police officer from the City of Waukesha, unknown who, emptied Ted Schmitz's pockets, and they confirmed he did not have any additional weapons on him.

Deputy Schroeder said Deputy Skaar obtained an AED, and the two of them put the pads on Ted Schmitz. Deputy Schroeder advised there were two or three occasions when the AED analyzed Ted Schmitz, and no shock was advised.

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Deputy Schroeder advised he performed three to four sets of chest compressions on Ted Schmitz, after the AED was applied, and Deputy Bryan Skaar was providing rescue breaths with a pocket mask. Deputy Schroeder knew Ted Schmitz's airway was clear because he observed his chest rising when the rescue breaths were given. Deputy Schroeder said while they continued chest compressions, he did not observe any additional blood loss to Ted Schmitz.

Deputy Schroeder stated they decided to remove the handcuffs from Ted Schmitz, after it was confirmed he had no more weapons, so he could be treated medically right away when rescue personnel arrived on scene. Deputy Schroeder said once the handcuffs were removed, Deputy Thompson continued chest compressions, and Deputy Skaar continued with rescue breaths.

Deputy Schroeder advised after rescue personnel arrived on scene, he assisted with getting Ted Schmitz onto the cot and into the back of the ambulance. Deputy Schroeder said he assisted rescue personnel by carrying some of the equipment into the back of the ambulance at the same time Ted Schmitz was placed in there.

I asked Deputy Schroeder if he had any additional information to provide regarding this incident, and he stated he heard there were multiple knives involved, but he was not able to specify how many there were.

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NAMES

Contact-1

[REDACTED]

Contact-2

[REDACTED]

Contact-3

[REDACTED]

NARRATIVE

Detective Caleb Porter reports:

SECONDARY CANVAS

-818 School Rd-

On 02/10/19 at about 0740hrs I attempted contact at the residence for several minutes. There was no answer.

[REDACTED]-

On 02/10/19 at about 0745hrs I made contact with resident [REDACTED], who has lived at the residence for 21 years. [REDACTED] advised he went to bed around midnight and was not aware of this incident. [REDACTED] further advised that his bedroom was in the northeast corner of the basement and he likely would not have heard anything anyway.

[REDACTED] lives at the residence with his disabled wife, [REDACTED] [REDACTED] and his son [REDACTED] [REDACTED]. Both of them were

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home last night and went to bed around the same time. [REDACTED] were still asleep so I gave [REDACTED] my card and asked him to contact me should his wife and son have anything to add.

This residence is located on the [REDACTED] [REDACTED]. They would have had a distant view of the scene had anyone from this residence witnessed anything.

No further information.

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West Allis Police Department**Supplementary Report**

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New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE**CASE SUMMARY-PER WAUKESHA CO MEDICAL EXAMINER REQUEST****Thursday 02/14/19, Sgt. Brian Havican**

On this date, I received a call from Ashley Kirchenberg with the Waukesha CO Medical Examiner Office. Kirchenberg advised Dr. Biedrzycki was requesting a Police report which would include location of incident, summary of incident and the description of weapon used in the incident. This information was necessary in order for Dr. Biedrzycki to complete the death certificate in the allotted time pursuant to WI State Statute.

LOCATION/SUMMARY OF INCIDENT

On February 10th, 2019 at approx. 0033hrs, City of Waukesha Police were in the area of School Drive and Prairie Avenue looking for a suspect regarding an ongoing investigation. The suspect had been communicating with a Waukesha Police Officer via phone and that officer was attempting to get the suspect to turn himself into police.

A City of Waukesha Police Officer located the suspect at 821 School Drive, City of Waukesha, County of Waukesha, State of Wisconsin. The officer was alone at the time of this incident. Upon making contact with the suspect, a confrontation ensued in which the officer shot the suspect multiple times. No other use of force was utilized by the officer. Responding assisting officers rendered aid to the suspect.

The suspect was transported by the Waukesha Fire Department to Waukesha Memorial Hospital where he was later pronounced dead. The deceased was later identified as **Ted C. Schmitz 12/23/1964**.

SUMMARY OF WEAPON(S) INVOLVED IN INCIDENT

The City of Waukesha Police Officer involved in this incident was equipped with a Glock model 21 .45 caliber semi-automatic pistol, loaded with Federal .45 caliber ammunition.

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 02/14/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 2

West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

NON-DISCLOSURE OF INFORMATION

The Milwaukee Area Investigative Team (MAIT) is investigating this incident. The City of West Allis Police Department is the lead investigating agency in this incident.

This information is being provided to the Waukesha CO Medical Examiner pursuant to their request for completion of death certificate in this investigation. This Supplemental report and all information contained here within is considered as part of the active, ongoing Law Enforcement investigation. Any release or disclosure of this information should be approved by the Milwaukee Area Investigative Team (MAIT) lead agency supervisor.

Additional information and Police reports will be available for review upon completion of this investigation and after review by the Waukesha County District Attorney office.

Reporting Officer(s):

Havican, Brian

Payroll Number:

2101

Pages:

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West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 810 School Dr, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Detective Allison Cerqua reports...

SECONDARY NEIGHBORHOOD CANVASS

As a member of the Milwaukee Area Investigative Team, I assisted with a secondary neighborhood canvass in reference to an officer involved shooting that took place in the City of Waukesha.

CONTACT AT [REDACTED]

I made contact with [REDACTED], who advised she resides at [REDACTED], with her husband, [REDACTED], and 13 year old son, [REDACTED]

I asked [REDACTED] if she heard or observed anything that took place on the street, in front of her residence, earlier this morning. [REDACTED] stated she and her husband were in their office together playing games on their computers when she heard what sounded like four fireworks outside. [REDACTED] said her husband thought the noise was someone banging on their window screen outside, but initially neither one of them got up to go check what the noise was.

[REDACTED] stated her husband eventually walked into their living room, which was adjacent to their office, to look out the front window of the residence to see what was going on. [REDACTED] said her husband observed a "cop car" outside so she came into the living room to look out the front window as well.

[REDACTED] advised she observed a squad car angled toward the curb, and a large man was lying on the ground. [REDACTED] stated the police were performing chest compressions on the male party on the ground until the fire department arrived on scene. Once the fire department arrived, the male party was placed on a stretcher and wheeled into the back of the ambulance.

[REDACTED] said her son was downstairs playing a racing game, with his headphones on, and did not hear or see anything related to the incident until officers made contact at their residence for the initial canvass. [REDACTED] stated she kept her son away from the window the entire time and did not want him to see the police performing chest compressions on the male party on the ground.

Reporting Officer(s): Cerqua, Allison	Payroll Number : 9653	Report Date: 02/14/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Detective L. Binter reports:

INITIAL RESPONSE

On 02/10/19 at approximately 0216 hours, I received an activation request from the Milwaukee Area Investigative Team to assist in a critical incident which occurred in the 800 block of School Drive, Waukesha, WI. I responded to the City of Waukesha Police Department, located at 1901 Delafield Street, Waukesha, WI,

STATEMENT AMANDA M. WATTERSON

On 02/10/19 West Allis Police Department Detective Allison Cerqua and I interviewed Waukesha County Sheriff Deputy Amanda M. Watterson. The interview was conducted in an administrative room at the City of Waukesha Police Department. Watterson had voluntarily agreed to the interview. Watterson based the dates and times of this incident to the best of her memory.

Watterson has been with Waukesha County Sheriff for nine (9) weeks and is currently in the field training program. Watterson's Field Training Officer is Waukesha County Sheriff Deputy David J. Schroeder. Watterson is currently assigned to [REDACTED].

02/09/19 was Watterson's 4th week on third shift having cycled from second shift prior. Watterson was interviewing a subject in a separate room related to a pursuit. Watterson heard 10-78 come over the City of Waukesha radio channel. Watterson clarified 10-78 code meant officer needs assistance. The next broadcast was that shots had been fired. Watterson terminated the interview and met with Schroeder in the lobby of the police department.

Watterson and Schroeder went to the parking lot, to get inside of the squad car, to respond to the call, lights and siren activated. Watterson was driving while Schroeder was in the passenger seat directing them to Prairie School. Upon arrival Schroeder directed Watterson to block off the intersection of Prairie Dr. and School Dr. with the squad. Watterson and Schroeder dismounted and ran up to the scene.

Watterson observed the patient laying on his back face up on the ground. The patient did not have a shirt on and was wearing pants. The patient was unconscious and not breathing at this time. There was blood on his face and on the ground next to him. Watterson observed Deputy Thompson perform chest

Reporting Officer(s): Binter, Lucas	Payroll Number : 9821	Report Date: 02/14/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 2

West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-005427

821 School Drive, Waukesha

02/10/2019

compressions, Deputy Skaar applied chest seals, and an unknown City of Waukesha Police Officer applied the AED pads to the patient.

Schroeder requested Watterson return to the squad car as medical personnel would be arriving soon. Watterson returned to the squad car and moved it out of the way so medical personnel could enter the block. Watterson then moved the squad car back in place to block the intersection again (same intersection noted above). Watterson remained in the squad and did not touch the patient.

Watterson had her usual equipment with her during this incident. This included her Glock 22 .40 caliber handgun with three (3) total magazines which held fifteen (15) rounds in each magazine. Each magazine was checked which was found to be at full capacity plus one (1) round in the chamber of the firearm itself.

END OF SUPPLEMENTAL

Reporting Officer(s):

Payroll Number:

Pages:

Binter, Lucas

9821

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West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Detective Allison Cerqua reports...

RADIO COMMUNICATIONS

On Thursday, February 14th, 2019, I was provided with a flash drive that contained all of the radio communications, in reference to this officer involved shooting, from both the Waukesha Police Department and the Waukesha County Sheriff's Office.

There are four files listed on the flash drive, and they are labeled as follows:

- OIS 19-7469b

-OIS 19-7469a

-OIS 19-7469c

-P19033888 - WKPD-WSD (Prairie at School Dr - Shots fired 10-78 - Radio Traffic - 2019-02-10)

The first three recordings are radio transmissions from the Waukesha Police Department, and the fourth recording is radio transmissions from the Waukesha County Sheriff's Office.

A copy of the recordings, of all the radio transmissions, were uploaded to the DIMS system. Below is a detailed description of the radio transmissions that took place during this incident.

RADIO TRANSMISSION LABELED OIS 19-7469b

Squad 118: "I'm 10-60 that well being check"

Dispatch: "10-4 18"

Squad 114 (Officer Bradley Condon): "I'll be out with him, Prairie and School"

Dispatch: "10-4, 118 back him up"

Squad 118: "18 copies"

Reporting Officer(s): Cerqua, Allison	Payroll Number : 9653	Report Date: 02/14/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 10

West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019
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Squad 114 (Officer Bradley Condon): "114, he put the knife down, but send 10-39 (which stands for an officer to respond in an emergency fashion)"

Dispatch: "10-4, 104 and 116 also respond 10-39, Center and School, correction Prairie and School"

Squad 104: "4 copies"

Squad TS1: "TS1 copies"

Squad 114 (Officer Bradley Condon): "114, 10-78 (which stands for officer needs assistance), shots fired, he had multiple weapons, kept coming at me, I'm ok, safe approach is going to be off of School from Prairie, and I'm gonna need a 10-52 (which stands for a request for an ambulance) for him, multiple gunshot wounds to the chest, he's still breathing right now"

Dispatch: "10-4, 10-78 Prairie and School, 10-52 will be enroute, subject is down, officer is ok"

RADIO TRANSMISSION LABELED OIS 19-7469a

Squad TS1: "330, I'll be enroute to that call that we created"

Dispatch: "10-4, 106 if you can also respond for a well being check, area of Center and School, Center and School, Ted Schmitz is walking around the area, threatening to slit his wrists, he's a larger male, 10-40 (which stands for a non-emergent response)"

Squad 106: "6, copies"

Squad TS1: "TS to 106"

Squad 106: "Go ahead"

Squad TS1: "For further I had phone contact with him and that's when he was making these threats, unknown if he has any weapons, kinda hard to understand on the phone, he's upset, because there is PC to arrest him, head down and try to talk to him if you can find him. He does live at 1206 Lambeth, so somewhere in that area of School Drive, Lambeth, Oakdale, should be able to find him"

Squad 106: "Copy, what's your PC for"

Squad TS1: "Theft, Forgery - Uttering"

Squad 106: "Got it"

RADIO TRANSMISSION LABELED OIS 19-7469c

Reporting Officer(s): Cerqua, Allison	Payroll Number: 9653	Pages: 2 OF 10
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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Squad 104: "4, I'm 23"

Dispatch: "10-4, 104"

Squad 104: "4, can you close down or have a squad close down School at Center"

Dispatch: "10-4, 110, if you could close down School at Center"

Squad 110: "10, copies"

Squad 116: "16, 23"

Dispatch: "10-4, 116"

Squad 104: "4, we have agonal breathing still"

Dispatch: "10-4"

Squad 106: "6, 23"

Dispatch: "10-4, 106"

RADIO TRANSMISSION LABELED P19033888 - WKPD - WSD

(Prairie at School Dr - Shots fired 10-78 - Radio Traffic - 2019-02-10)

Unintelligible

Squad 9309: "I'll be enroute to Center and School, 10-39 (which stands for an emergency response)"

Dispatch: "10-4"

Squad 9305: "9305"

Dispatch: "Go ahead"

Squad 9305: "Center and School, shots fired, 10-78, for the city, 10-60 (which stands for a squad in the area of the call/incident location)"

Dispatch: "We're copying"

Squad 9309: "You can put us all 23"

Dispatch: "10-4"

Squad 9309: "Skaar, you wanna grab your med bag"

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

Pages:

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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Squad 9305: "Affirm, looking for him though, I got him, he's gonna be just west of here"

Squad: 9304: "We are enroute to the city's call"

Dispatch: "10-4, 9304"

Squad 9363: "9363"

Dispatch: "Go ahead"

Squad 9363: "If they need any additional, I'm around Moreland and North, I hear many different units going"

Dispatch: "9363, WKPD advised send as many as you can, I would head over there"

Squad 9363: "9363 copy, enroute"

Squad 9361: "9361, I already dispatched myself"

Dispatch: "I copy"

Squad 9304: "Schroeder to Skaar direct"

Squad 9305: "A little busy, we're applying chest seal"

Squad 9304: "10-60"

Dispatch: "Units responding, safe approach is off of School from Prairie, School from Prairie"

Squad 9304: "9304, 10-23"

Dispatch: "10-4, 9304"

Dispatch: "9305, did you have traffic"

Squad 9305: "Affirm, just note, no shock advised at this time, AED is applied"

Dispatch: "Copy"

Squad 9363: "63, 23"

Dispatch: "10-4, 9363"

Squad 9308: "9308, 10-23"

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Dispatch: "10-4, 9308"

Squad 9307: "Unintelligible"

Dispatch: "10-4, 9307"

Squad 9361: "9361, 23"

Dispatch: "10-4"

Squad 9303: "Both 23"

Dispatch: "10-4"

Squad 9304: "9304, we have enough squads here"

Dispatch: "10-4, 9304"

Squad 9304: "9304, if we don't have it, we'll take 10-33 (which stands for emergency traffic designated to one radio channel) on area 4 for now as well"

Dispatch: "10-4, 10-33 traffic on area 4, all other units switch to Ops, 10-33 traffic on area 4, all other traffic switch to Ops"

Squad 9309: "9309, for all areas, we do not need any additional, I'll be command for WSD"

Dispatch: "Dispatch copies"

Squad 9304: "9304, some 10-28s (which stands for a license plate check)"

Dispatch: "9304, Go ahead"

Squad 9304: "Wisconsin 316-VHX, 316-VHX, break"

Dispatch: "Go ahead with the next"

Squad 9304: "Wisconsin 988-YMF, 988-YMF, and break for one more"

Dispatch: "Go ahead"

Squad 9304: "Wisconsin, 504-XVJ, 504-XVJ, those three are in the crime scene, unknown if they are related at this time"

Dispatch: "10-4, would you like read back on them?"

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

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West Allis Police Department**Continuation**

Incident Report Number 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019
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Squad 9304: "Negative, just hold onto them for now"

Dispatch: "Copy"

Squad 9305: "9305, do we still have 33?"

Dispatch: "Affirmative"

Squad 9305: "Is a supervisor enroute?"

Dispatch: "9515"

Squad: "Affirmative"

Dispatch: "05, Copy"

Squad 9305: "I did, for him, probably best location will be Prairie and School direct to the intersection"

Dispatch: "9515 Copy?"

Squad 9515: "10-4, 10-60"

Dispatch: "Copy"

Squad 9504: "9504, I'm 10-23 that way"

Dispatch: "10-4"

Squad 9515: "9515"

Dispatch: "9515"

Squad 9515: "Need three additional units down here for 10-58 (which stands for direct traffic), other than the 59 and 4 that are already here"

Dispatch: "10-4"

Squad 9361: "Sink to Nick, I'm here as well"

Squad 9515: "Where are you"

Squad 9361: "I'm over by the ambulance, I just moved my squad out of the way so they could get out"

Squad 9515: "10-4, 9515, I know 03 was on something, but as soon as she's clear, we could use her"

Reporting Officer(s): Cerqua, Allison	Payroll Number: 9653	Pages: 6 OF 10
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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Dispatch: "I copy, 9363 is on scene as well"

Squad: "Michelson to Kapernick, I'm on a perimeter position in front of 18 School Dr., 18 School Dr."

Squad 9515: "10-4, I need one at Prairie and School, and then on the other end of the scene, and then somebody at school"

Squad 9303: "9303, I'll take the other end of the scene"

Dispatch: "9303"

Squad 9361: "9361"

Dispatch: "9361"

Squad 9361: "9361 I'll be set up for 10-58 at School and Prairie"

Dispatch: "10-4"

Dispatch: "9515"

Squad 9515: "9515"

Dispatch: "9303 is enroute, where did you need her"

Squad 9515: "Center and School"

Squad 9303: "I copy"

Dispatch: "9303, 9303, if you could head to Center and School, Center and School"

Squad 9303: "I copy"

Squad 9307: "9307, I'm 10-23 at Center and School, 03 gonna relieve me?"

Squad 9303: "10-4"

Squad 9515: "9515"

Dispatch: "9515"

Squad 9515: "03, 63, and who is my third?"

Dispatch: "9361"

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Dispatch: "9307 is currently at Center and School, 03 is on her way to relieve him"

Squad 9303: "9303, I'm 10-23"

Dispatch: "10-4, 9515, did you want her somewhere else?"

Squad 9515: "No, the other Pewaukee car, I want Pewaukee, 07, 03, and 63 are fine"

Dispatch: "10-4"

Squad 9307: "9307, where's the other Pewaukee squad I am going to relieve"

Dispatch: "9363, advise your 20"

Squad 9363: "9363, I am in between Center and Prairie, if he comes down School Rd., that's where I'm at, right in the middle of the street"

Dispatch: "Copy, 07 Copy"

Squad 9307: "I copy"

Squad 9515: "9515 to 07"

Squad 9307: "9307, I'm parked at Center and School walking over"

Squad 9307: "Affirm"

Squad 9515: "Get in your car and come over to school and Prairie"

Squad 9307: "Copy"

Squad 9307: "9307, I'll be 10-58 at Prairie and School"

Dispatch: "10-4, 9307"

Squad 9363: "9363, I'll be 10-8, AOA, and switching over to Ops"

Dispatch: "10-4, 9363"

Squad 9350: "10-23, unintelligible"

Dispatch: "9350, unintelligible"

Squad 9325: "9325"

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

Pages:

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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Dispatch: "9325, if you could switch over to Ops"

Squad 9305: "9305"

Dispatch: "Go ahead"

Squad 9305: "When you get a chance if you could get the subject's 27 (which stands for obtaining an individual's information) for information from WKPD, just leave it in the notes"

Dispatch: "Will do"

Squad 9303: "Shagian to Kaepernick"

Squad 9515: "Go ahead"

Squad 9303: "A West Allis Captain is going to be heading from my location down to you"

Squad: "Alright, I'm back in my car so I think Moonen is still out on the scene there"

Squad 9303: "10-4, he's on foot, I just wanted to make sure you guys knew it wasn't a pedestrian"

Squad 9515: "9515"

Dispatch: "9515"

Squad 9515: "I'm clear, unintelligible, is everybody still on Ops?"

Dispatch: "affirmative"

Squad 9515: "I think we can clear it out and all go back to four"

Dispatch: "10-4, 10-33 traffic listed on area four main, all traffic can resume as normal, 10-33 traffic listed on area four main, all traffic can resume as normal"

SQUAD NUMBERS AND OFFICER NAMES**Waukesha Police Department**

Squad 118 - Jose Arellano

Squad 104 - Darrin Wittnebel

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

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West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

Incident Date:

02/10/2019

Squad 106 - Terrence Fletcher

Squad TS1 - Benjamin Stern

Squad 110 - Brenna Riedel

Squad 116 - Bryan R. Spakowicz

Waukesha County Sheriff's Office

Squad 9309 - Kurt Thompson

Squad 9305 - Bryan Skaar

Squad 9304 - FTO David Schroeder / Trainee Amanda Watterson

Squad 9363 - Erik Michalsen

Squad 9361 - Kelsey Sink

Squad 9308 - FTO Anthony Schutte / Trainee Kyle Kunce

Squad 9303 - Sonya Sahagian

Squad 9515 - Lieutenant Greg Kaepernick

Squad 9504 - Captain Marc Moonen

Squad 9307 - Robert Leon

Squad 9350 - Matthew Vanderboom

Squad 9325 - Chad Helminiak and Keith McDonald

Reporting Officer(s):

Cerqua, Allison

Payroll Number:

9653

Pages:

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West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE**PRELIMINARY AUTOPSY RESULTS****Thur. 2/14/19, Sgt. Brian Havican**

On this date, I received an email from Ashley Kirchenberg at Waukesha CO Medical Examiner Office. There was an attachment which contained Preliminary Autopsy Results for Wauk CO ME Autopsy #19-0325 (**Ted C. Schmitz**). The prelim autopsy findings were noted as summarized as follows:

Ted C. Schmitz
Waukesha County, WI
Case No. 19-0325
Date of Autopsy: February 11, 2019

PRELIMINARY AUTOPSY FINDINGS**I. Gunshot wound to upper chest (A)**

- A. No evidence of soot or gun powder on the skin
- B. Large size Partially jacketed slug recovered from the mid back and retained
- C. Perforation of ascending aorta, left atrium and right lung, lower lobe
- D. Direction of wound track; front to back and downward when body is in the anatomic position

II. gunshot wound to the right side of chest (C)

- A. No evidence of soot or gunpowder on the skin
- B. Through and through gunshot wound, no slug recovered. Exit wound near right axilla (B)
- C. Wound track through subcutaneous and muscular tissue.
- D. Direction of wound track: rightward and upward when body is in the anatomic position

III. Gunshot wound to lower chest (D)

- A. No evidence of soot or gunpowder on the skin
- B. Large size partially jacketed slug recovered from right side of back and retained
- C. Perforation of the liver
- D. Direction of wound track: front to back, rightward and downward when body is in the anatomic position

IV. Gunshot wound to left side of abdomen (E)

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 02/15/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 2

West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Dr, Waukesha

Incident Date:

02/10/2019

- A. No evidence of soot or gunpowder on the skin
- B. Large size partially jacketed slug recovered from right side of back and retained
- C. Perforation of small bowel, right kidney and liver
- D. Direction of wound track: left to right, front to back and upward when the body is in the anatomic position.
- V. Cardiomegaly with left ventricular hypertrophy
- VI. Coronary artery atherosclerosis, moderate

Signed by Lynda Biedrzycki, MD and Medical Examiner

The PDF report was attached in the RMS under this case. Refer to the report for full info and disclosure.

Reporting Officer(s):

Havican, Brian

Payroll Number:

2101

Pages:

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West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE**POSITIVE IDENTIFICATION OF DECEASED****Monday 2/11/19, Sgt. Brian Havican**

On this date, I called Waukesha CO Sheriff ID Tech Sara Habermann [REDACTED]. I requested confirmation of positive identification of the deceased in this investigation. She said she would email me this info later in the week.

Friday 2/15/19, Sgt. Havican

On this date, I received an email from ID Tech Habermann, with attachments on the ID of Schmitz. The ID confirmation attachments were placed in the attachment tab of the PHOENIX RMS under this case.

This positive ID was summarized as follows:

Matter-of

To: Medical Examiner's Office

Date: 02/11/2019

Reference: Fingerprint Identification of Deceased Subject

On Monday February 11, 2019, I used the MorphoMobile Fast ID machine to identify a deceased subject. Using the subject's left and right index fingerprints, he was identified as **Ted Charles Schmitz (DOB: 12/23/1964)** with a Wisconsin State ID Number of WI221484.

Respectfully submitted,

Sara Habermann

Waukesha Sheriff's Department

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 02/15/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Drive, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NAMES**Police Officer**

Hallmark, Luke U/ of 1901 Delafield Street, Waukesha, WI, 53188

Contact-1

Ryder, Timothy U/ of 1901 Delafield Street,

Contact-2**NARRATIVE****PRELIMINARY INFORMATION**

I went to [REDACTED], above, that he was reported to share with [REDACTED] [REDACTED], along with Deputy Medical Examiner Tabitha Kukes, WAPD LT Todd Clementi, City of Waukesha Police Detective Luke Hallmark, and City of Waukesha Police Chaplain Timothy Ryder.

CONTACT [REDACTED] [REDACTED]

We arrived at 0623 hrs., and Deputy Medical Examiner Tabitha Kukes knocked on the front apartment door. After several minutes with no answer, DET Hallmark went onto the porch of the second floor apartment, accessible from a door in the common hallway, and knocked on a window. LT Clementi knocked loudly on the apartment door, as well.

At about 0627, a female later identified as [REDACTED] [REDACTED], opened the door. Deputy Medical Examiner Tabitha Kukes explained that we were at the apartment to speak to [REDACTED] about Ted and asked if we could enter the apartment. [REDACTED] opened the door and walked into the apartment, implying consent to enter. We entered and Deputy Medical Examiner Tabitha Kukes verified that she was [REDACTED] [REDACTED] and informed her of Ted Schmitz's death.

[REDACTED] stated Ted resides in the apartment, in his own bedroom. Ted has no

Reporting Officer(s): Madden, David	Payroll Number : 1871	Report Date: 02/15/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 4

West Allis Police Department**Continuation**

Incident Report Number

19-005427

Incident Location:

821 School Drive, Waukesha

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job. His mother lives in [REDACTED], near the apartment. [REDACTED] stated, "he doesn't talk to her." [REDACTED] stated [REDACTED]'s name is [REDACTED].

Deputy Medical Examiner Tabitha Kukes provided [REDACTED] with a brief summary of the events. [REDACTED] responded that Ted had told her, "if he was ever approached by the police, he would rather have them shoot him and kill him than go back to prison again." [REDACTED] stated Ted recently told her it would be, "better off if he was not here because it was too hard for him."

In response to our questions, [REDACTED] stated Ted had, "lots of illnesses," but did not know specifically what they were. [REDACTED] stated Ted was taking medication and, "yes, he takes them."

[REDACTED] stated nothing out of the ordinary happened in the, "last couple days." She stated that Ted last talked to [REDACTED], "a few months ago." [REDACTED] stated [REDACTED] is deceased. Ted did not abuse alcohol and she was not aware of any street drug use by Ted. [REDACTED] stated, "I don't know what his medications are."

[REDACTED] stated Ted, "stays in the room behind me; but I don't want anyone to go in there." She stated several times that she did not want anyone to go in Ted's room, did not want us to "touch," anything, and wanted to be the first one to go through Ted's property. Based on this reaction, we did not ask for consent to search Ted's room or the rest of the apartment.

[REDACTED] stated, "illness did not play a role, he just didn't want to go to prison." [REDACTED] stated she did not know anything about any new crimes; fraud or theft.

[REDACTED] stated Ted went with a friend, "[REDACTED], that's all I know," at about 5:00 PM. [REDACTED] had a car and drove. [REDACTED] thought Ted met [REDACTED] at an "AA meeting," Alcoholics Anonymous. [REDACTED] stated the two planned to, "just hand out." [REDACTED] stated that it would not be unusual for Ted to be outside, walking around, at 12:30 am. She stated, "he walks," and opined that is why he was by the park.

[REDACTED] stated she was asleep on the couch, with one of her cats after [REDACTED] and Ted left at about 5:00 PM. She heard him return but did not know what time he returned. Ted left again and did not return home again.

[REDACTED] stated Ted has lived with her since August, 2017. She left for work at 8:00 AM and thought Ted was home. She did not look in his room to see if he was there. [REDACTED] arrived home from work at about 2:30-3:00 PM. [REDACTED] became somewhat argumentative, demanding to know why we were questioning her about anything. We explained the investigative process to her, and I continued with the questioning.

[REDACTED] stated Ted told her he, "would rather get shot by the police than go to

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West Allis Police Department**Continuation**

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prison," multiple times since he moved in with her. [REDACTED] stated Ted had made this statement recently as well as in the past.

[REDACTED] stated when she arrived home at about 3:00 PM, Ted was home. At some point, they were laughing because a cat had scared Ted in the living room. [REDACTED] stated she did not know whether Ted carried knives, and stated, "I don't dress him."

At about 0643 hrs., [REDACTED] called [REDACTED] [REDACTED] and informed he of Ted's death. [REDACTED] stated, "Ted's dead. He was shot by the police," and continued the conversation for a short time. [REDACTED] provided [REDACTED]'s phone number, [REDACTED], and her address.

[REDACTED] stated Ted had bought egg noodles and potatoes earlier for a meal Sunday. After he arrived home and woke [REDACTED] up, at an unknown time Saturday night, Ted left again. [REDACTED] stated Ted, "went down, came back up, and said [REDACTED] was gone." [REDACTED] believed Ted thought [REDACTED] would wait for Ted. Ted asked to use [REDACTED]'s car and [REDACTED] said "no." [REDACTED] stated she told him no because the car had recently been fixed and she did not want anyone else, other than her, driving it. [REDACTED] stated Ted told her, "he would walk to Sunset Bowl."

[REDACTED] stated [REDACTED], last name and phone number unknown, lives in Mukwonago. She stated that Ted used to borrow her car but in the, "last several months," she stopped letting him use it. [REDACTED] stated there was no event that caused this decision; rather it was her getting the car fixed that caused her to no longer let Ted use her car.

[REDACTED] stated Ted did not seem angry when he was last in the apartment. She stated the only reason he might produce knives was if the police threatened to arrest him.

I gave [REDACTED] a business card with my contact information and we explained that LT Clementi would be the contact person if she had any questions or needed anything from WAPD regarding this investigation.

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NAMES**Contact**

[REDACTED]

[REDACTED]

[REDACTED]

NARRATIVE**PRELIMINARY INFORMATION**

After we notified [REDACTED] [REDACTED], we went to Ted Schmitz's mother's residence to ensure she was notified an address any questions she might have. I went with WAPD LT Todd Clementi, Chaplain Ryder, and a City of Waukesha Police SGT.

CONTACT [REDACTED] [REDACTED]

I knocked on the door of Apartment one and rang the door bell at about 0728 hrs. A short time later a female who identified herself as [REDACTED] [REDACTED] opened the door. I identified myself and she immediately invited us inside to her second floor apartment. We spoke in the living room. I explained briefly what happened, paraphrasing the press release that I had seen earlier.

In response to my questions, [REDACTED] stated Ted got off "parole," in December and, "he was doing so good." [REDACTED] stated Ted was on disability because he was, "mentally ill." Prior to being on disability, and immediately after being release from prison, Ted worked at the First Baptist Church. He also worked at a place for people with disabilities as a cook but quit that job. [REDACTED] did not know what Ted's diagnosis was, stating, "I don't know but he was on disability."

[REDACTED] stated she, "tried trusting him and keeping him busy," while Ted was on parole. When parole ended these efforts also ended. [REDACTED] stated Ted stayed with her when he got out of prison. After staying with [REDACTED], Ted moved in with [REDACTED]. Ted had a job at a facility on, "North Street," where he helped the manager and did things such as, "cleaning up vomit." Ted quit that job, telling [REDACTED], "he couldn't take it anymore."

[REDACTED] stated, "I know he didn't want to go back to prison, I know that."
[REDACTED] stated Ted has been in prison and other institutions. She stated

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Ted, "was in at St. Charles, then, after he started there, different prisons." [REDACTED] stated she had no first hand knowledge of drug use by Ted, "only hearsay." She stated, "he was on drugs, a lot of things happened in Milwaukee." [REDACTED] stated Ted would tell her of things he would do in Milwaukee, including being shot once.

[REDACTED] stated, "I knew eventually this would probably happen."

[REDACTED] stated Ted was released from prison on 12/15/2012 and had six years probation. She stated he was sick with some type of "bone disease," had swollen legs, but the illness was not cancer.

[REDACTED] stated the last time she spoke to Ted, she had let him use her car. She gave him \$300 in US currency and asked him to deposit it in the bank. She stated, "I think he was doing drugs... he seemed nervous and off he went." [REDACTED] stated Ted never went to the bank and did not deposit the money. He told her that he had \$114 from the electric company he was going to use to buy medicine.

[REDACTED] stated she called the bank and found out the money had never been deposited. She stated Ted, "hid my car." [REDACTED] stated she called [REDACTED] who told [REDACTED] that she, [REDACTED], "did not want to get in the middle of it." Ted was at the house but [REDACTED] would not answer any questions.

[REDACTED] stated she asked another person, [REDACTED] to look for her car. [REDACTED] found it a short distance from [REDACTED]'s apartment, "at Wisterion." [REDACTED] stated the car was "dirty," when she got it back, with a cigarette but on the seat, and "mud all over." [REDACTED] called Ted and told him she wanted her condo keys and car keys returned. She stated he called back and told her he had hung the keys by the outside light. [REDACTED] found the keys hanging there.

[REDACTED] stated Ted, "always carried a back pack." [REDACTED] stated Ted had been her Power of Attorney but she removed him from that position.

[REDACTED] stated she had six (6) children who would be Ted's siblings: [REDACTED] (deceased in a railroad incident), [REDACTED], and [REDACTED]. All of them live in [REDACTED]. Her husband, the father of the six children, is deceased. [REDACTED] stated her husband was an abusive alcoholic.

I left [REDACTED] my business card along with several others to pass on to any other family members who might have questions.

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West Allis Police Department

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OTHER NAMES

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PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-000858				
1	EVI		Wisconsin State Patrol	1.000
			Diagram - Marked by Officer	\$0.00
			Bradley Condon in Interview	[Recovered]

Reporting Officer(s): Kurtz, Todd	Payroll Number : 1848	Report Date: 02/18/2019
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NARRATIVE**VOICEMAIL LEFT BY TED SCHMITZ**

Det. Todd Kurtz Reports.....

I reviewed a message left by **Ted C. Schmitz M/W, d.o.b. 12-23-1964** on Waukesha Police Officer Benjamin Stern work voicemail. I was advised this voicemail was left on February 4th 2019. The following is a summary of the message Ted Schmitz left.

Ted Schmitz identified himself on the message as Ted Schmitz and he spelt his last name and provided a phone number of (262) 506-4367. Ted Schmitz stated he did not appreciate the police going to his house and telling his sister lies that he would not call the police back. Ted Schmitz stated he was scared and did not know what to do. He does not have an attorney, but wants one present when he speaks with the police because he has been screwed before. Ted Schmitz stated he can not afford an attorney, but if Officer Benjamin Stern provided him one he would come to the police department.

Ted Schmitz yelled, that the police coming to his house and scaring his sister is bullshit. Ted Schmitz continued to say that the police should do something right or don't do anything at all. He then yelled, "come and get me"! Again, Ted Schmitz stated he wanted an attorney present and it better not be an undercover cop. Ted Schmitz stated all the police do is tell lies.

Ted Schmitz stated when he does get an attorney he is going to, "file a lawsuit against you mother fuckers"! Ted Schmitz stated he is pissed. He was angry that the police said he never made contact with them because that was a lie. Ted Schmitz asked for the police to contact him and he stated he did not kill anyone. He said he did not know what he even did, but the police are acting like he committed a murder.

Ted Schmitz stated, "please do the right thing, bye"!

The phone call was ended.

Note: Ted Schmitz appeared upset and angry during this phone call.

I downloaded the voicemail into the DIMS system.

Reporting Officer(s): Kurtz, Todd	Payroll Number : 1848	Report Date: 02/18/2019
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NARRATIVE**FINAL CAUSE AND MANNER OF DEATH****Tue. 02/19/19, Sgt. Brian Havican**

On this date, I received an email from Waukesha CO Medical Examiner Admin Assistant Ashley Kirchenberg. This email contained a PDF with Final Cause and Manner of Death in regard to Ted C. Schmitz. This PDF was attached in the PHOENIX RMS under this case.

The results of the Waukesha CO ME findings were as follows:

Waukesha County

Office of Medical Examiner

515 W Moreland Blvd. • Waukesha, Wisconsin 53188-2428 Phone: (262) 548-7575 • Fax: (262) 896-8079 • www.waukeshacounty.gov

Paul Farrow County Executive **Lynda Biedrzycki, MD** Medical Examiner

February 19, 2019

Re: Ted C. Schmitz

Waukesha County Medical Examiner Case #: 19-0325

Date of Birth: 12/23/1964 ? Date of Death: 02/10/2019

To Whom It May Concern,

The Waukesha County Medical Examiner's Office has investigated the death of Ted. C. Schmitz. Lynda Biedrzycki, M.D., Medical Examiner performed an autopsy on February 11, 2019.

Cause of death is multiple gunshot wounds. Manner of death is Homicide. As stated on the death certificate, this fatal injury occurred at 00:44 hours on

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 02/19/2019
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February 10, 2019 when the decedent was shot by another (Glock .45 semiautomatic).

A death certificate has been signed and filed with the Waukesha County Register of Deeds and the Wisconsin Vital Records office.

Sincerely,

Ashley Kirchenberg

Administrative Assistant

Reporting Officer(s):

Havican, Brian

Payroll Number:

2101

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West Allis Police Department**Supplementary Report**

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NAMES**Contact-1**

Coffey, Joseph John W/M-48 of 2440 Les Paul Pkwy, Waukesha, WI, 53189
DOB: [REDACTED]
Work Phone: [REDACTED]

Contact-2

Oleniczak, Peter K W/M-39 of 2440 Les Paul Pkwy, Waukesha, WI, 53189
DOB: [REDACTED]
Work Phone: [REDACTED]

NARRATIVE

Detective L. Binter reports:

INITIAL RESPONSE

On Sunday, February 10th 2019, at approximately 217am, I received an activation request from the Milwaukee Area Investigative Team to assist with an officer involved shooting that occurred in the City of Waukesha. I responded to Waukesha Police Department, located at 1901 Delafield St., Waukesha, WI, to assist with the investigation.

Upon arrival at the police department, Lieutenant Brian Saftig tasked me with obtaining statements from members of the Waukesha Fire Department located at Fire Station 3. The address for Fire Station 3 is 2440 Les Paul Pkwy, Waukesha, WI. West Allis Detective Allison Cerqua and I responded to Fire Station 3 to obtain the statements.

STATEMENT OF JOSEPH JOHN COFFEY

I spoke with Joseph John Coffey (M/W, DOB [REDACTED]) who is the driver for Ambulance 53. Coffey stated they received a notification for a 'police tactical call' which is a 'police related assist'. This meant the call is for a police related incident. Coffey did not know exactly what had taken place at this point in time.

Coffey drove Ambulance 53 with other fire personnel inside of it to the scene.

Reporting Officer(s): Binter, Lucas	Payroll Number : 9821	Report Date: 02/25/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 3

West Allis Police Department**Continuation**

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Dispatch advised the safe approach was to take Prairie to School. Engine 1, Engine 3, and Ambulance 52 arrived at the same time. Coffey parked third in the stack. The streets were blocked off by squad cars and police officers were putting police tape up.

Coffey knew the patient was laying on the ground in the street. Coffey's responsibilities were to get equipment and supplies out of the ambulance for the paramedics. Eventually they asked for a cot to move the patient inside of the ambulance to transport to the hospital. Coffey got the cot and assisted loading the patient in the back of the ambulance.

Coffey drove to the hospital where the patient was brought into emergency room 119.

STATEMENT OF PETER K. OLENICZAK

I spoke with Peter K. Oleniczak who is a paramedic. Oleniczak stated they received a 'tone out' which was a notification for a 'police tactical call'. As they responded to the scene Oleniczak knew the call had to be more serious in nature as they usually get called off prior to arrival. In this instance Engine 1 arrived on scene first, Engine 2 was second, and Ambulance 53 was third.

The lieutenant notified them the call was related to a patient who sustained several gun shots wounds. The patient was located outside on the roadway near the school. It was cold outside and the road was very icy. Oleniczak had nearly slipped and fallen due to the icy conditions a couple of times. Oleniczak saw possibly 3 gun shot wounds with 1 exit wound on the patient.

At this time the patient displayed agonal breathing, no pulse, had halo chest seals on, and AED had been applied by police. The halo chest seals were falling off due to the amount of blood loss. The determination was made to lift the patient off the roadway into the ambulance. The patient was loaded into the back of Ambulance 53. At this time the patient was treated a full code. This meant the patient was not breathing and unconscious.

Once inside, the LUCAS device was applied to the patient which administered controlled compressions to the chest. Oleniczak administered an intraosseous infusion of the patient's right tibia to deliver cardiac related medication as quickly as possible. Three rounds of cardiac medications were administered to the patient. The patients cardiac rhythm was poor, was not breathing on his own, unconscious, and no femoral pulse.

During the duration of these events the paramedics were in contact with Dr. Szymanski of Waukesha Memorial Hospital. At this time the patient was transported To Waukesha Memorial Hospital. Dr. Szymanski ultimately pronounced the patient deceased at 135am at 02/10/19.

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END OF SUPPLEMENTAL

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NARRATIVE

Det. Jason Vanderwerff reports...

02/26/19:

WAUKESHA POLICE DISPATCH RECORDING

I received an email from Waukesha Police Records Clerk Melissa Crowley with an audio attachment. The attachment contained the recorded conversation of Schmitz with dispatch on 02/09/19. Crowley advised that the call time was 0113 hours.

I played the attachment at my workstation. Schmitz called dispatch and requested to speak with Officer Stern. Dispatch made two attempts to reach Stern, but he was not available and the call was terminated.

I downloaded the attachment to a WAPD DVD-R disc. I labeled the disk and secured it in property. It was issued property number 19-001016-1 and secured in locker #21 in the West Allis Police evidence room for safekeeping.

Reporting Officer(s): Vanderwerff, Jason	Payroll Number : 9515	Report Date: 02/26/2019
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PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-001016				
1	EVI		One disc recording of Schmitz to Waukesha Dispatch on 02/09/19 at 0113 hours.	1.000 \$0.00 [Recovered]

Reporting Officer(s): Vanderwerff, Jason	Payroll Number : 9515	Report Date: 02/26/2019
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West Allis Police Department**Supplementary Report**

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OTHER NAMES

West Allis Police Department of 11301 W Lincoln Ave
 West Allis, WI, 53227
 Business Phone: (414) 302-8000

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-001162				
1	EVI		One folder containing 17 index prints, 1 CD with PDF of all 335 images, 1 DVD with video and their case report	1.000 \$0.00 [Recovered]

NARRATIVE**Sgt. Treep reports...**

On 03/04/19, I received the Wisconsin State Crime Laboratory - Milwaukee Case report folder. This folder contained 17 index prints, 1 CD with PDF of all 335 images and 1 DVD with video. Also contained was their case report narrative of their investigation and how they processed the scene.

This case report was scanned and attached to the case file and placed back into the original file packet. I received a total of (5) case packets, with (4) given directly to Lt. Saftig and (1) placed on WAPD property #19-001162-1.

Reporting Officer(s): Treep, Wayne	Payroll Number : 9519	Report Date: 03/04/2019
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NARRATIVE**AUTHORIZED TRANSFER-EVIDENCE TO WAUKESHA CO ME****Thur. 3/07/19, Sgt. Brian Havican**

On this date, I met with Dr. Lynda Biedrzycki at Waukesha CO ME. I turned over WAPD Property #19-000743-14 (sealed paper bag w/bloody clothing from street) to her at 8:35am. This was per her request in order to perform analysis on the clothing; this evidence was logged out as an Authorized Transfer.

I advised Wauk CO ME to call me when this property was ready for pick-up.

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 03/11/2019
Reviewed by: Saftig, Brian	Payroll Number : 2103	Page: 1 Of 1

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NARRATIVE

Sgt. Treep reports...

WFD RADIO TRANSMISSION REVIEW

On 03/12/19, Captain Marks assigned me to review the radio transmissions from the Waukesha Fire Department from the OIS incident from 02/10/2019. The file was a WMA file that Captain Marks forwarded to my email. The audio file is approximately 4 minutes 24 seconds in length.

The audio starts almost immediately with Med53 and Engine 3 being dispatched to a departmental assist at S. Prairie Ave and School Dr.

At approximately 14 seconds into the audio, Engine 3 acknowledges copy.

At approximately 23 seconds into the audio, Engine 1 being dispatched to a departmental assist at S. Prairie Ave and School Dr.

At approximately 32 seconds into the audio, Station 1 copies acknowledges copy. These first 4 transmissions appeared to be computerized dispatching.

At approximately 39 seconds into the audio, a female dispatcher alerts station 3 and Engine 1 responding to assist police at Prairie and School for a 54 old male with multiple gun shot wounds who is breathing, he is agonal at this time, upgraded alarm and added Engine 1. Safe approach off School from Prairie, Priority 1.

At approximately 1 minute 6 seconds into the audio, acknowledges 3 copy.

At approximately 1 minute 10 seconds into the audio, acknowledges 1 copy.

At approximately 1 minute 16 seconds into the audio, Ambulance 53 is asking dispatch if they want her to approach into School and Prairie.

At approximately 1 minute 27 seconds into the audio, female dispatcher informs safe approach should be off School from Prairie.

At approximately 1 minute 35 seconds into the audio, asking Engine 1 if you can 51 and lead Engine 3. (This portion was difficult to determine)

At approximately 1 minute 42 seconds into the audio, acknowledges I copy.

At approximately 1 minute 50 seconds into the audio, female dispatcher informs units responding to Prairie and School they can go around fleet 30.

Reporting Officer(s): Treep, Wayne	Payroll Number : 9519	Report Date: 03/12/2019
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West Allis Police Department**Continuation**

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At approximately 2 minutes into the audio, someone is asking "Joe" to back up.
(This portion was difficult to determine)

At approximately 2 minutes 6 seconds into the audio, Engine 3 calls dispatch.

At approximately 2 minutes 10 seconds into the audio, dispatch tells Engine 3 to go ahead.

At approximately 2 minutes 14 seconds into the audio, Engine 3 informs dispatch that they are currently at Center and School and asks if they should approach off of Prairie.

At approximately 2 minutes 26 seconds into the audio, dispatch acknowledges affirmative and advises safe approach school drive from Prairie Ave.

At approximately 2 minutes 35 seconds into the audio, 3 acknowledges copy.

At approximately 2 minutes 42 seconds into the audio, Engine 1, Engine 3 and Ambulance 53 informs dispatch they are on scene.

At approximately 2 minutes 52 seconds into the audio, dispatch acknowledges copy.

At approximately 2 minutes 58 seconds into the audio, Engine 1 reports patient contact.

At approximately 3 minutes 01 seconds into the audio, dispatch acknowledges copy Engine 1.

At approximately 3 minutes 07 seconds into the audio, Henderson to Lynchinski
(Difficult to understand the names)

At approximately 3 minutes 10 seconds into the audio, "Go ahead"

At approximately 3 minutes 14 seconds into the audio, What is your location?

At approximately 3 minutes 19 seconds into the audio, dispatch station 3, Engine 1, transporting ot Waukesha.

At approximately 3 minutes 28 seconds into the audio, dispatch acknowledges copy.

At approximately 3 minutes 35 seconds into the audio, dispatch station 3, Engine 1, at Waukesha Memorial.

At approximately 3 minutes 40 seconds into the audio, dispatch acknowledges copy.

Reporting Officer(s): Treep, Wayne	Payroll Number: 9519	Pages: 2 Of 3
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West Allis Police Department**Continuation**

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Incident Location:

Incident Date:

19-005427

821 School Dr, Waukesha

02/10/2019

At approximately 3 minutes 46 seconds into the audio, dispatch from Engine 3.

At approximately 3 minutes 52 seconds into the audio, repeats dispatch from Engine 3.

At approximately 4 minutes 0 seconds into the audio, dispatch acknowledges go ahead.

At approximately 4 minutes 2 seconds into the audio, You can place Engine 3 in service at the hospital, Ambulance 53 and Engine 1 are out of service at the hospital

At approximately 4 minutes 18 seconds into the audio, dispatch acknowledges copy.

After the review was completed, the audio file was attached to our case file.

Reporting Officer(s):

Treep, Wayne

Payroll Number:

9519

Pages:

3 Of 3

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: G3	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE**FINAL AUTOPSY REPORT****Thursday 3/21/19, Sgt. Brian Havican**

On this date, I received an email containing the Final Autopsy report from the Waukesha CO Medical Examiner office on Ted C. Schmitz. This PDF report was twelve (12) pages long.

TOXICOLOGY-PRELIMINARY RESULTS

I also received a PDF report (three (3) pages long) for tentative Toxicology results on Schmitz; additional toxicology analysis was being conducted and was pending as of this date. Final results of additional toxicology are expected to be ready within approx. two (2) weeks, these results will be forwarded to me upon completion.

The PDF reports were attached in the PHOENIX RMS under this case.

Final toxicology results will be reported on and attached as a PDF when I receive them.

NON-DISCLOSURE STATUS

I advised Ashley Kirchenberg at Waukesha CO ME office to keep the Non-Disclosure in place on Ted C. Schmitz' records until final toxicology results and Waukesha CO District Attorney office reviews were completed.

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 03/21/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1

West Allis Police Department

Property Report

Property Number: 19-000694	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/10/2019 04:25:00
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/10/2019 04:25:00	<input type="checkbox"/> Found Property

Item# Type Reason

1 Gun Evidence
Description: Glock 21 handgun, Glock magazine with 9 rounds of Federal .45 cal ammo, (1) .45 cal round from the chamber
Make: Glock
Caliber: 45
Serial#: ██████████
Quan/Value: 3.000 / \$500.00
Disposition: Sent To Property Room

2 Article Evidence
Description: (3) Glock 21 magazines loaded with 13 rounds of Federal .45 cal ammunition each
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Porter, Caleb	ID Number: 9438	Reviewed by: Porter, Caleb	ID Number: 9438	Report Date: 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000721	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) Waukesha Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 1901 Delafield St Waukesha, WI, 53188			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/11/2019 17:55:07
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/11/2019 17:55:07	<input type="checkbox"/> Found Property

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

1 Article Evidence
Description: (2) USB flash drives containing digital media from incident.
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Treep, Wayne	ID Number: 9519	Reviewed by: Treep, Wayne	ID Number: 9519	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000720	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 515 W Moreland Blvd Waukesha, WI, 53188	Recovery Date: 02/11/2019 14:30:00
Found in Possession of:	Address: (Address, City, State, Zip)
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/11/2019 14:30:00
<input type="checkbox"/> Found Property	

Item#	Type	Reason
1	Article	Evidence
Description: 1-DNA Card from Ted C. Schmitz 12/23/1964, obtained at autopsy at Waukesha CO Medical Examiner		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		
2	Article	Evidence
Description: CD, contains x-ray images taken during autopsy (Ted C. Schmitz) by Accurate Imaging Inc.		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		
3	Article	Evidence
Description: 1-tin, contains a large partially jacketed slug from back right side recovered during autopsy (Ted C. Schmitz) (1 of 2)		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		
4	Article	Evidence
Description: 1-tin, contains large partially jacketed slug from back right side recovered during autopsy (Ted C. Schmitz) (2 of 2)		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		
5	Article	Evidence

Reporting Officer: Havican, Brian	ID Number: 2101	Reviewed by: Havican, Brian	ID Number: 2101	Report Date: 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

Continuation

Property Number: 19-000720	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Description: 1-tin, contains large partially jacketed slug from mid back recovered during autopsy (Ted C. Schmitz) slug #3

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

Owner: Schmitz, Ted, Charles

Address: 1206 Lambeth Rd #4 Waukesha, WI, 53189

Item# Type Reason

6 Article Evidence

Description: 1-men's right shoe, Dr. Comfort brand, black w/gray trim, recovered at autopsy (Ted C. Schmitz)

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

7 Article Evidence

Description: 1-pair gray underpants, recovered during autopsy (Ted C. Schmitz)

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

8 Article Evidence

Description: 1-pair black athletic style shorts, recovered at autopsy (Ted C. Schmitz)

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

9 Article Evidence

Description: 2-socks, gray/white color, recovered at autopsy (Ted C. Schmitz)

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

10 Article Evidence

Description: 1-pair men's pants, blue, cut; recovered at autopsy (Ted C. Schmitz)

Quan/Value: 1.000 / \$0.00

Reporting Officer(s): Havican, Brian	ID Number	ID Number	Pages: 2
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Continuation

Property Number: 19-000720	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Disposition: Sent To Property Room

11 Article Evidence
Description: 1-belt, black w/metal buckle, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

12 Article Evidence
Description: 1-paper bag from the left hand, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

13 Article Evidence
Description: 2-paper bags from the right hand (double bagged) recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

14 Article Evidence
Description: 1-paper bag with handles, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

15 Article Evidence
Description: 1-small syringe (10cc) plastic, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

16 Article Evidence
Description: 1-necklace, leather style w/wood style pendant, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer(s): Havican, Brian	ID Number	ID Number	Pages: 3
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Continuation

Property Number: 19-000720	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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- 17 Article Evidence
Description: 1-white sheet, soiled w/blood, recovered from autopsy body bag (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room
- 18 Article Evidence
Description: 1-red plastic Biohazard bag, recovered at autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room
- 19 Article Evidence
Description: 1-Request for Non-Disclosure of Info form signed at Waukesha CO Medical Examiner autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room
- 20 Article Evidence
Description: 1-Evidence Dispo Receipt signed at Waukesha CO Medical Examiner autopsy (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer(s): Havican, Brian	ID Number	ID Number	Pages: 4
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West Allis Police Department

Property Report

Property Number: 19-000727	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 11301 W Lincoln Ave West Allis, WI, 53227		Recovery Date: 02/12/2019 11:53:30
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/12/2019 11:53:30	<input type="checkbox"/> Found Property

1 Article Evidence
Description: 1-WI State Crime Lab Letter of Introduction, WI Crime Lab #R19-565 (Ted C. Schmitz)
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Havican, Brian	ID Number: 2101	Reviewed by: Havican, Brian	ID Number: 2101	Report Date: 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000739	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 1578 S 11 St Milwaukee, WI, 53204	Recovery Date: 02/13/2019 09:05:00	
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/13/2019 09:05:00	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: 1-USB flash drive containing 335-photos taken by WI State Crime Lab Response Team at 800 blk School Dr Waukesha WI
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

2 Article Evidence
Description: DVD, contains digital images taken by Wauwatosa PD Detective S. Kirby; these are Waukesha PD/WKSO Officers and canvas/witness views on School Drive Waukesha WI
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Havican, Brian	ID Number: 2101	Reviewed by: Havican, Brian	ID Number: 2101	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000745	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 1578 S 11 St Milwaukee, WI, 53204	Recovery Date: 02/13/2019 09:05:00
Found in Possession of:	Address: (Address, City, State, Zip)
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/13/2019 09:05:00
<input type="checkbox"/> Found Property	

1 Article Evidence
Description: 1-WI State Crime Lab Receipt of Physical Evidence; USB drive containing 335-photos from School Dr Waukesha WI
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Havican, Brian	ID Number: 2101	Reviewed by: Havican, Brian	ID Number: 2101	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000743	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) Waukesha Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 1901 Delafield St Waukesha, WI, 53188			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/10/2019 09:20:00
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/10/2019 09:20:00	<input type="checkbox"/> Found Property

Item#	Type	Reason
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1	Article	Evidence
Description: (1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #1		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		

2	Article	Evidence
Description: (1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #2		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		

3	Article	Evidence
Description: (1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #3		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		

4	Article	Evidence
Description: (1) fired cartridge casing (federal 45 auto), located on street East of Squad #48, Item designated #4		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent To Property Room		

5	Article	Evidence
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Reporting Officer: Treep, Wayne	ID Number: 9519	Reviewed by: Treep, Wayne	ID Number: 9519	Report Date: 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

Continuation

Property Number: 19-000743	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Description: Black folding knife on street south of Squad #48, Item designation #5

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

6 Article Evidence

Description: White plastic knife on street, Item designation #6

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

7 Article Evidence

Description: Newspapers/flyers on street south of squad #48, Item designation #7

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

Owner: Schmitz, Ted, Charles

Address: 1206 Lambeth Rd #4 Waukesha, WI, 53189

Item# Type Reason

8 Article Evidence

Description: (1) shoe left on the street, Item designation #8

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

9 Article Evidence

Description: Contents of pockets on sidewalk, Item designation #9

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

10 Article Evidence

Description: 2 sets of hand cuffs (silver & black) on sidewalk south side, Item designation #10

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

11 Article Evidence

Reporting Officer(s): Treep, Wayne	ID Number	ID Number	Pages: 2
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Continuation

Property Number: 19-000743	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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Description: 1 pair of eye glasses with stain on street, Item designation #11

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

12 Article Evidence

Description: (1) black knit hat on the street, Item designation #12

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

13 Article Evidence

Description: 2 swabs of possible bloodstain on the street, Item designation #13

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

14 Article Evidence

Description: Clothes with stains on the street, Item designation #14

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

15 Article Evidence

Description: White lighter with stain on the street, Item designation #15

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

16 Article Evidence

Description: 1 pair of black gloves on the street, Item designation #16

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

17 Article Evidence

Description: Folding knife from the sidewalk, Item designation #17

Quan/Value: 1.000 / \$0.00

Disposition: Sent To Property Room

Reporting Officer(s): Treep, Wayne	ID Number	ID Number	Pages: 3
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Continuation

Property Number: 19-000743	Case Number: 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
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18 Article Evidence
Description: Hand cuff lock on the street (key pen), Item designation #18
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

19 Article Evidence
Description: 2 swabs of possible blood from street by drivers front tire of Squad #48, Item designation #19
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Owner: Schmitz, Ted, Charles
Address: 1206 Lambeth Rd #4 Waukesha, WI, 53189

Item# Type Reason

20 Article Evidence
Description: 1 black cell phone with stain under clothes (Item #14), Item designation #20
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer(s): Treep, Wayne	ID Number	ID Number	Pages: 4
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West Allis Police Department

Property Report

Property Number: 19-000744	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) Waukesha Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 1901 Delafield St Waukesha, WI, 53188			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/10/2019 09:20:00
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/10/2019 09:20:00	<input type="checkbox"/> Found Property

1 Article Evidence
Description: WI DOJ State crime lab Item designation log, turned over to Sgt. Treep WAPD
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Treep, Wayne	ID Number: 9519	Reviewed by: Treep, Wayne	ID Number: 9519	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000858	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) West Allis Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 11301 W Lincoln Ave West Allis, WI, 53227			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/18/2019 14:44:40
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/18/2019 14:44:40	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: Wisconsin State Patrol Diagram - Marked by Officer Bradley Condon in Interview
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Kurtz, Todd	ID Number: 1848	Reviewed by: Kurtz, Todd	ID Number: 1848	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000871	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/19/2019 14:30:38
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/19/2019 14:30:38	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: CD with photos of deceased from hospital
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Madden, David	ID Number: 1871	Reviewed by: Madden, David	ID Number: 1871	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-000873	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/19/2019 15:42:28
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/19/2019 15:42:28	<input type="checkbox"/> Found Property

1 Article Evidence
Description: Waukesha County Medical Examiner Office Property Disposition
Receipt for CD with photos
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Madden, David	ID Number: 1871	Reviewed by: Madden, David	ID Number: 1871	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-001016	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 02/26/2019 12:37:05
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/26/2019 12:37:05	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: One disc recording of Schmitz to Waukesha Dispatch on
02/09/19 at 0113 hours.
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Vanderwerff, Jason	ID Number: 9515	Reviewed by: Vanderwerff, Jason	ID Number: 9515	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-001162	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) West Allis Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 11301 W Lincoln Ave West Allis, WI, 53227			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 03/04/2019 14:06:15
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 03/04/2019 14:06:15	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: One folder containing 17 index prints, 1 CD with PDF of all 335 images, 1 DVD with video and their case report
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Treep, Wayne	ID Number: 9519	Reviewed by: Treep, Wayne	ID Number: 9519	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Property Report

Property Number: 19-001377	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle) Waukesha Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 1901 Delafield St Waukesha, WI, 53188			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip)		Recovery Date: 03/19/2019 10:16:07
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 03/19/2019 10:16:07	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: Video Surveillance -Weldhall Manufacturing Plant 2 Outdoor
North
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Treep, Wayne	ID Number: 9519	Reviewed by: Treep, Wayne	ID Number: 9519	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department

Supplementary Report

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 2/10/19	
New Incident: Assist Other Dept/Service/Requ	Original CFS Code - 1: G3	New CFS Code - 1 : G3	New CFS Code - 2: ZCM9075

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
19-001644				
1	EVI		Waukesha CO Medical Examiner Evidence DISPO Receipt from 4/01/2019	1.000 \$0.00 [Recovered]

NARRATIVE

EVIDENCE RETURNED FROM WAUKESHA CO ME

Monday 4/01/19, Sgt. Brian Havican

Evidence listed under WAPD #19-00743-14 (bloody clothing) was received from the Waukesha CO ME's office, and returned to WAPD secure FTS storage. Due to the biohazard concerns, the evidence was placed in the FTS freezer.

The Waukesha CO ME Evidence DISPO receipt was scanned and attached in the PHOENIX RMS; the original document was placed under WAPD Prop #19-001644-1 and placed in secure storage.

Reporting Officer(s): Saftig, Brian	Payroll Number : 2103	Report Date: 02/10/2019	
Reviewed by: Saftig, Brian	Payroll Number : 2103	02/10/2019	Page: 1 Of 1

West Allis Police Department

Property Report

Property Number: 19-001644	Case Number 19-005427	Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019 03:41:
Name (Last, First, Middle)		DOB:	Race/Sex:
Address: (Address, City, State, Zip)			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 11301 W Lincoln Ave West Allis, WI, 53227		Recovery Date: 04/01/2019 13:00:00
Found in Possession of:	Address: (Address, City, State, Zip)	
<input checked="" type="checkbox"/> Evidence	Place Retained:	<input type="checkbox"/> Found Property

Item# Type Reason

1 Article Evidence
Description: Waukesha CO Medical Examiner Evidence DISPO Receipt from
4/01/2019
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer: Havican, Brian	ID Number: 2101	Reviewed by: Havican, Brian	ID Number: 2101	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1: G3	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE

Lt. T. Clementi reporting:

On 02/10/19 I was assigned by Capt. Marks to act as the liaison between the West Allis Police Department and the family of Ted Schmitz. The log below documents the contacts I had with the family after the initial investigative contacts on 02/10/19.

Family Contact Log

02/10/19 I received a voicemail from [REDACTED] on behalf [REDACTED] (mother of deceased). [REDACTED] requested I contact her as they had questions.

2/11/19 at 1022hrs I made phone contact with [REDACTED]. She was provided information about how to make contact with the Waukesha. Co. Medical Examiners Office.

2/12/19 at 0947hrs I received a voicemail from [REDACTED] (sister of the deceased) requesting I call her.

02/12/19 at 1141hrs I attempted phone contact with [REDACTED], but no one answered and I left a voicemail advising her I had called.

02/12/19 at 1212hrs [REDACTED] returned my phone call.

02/12/19 at 1214hrs I spoke to [REDACTED] by phone about the ongoing case.

02/12/19 at 1333hrs I contacted [REDACTED] as she had numerous questions about the status of the case. We spoke at length about the questions she had and I advised her that I would try to obtain answers to her questions. She was questioning what had taken place between the officer and her brother. I offered her as much information as I could in an attempt to provide her some answers. She indicated her concern that we would not be impartial in our inquiry to this incident.

Reporting Officer(s): Clementi, Todd	Payroll Number : 1866	Report Date: 02/13/2019	
Reviewed by: Marks, Christopher	Payroll Number : 9075	ÔÏ]ˆÁ[K	Page: 1 Of 4

West Allis Police Department**Continuation**Incident Report Number
19-005427Incident Location:
821 School Dr, WaukeshaIncident Date:
02/10/2019

02/13/19 at 1130hrs I attempted contact with [REDACTED], but was forced to leave a voicemail.

02/13/19 at 1510hrs I attempted contact with [REDACTED], but was forced to leave a voicemail.

02/14/19 at 1005hrs I attempted contact with [REDACTED], but was forced to leave a voicemail.

02/14/19 at 1007hrs I attempted contact with [REDACTED], but was forced to leave a voicemail.

02/15/19 [REDACTED] left me a voicemail requesting I contact her.

02/18/19 at 0900hrs I spoke to [REDACTED] by phone. She advised that Ted's funeral would be on Saturday Feb 23rd at the First Baptist Church in Waukesha.

02/18/19 at 1546hrs I attempted contact with [REDACTED], but left a voicemail.

02/20/19 at 1050hrs I made phone contact with [REDACTED] and we discussed the answers to her questions from the conversations on 02/12/19. I advised her that I would not be contacting her again until Monday 2/25/19 to give her time with the approaching funeral. I explained to her that if she did need something before 02/25/19 to feel free to call me.

02/25/19 at 1505hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

02/25/19 at 1507hrs I made phone contact with [REDACTED] and spoke to her about the case. She indicated that I did not need to contact her until I had some new information. I advised that I would continue my contact with [REDACTED] at her request.

03/06/19 at 1600hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

Reporting Officer(s):
Clementi, ToddPayroll Number:
1866Pages:
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West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-005427

821 School Dr, Waukesha

02/10/2019

03/14/19 at 1202hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

03/22/19 at 1240hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

03/25/19 at 1550hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

03/26/19 at 1014hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left advising her of a possible date to meet with the Waukesha County District Attorney. A possible date of 04/02/19.

03/26/19 at 1019hrs I made phone contact with [REDACTED] and advised her of the possible date of 04/02/19 for the meeting with the Waukesha County District Attorney.

03/27/19 at 1211hrs [REDACTED] contacted me to advise she was unable to meet on 04/02/19 and requested the meeting be held on 04/09/19. I advised her I would contact the other parties involved to check on that date.

03/27/19 at 1725hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left advising her that the date of the meeting would be 04/09/19 as she requested. I requested she call me back to discuss the specific time.

03/28/19 at 1656hrs I attempted phone contact with [REDACTED], but there was no answer. A voicemail was left.

04/04/19 at 1230hrs I spoke to [REDACTED] and confirmed the date of 04/09/19 at 1400hrs. She requested to see the video and hear any audio we collected that dealt with her brother speaking to people at the police department. I asked who would be attending the meeting on behalf of the family. She advised [REDACTED] [REDACTED] [REDACTED] would be in attendance.

04/05/19 at 1007hrs [REDACTED] left me a voicemail requesting I contact her.

Reporting Officer(s):

Clementi, Todd

Payroll Number:

1866

Pages:

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West Allis Police Department**Continuation**Incident Report Number
19-005427Incident Location:
821 School Dr, WaukeshaIncident Date:
02/10/2019

04/07/19 at 1313hrs I contacted [REDACTED] as requested, but unfortunately she had forgotten what she wanted to ask me. We spoke briefly about the upcoming meeting and I advised he she could call back if she remembered her question.

04/09/19 at 0816hrs [REDACTED] left me a voicemail requesting I call her.

04/09/19 at 0853hrs I contacted [REDACTED] and spoke to her briefly about the upcoming meeting. She wanted to know if we had investigated the Fraud complaint that Waukesha Police Department had originally been investigating. I explained to her that we did not investigate the Fraud complaint and advised that she would have to seek further information from the Waukesha Police Department.

04/09/19 at 1400hrs Capt. Marks, Lt. Saftig, Waukesha County DA Sue Opper, Victim/Witness Services Jennifer Dunn and I met with the family of Ted Schmitz. Representing the Schmitz family were [REDACTED]. DA Opper provided background to them about the investigation and how she had worked through the case to come to her determination. She provided them with her findings and then allowed them to ask questions. In addition, the family was given the opportunity to view audio and video evidence from the investigation. The meeting was concluded after providing the family with information as to how they could obtain copies of the report if they wished. It was also confirmed that they had contact information for WAPD personnel if they needed any other assistance.

Reporting Officer(s):
Clementi, ToddPayroll Number:
1866Pages:
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West Allis Police Department

Supplementary Report

Incident Report Number: 19-005427	Incident Location: 821 School Dr, Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: G3	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

FINAL TOXICOLOGY RESULTS

Tue. 4/09/19, Sgt. Brian Havican

On this date, I received Final Toxicology results via email from the Waukesha CO Medical Examiner office for Ted C. Schmitz 12/23/1964, Patient ID #19-0325. The toxicology testing was conducted by NMS Labs, Willow Grove, PA 19090. The results consisted of five (5) pages, and was summarized as follows:

Positive Findings:

Compund	Result	Units	Matrix Source
Pregabalin	2.6	mcg/mL	001-Iliac
Blood			
Caffeine	positive	mcg/mL	001-Iliac
Blood			
Cotinine	positive	ng/mL	001-Iliac
Blood			
Amitriptyline	170	ng/mL	001-Iliac
Blood			
Nortriptyline	84		
ng/mL			
	001-Iliac	Blood	
Delta-9 Carboxy THC	14	ng/mL	001-Iliac Blood
Delta-9 THC	1.2	ng/mL	001-Iliac
Blood			
Creatinine (Vit Fluid)	0.67	mg/dL	002-Vitreous
Fluid			
Sodium (Vit Fluid)	138	mmol/L	002-Vitreous
Fluid			
Potassium (Vit Fluid)	11	mmol/L	002-Vitreous
Fluid			
Chloride (Vit Fluid)	124	mmol/L	
002-Vitreous Fluid			
Urea Nitrogen (Vit fluid)	17	mg/dL	002-Vitreous
Fluid			

Refer to the NMS Labs Toxicology report for full info and disclosure. The report was scanned and attached in the PHOENIX RMS, and copies were turned over to Capt. Marks on this date.

Reporting Officer(s): Havican, Brian	Payroll Number : 2101	Report Date: 04/09/2019
Reviewed by: Marks, Christopher	Payroll Number : 9075	Page: 1 Of 1



South Milwaukee

Incident Report

Incident: LAW ENFORCEMENT ASSISTANCE			
Incident Report Number: 19-003501	Between: Date - Time	And/At: Date-Time 2/10/19	02:48
Incident Location: 2424 15th Ave, South Milwaukee, WI, 53172			
CFS Code-1: LEA	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

CN	Name (Last, First, Middle) Becker, Darren M	DOB: [REDACTED]	Race/Sex W/M
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Address: (Address, City, State, Zip) 130 W St Paul Ave, Waukesha, WI, 53188		Home Phone Number
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Employer	Work Phone Number [REDACTED]
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Employer Address	Cell Phone Number
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CN	Name (Last, First, Middle) Gundersen, Matthew R	DOB: [REDACTED]	Race/Sex W/M
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Address: (Address, City, State, Zip) 130 W St Paul Ave, Waukesha, WI, 53188		Home Phone Number
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Employer	Work Phone Number [REDACTED]
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Employer Address	Cell Phone Number
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NAMES

Contact

Whitehouse, Michael R W/M-39 of 130 W St Paul Ave, Waukesha, WI, 53188
 DOB: [REDACTED]
 Work Phone: [REDACTED]

Deceased

Schmitz, Ted Charles W/M-54 of 1206 Lanbeth Rd #4, Waukesha, WI, 53188
 DOB: 12/23/1964

Vehicle Information: (Year, Make, Model, Style, Color)				
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License Number:	State:	Expiration Year:	Vin:	Insurance Company:
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Other Vehicle Information:	NCIC#
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Reporting Officer(s): Rivamonte, Jon	Signature: <i>J Rivamonte</i>	Payroll Number : 1044	Report Date: 02/10/2019
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Time Received: 02:48:31	Time Cleared: 08:32:30	Unit(s) Assig 1044, 1347	Pages: 1 Of 5
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Reviewed by: Jaske, Peter P.	Payroll Number : 414	Copy To
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Date: 02/10/2019
 CFS Code-1: LEA
 Incident Report Number: 19-003501

South Milwaukee**Continuation**

Incident Report Number 19-003501	Incident Location: 2424 15th Ave, South Milwaukee, WI, 53172	Incident Date: 02/10/2019
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Police Officer-1

Skaar, Bryan M W/M-43 of 515 W Moreland Blvd, Waukesha, WI, 53188

DOB: [REDACTED]

Work Phone: [REDACTED]

Police Officer-2

Fletcher, Terrence R W/M-26 of 1901 Delafield St, Waukesha, WI, 53188

DOB: [REDACTED]

Work Phone: [REDACTED]

NARRATIVE

This report is written by Investigator Jonathan Rivamonte, South Milwaukee Police Department.

On Sunday, February 10, 2019, at approximately 1:58am, I received a text message regarding a MAIT call up. There was a reported OIS in the City of Waukesha (Case #19-7469). The reported address of the OIS incident was 810 School Dr, Waukesha. I responded to SMPD and met with Investigator Joseph Benson. We then traveled to Waukesha PD.

Upon arrival, we met with other investigators of the MAIT. West Allis PD was the lead agency investigating this OIS (Case #19-5427). Lt. Brian Saftig, WAPD, was handing out assignments. We were advised the Officer involved in the shooting incident was Waukesha Police Officer Brad Condon and the victim was Ted Charles Schmitz M/W 12/23/1964.

At approximately 4:10am, Investigator Benson and I went to Waukesha Fire Station 1, 130 W St Paul Ave, Waukesha. We then spoke with (3) WFD personnel involved in the OIS incident. We spoke with each of the WFD personnel separately in an office.

At approximately 4:12am, Officer Benson and I spoke with Lt Darren Becker. The following is Lt Becker's paraphrased statement:

Lt Becker reported Station 1 was called to back up Station 3 regarding a subject with gunshot wounds. Lt Becker stated he was the first of the WFD personnel to arrive and begin lifesaving measures. Lt Becker took over chest compressions and ventilation. Lt. Becker assisted in placing the subject, later identified as Schmitz, on the cot and getting him in the back of the ambulance. Lt. Becker stated they started an IV and the monitor read a flat line with no heartbeat. They transported Schmitz to Waukesha Memorial Hospital and met with the doctor. Lt. Becker stated an unknown police officer

Reporting Officer(s): Rivamonte, Jon	Payroll Number: 1044	Pages: 2 Of 5
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South Milwaukee**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003501

2424 15th Ave, South Milwaukee, WI, 53172

02/10/2019

rode inside the ambulance to the hospital. Lt. Becker stated at the hospital, Schmitz was turned over to hospital staff. Lt. Becker had nothing further to report at this time.

At approximately 4:19am, Officer Benson and I spoke with WFD employee Matthew R Gundersen M/W [REDACTED]. The following is Gundersen's paraphrased statement:

Gundersen stated he drove the fire engine to the scene. There was a heavy police presence when he arrived on scene. Gundersen observed police officers doing CPR on the subject, later identified as Schmitz. Gundersen observed WFD take over patient care. Gundersen then assisted with moving fire equipment and vehicles to get the ambulance from the scene. Gundersen had nothing further to report at this time.

At approximately 4:22am, Officer Benson and I spoke with WFD employee Michael R Whitehouse M/W [REDACTED]. The following is Whitehouse's paraphrased statement:

Whitehouse stated WFD was dispatched to a single patient down. When WFD arrived on scene they took over CPR from police officers. Whitehouse stated the subject, later identified as Schmitz, was bleeding heavily and the helo pads were not sticking. Whitehouse replaced the pads and assisted in life saving measures. Whitehouse assisted in getting Schmitz on the cot and into the ambulance. Whitehouse stated Schmitz started bleeding heavily in the ambulance. Whitehouse then assisted in transporting Schmitz to the hospital and turned Schmitz over to hospital staff. Whitehouse had nothing further to report at this time.

Officer Benson and I then returned to Waukesha PD. Lt. Saftig assigned Officer Benson and I to interview Waukesha County Deputy Bryan M Skaar M/W [REDACTED], Badge 8378. At approximately 5:00am, Officer Benson and I spoke with Deputy Skarr in an office inside Waukesha PD. Deputy Skaar denied having his interview recorded. The following is Deputy Skaar's paraphrased statement:

Deputy Skarr stated 02/10/19 was his last day of his 5 day work week. Deputy Skaar works [REDACTED]. Deputy Skaar is assigned [REDACTED]. Deputy Skarr stated on 02/10/19 he was assigned SE car in district 9305. Deputy Skaar stated nothing out of the ordinary had occurred in the past 48 hours with him.

Deputy Skaar stated at approximately 12:20am, he heard via police radio that a Waukesha T.S. (Teleservice) Officer was heading to the area of School/Center in Waukesha regarding a suicidal subject with a knife. Deputy Skaar stated the area is close to the Town of Waukesha which the Waukesha County Sheriff patrols. Deputy Skarr and Deputy Kurt Thompson began to make their way to that area.

Reporting Officer(s):

Rivamonte, Jon

Payroll Number:

1044

Pages:

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South Milwaukee**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003501

2424 15th Ave, South Milwaukee, WI, 53172

02/10/2019

Deputy Skaar heard via police radio that Waukesha Police Officer Brad Condon was out with the subject on School Dr. A short time later, Deputy Skaar then heard via police radio the subject dropped the knife. A short time later, Deputy Skaar heard via police radio "10-78 shots fired." Deputy Skaar and Deputy Thompson were in the area of Sunset and Center. They began responding to the scene.

Upon arrival, Deputy Skaar stated he grabbed his trauma kit and when he rounded the corner Deputy Skaar stated he observed Officer Condon still had the subject, later identified as Schmitz, on the ground at gunpoint. Deputy Skaar exited his squad and began to remove his firearm from its holster but then observed the subject was neutralized. Deputy Skaar never fully drew his handgun from its holster. Deputy Skaar secured his handgun and went toward Schmitz. Deputy Skaar stated Schmitz was on his back with his feet toward Deputy Skaar. Deputy Skaar grabbed Schmitz's right arm and placed on a handcuff. Deputy Thompson and Deputy Skaar then rolled Schmitz onto his side and handcuffed Schmitz behind his back with (2) sets of handcuffs. Deputy Skaar then began CPR and life saving measures on Schmitz. Officer Condon handed Deputy Skaar some latex gloves. Deputy Skaar originally was wearing patrol gloves but changed to latex gloves. Both sets of gloves were left at the scene.

Deputy Skaar continued CPR and rescue breaths on Schmitz. Deputy Skaar hooked up his AED on Schmitz and the AED advised "No shock" multiple times. Deputy Skaar believed the AED went through (4) cycles prior to WFD arriving on scene. Deputy Skaar estimated WFD arrived on scene 4-5 minutes after he did.

Deputy Skaar stated he observed a black folding knife lying on the ground unfolded. This knife was half-way between Schmitz and where Deputy Skaar observed Officer Condon upon arrival on scene. Deputy Skaar stated he emptied Schmitz's pockets but did not know the contents. Deputy Skaar stated when WFD arrived on scene they took over life saving measures.

Deputy Skaar stated he did not know Schmitz and had never dealt with Schmitz in the past.

Deputy Skaar had blood stains on both knees of his duty pants. Deputy Skaar had blood on his hands while transitioning from his patrol gloves to latex gloves. Deputy Skaar further stated he had blood up both of his forearms while performing live saving measures. Deputy Skaar washed his hands and arms as soon as practical once WFD arrived on scene. Deputy Skaar had nothing further to report at this time.

Lt. Saftig assigned Officer Benson and I to interview Waukesha Police Officer Terrence R Fletcher M/W [REDACTED], Badge 538. At approximately 6:40am, Officer Benson and I spoke with Officer Fletcher in an office inside Waukesha PD. Officer Fletcher denied having his interview recorded. The following is

Reporting Officer(s):

Rivamonte, Jon

Payroll Number:

1044

Pages:

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South Milwaukee**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003501

2424 15th Ave, South Milwaukee, WI, 53172

02/10/2019

Officer Fletcher's paraphrased statement:

Officer Fletcher stated 02/10/19 was his first day of his 4 day work week. Officer Fletcher works [REDACTED] schedule. Officer Fletcher is assigned to [REDACTED]. Officer Fletcher was assigned area 106 on 02/10/19. Officer Fletcher stated nothing out of the ordinary had occurred in the past 48 hours with him.

Officer Fletcher stated he was dispatched to a well being check with T.S. Officer Benjamin Stern. Officer Fletcher was advised via police radio the subject was making suicidal statements about cutting his wrists. Officer Fletcher recognized the subject, identified as Schmitz, from a photo that was on the roll call board. Officer Fletcher was advised WPD was looking to arrest Schmitz. Officer Fletcher took note of Schmitz's physicals - larger guy 6'3" 340lbs.

While enroute to the area, Officer Fletcher heard via police radio that Officer Jose Arellano was 10-60 (in the area). A short time later, Officer Fletcher heard via police radio that Officer Condon was 10-60. Officer Fletcher heard via police radio Officer Condon broadcast the subject put the knife down. A short time later, Officer Fletcher heard via police radio Officer Condon broadcast, "10-78 shots fired" subject coming with knives. Officer Condon then broadcast via police radio asking for an ambulance and the subject was shot in the chest.

Officer Fletcher stepped up his response to the scene. Upon arrival, Officer Fletcher observed Officer Arellano walking from the scene with Officer Condon. Officer Fletcher observed Deputy Skaar and Deputy Thompson rendering aid to Schmitz. Officer Darrin Wittenbel was assisting them. Officer Wittenbel was shouting out locations of weapons and casings. Officer Fletcher began grabbing traffic cones and marking evidence on the scene.

Deputy Skaar was shouting for someone to get medical supplies and the AED out of his squad. Officer Fletcher went to Deputy Skaar's squad and grabbed the supplies and AED. The equipment was turned over to Deputy Skaar. WFD arrived on scene and took over live saving measures on Schmitz.

Officer Fletcher stated he was then assigned to begin the neighborhood canvas. Officer Fletcher had nothing further to report at this time.

This ends my involvement in this investigation. This reports will be forwarded to Lt. Saftig, West Allis Police Department.

Reporting Officer(s):

Rivamonte, Jon

Payroll Number:

1044

Pages:

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Oak Creek Police Department

Incident Report

Incident: Law Enforcement Agency Assist - MA			
Incident Report Number: 19-003186	Between: Date - Time	And/At: Date-Time 2/10/19	02:44
Incident Location: 800 school drive Waukesha			
CFS Code-1: 9078	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number
Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number

SUMMARY

Detective assisted in an officer involved shooting investigation in Waukesha.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Other Vehicle Information:			Insurance Company:
Reporting Officer(s): Mendola, Brett A.			NCIC#
Payroll Number : 877		Report Date: 02/10/2019	
Time Received: 02:44:15	Time Cleared: 08:49:34	Unit(s) Assigned: 877	Pages: 1 Of 4
Reviewed by: Ashenhurst, David S.		Payroll Number : 879	Copy To

Date: 02/10/2019
 CFS Code-1: 9078
 Incident Report Number: 19-003186

Oak Creek Police Department**Continuation**

Incident Report Number 19-003186	Incident Location: 800 school drive Waukesha	Incident Date: 02/10/2019
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NARRATIVE

On February 10, 2019, I (Detective MENDOLA) responded to the WAUKESHA POLICE DEPARTMENT, 1901 Delafield Street in Waukesha, Wisconsin. to assist in an investigation of an officer involved shooting that took place in Waukesha, Wisconsin. I was assigned to interview Kurt THOMPSON, a WAUKESHA COUNTY SHERIFF'S DEPARTMENT deputy who arrived on the scene of the shooting shortly after it happened. It should be noted that Detective Brian CHIC from the WEST MILWAUKEE POLICE DEPARTMENT assisted me with the interview. Deputy THOMPSON advised he is a police officer with a canine. His badge number is 8689. He stated his district number was 9309. His shift is [REDACTED] and he was just coming off his off days. [REDACTED]

[REDACTED] It should be noted this incident happened on February 10th at 12:33 a.m.

Deputy THOMPSON explained that he was at TALLY'S TAP, S31W24661 West Sunset Drive Waukesha, Wisconsin. He explained that TALLY'S TAP is just a couple blocks away. While he was there working on a hit & run investigation, he heard Officer Bradley CONDON say over the radio that he "just dropped the knife." Deputy THOMPSON heard the location mentioned of Prairie and School and he started to respond to that location. He took Sunset to Prairie and then Prairie south to School. En route, WAUKESHA COUNTY SHERIFF'S DEPARTMENT Deputy SKAAR ended up in front of him. Deputy SKAAR had been responding to his location to assist in his hit & run and diverted prior to arriving. En route to Officer CONDON's location, they were both going lights and siren. Prior to arriving on scene, he heard Officer CONDON state over the air "10-78, shots fired." Deputy THOMPSON explained that 10-78 is an officer needs assistance call and is only used in emergencies. Deputy THOMPSON explained that he turned onto School, saw Officer CONDON's squad angled to the southwest, and saw Officer CONDON on the driver's side of his squad car. Officer CONDON had his firearm out and was pointing it at a subject who was on the ground laying next to the curb. Deputy SKAAR parked east of Officer CONDON and Deputy THOMPSON parked west of Officer CONDON's squad. Deputy THOMPSON advised his dispatch that they were on scene and he moved up with Deputy SKAAR to the suspect on the ground. He and Deputy SKAAR handcuffed the suspect with two sets of handcuffs. One set of handcuffs was from Deputy SKAAR and one was from Deputy THOMPSON. They both handcuffed the suspect behind his back.

A second Waukesha police officer arrived on scene and started to search the suspect at that time. Deputy THOMPSON did not know what the name of that officer was. Deputy THOMPSON explained that the suspect on the ground was displaying agonal breathing. They rolled the suspect back over onto his back after the search and ended up cutting off his shirt so that they could assess the wounds. Deputy THOMPSON grabbed a first aid kit and removed two chest seals from the kit. He saw what appeared to be three gunshot wounds to the upper chest area of the suspect. They placed two chest seals on the suspects chest. They were able

Reporting Officer(s): Mendola, Brett A.	Payroll Number : 877	Pages: 2 Of 4
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Oak Creek Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003186

800 school drive Waukesha

02/10/2019

to cover all three of the wounds with the 2 seals. After they applied the chest seals Deputy THOMPSON checked for breathing and did not note any. Deputy THOMPSON then began doing CPR compressions. While Deputy THOMPSON was doing CPR compressions someone went and got an AED and got it prepped. After 3 sets of 30 compressions someone hooked up the AED onto the suspect. After the AED advised to continue CPR Deputy THOMPSON began compressions again. Deputy THOMPSON thought that Deputy SKAAR started doing breathing on the suspect with a bag mask. It should be noted that the AED did not advise any shock. Deputy THOMPSON took compression breaks with Deputy SCHROEDER and Officer WITTENEDEL. Officer WITTENEDEL took over compressions just prior to the fire department arriving. Deputy THOMPSON explained that the AED analyzed the suspect one to two times prior to the fire department arriving. Deputy THOMPSON did not see the suspect's consciousness level change while he had contact with the suspect. The fire department arrived, took over CPR and lifesaving measures and Deputy THOMPSON left.

Officer CONDON didn't say anything to Deputy THOMPSON as he arrived. Deputy THOMPSON asked Officer CONDON if he was okay and Officer CONDON said that he was okay. At that time Deputy THOMPSON went immediately to the suspect. While Deputy THOMPSON was searching and handcuffing the suspect and beginning CPR another officer took Officer CONDON from the area.

The first aid kit that they were using was left on the scene sitting on Officer CONDON's squad. Deputy THOMPSON explained that he did not take anything from the scene. He also explained that he did not fire his weapon and that Deputy SKAAR did not fire his weapon when they arrived. No shots were fired after Deputy THOMPSON's arrival on scene. Deputy THOMPSON explained that his squad car does not have a squad camera and he does not wear a body camera issued by WAUKESHA COUNTY SHERIFF'S DEPARTMENT.

En route to the scene Deputy THOMPSON advised Deputy SKAAR to grab the med kit when they got there however Deputy SKAAR did not grab the med kit as Officer CONDON was still holding his gun on the suspect when they arrived so they went to assist Officer CONDON.

Deputy THOMPSON explained that the WAUKESHA COUNTY SHERIFF'S DEPARTMENT and the WAUKESHA POLICE DEPARTMENT use two different dispatch centers. Deputy THOMPSON was assigned to county area 4 and was on county channel 1WK1EDIS4. Deputy THOMPSON was scanning WAUKESHA POLICE DEPARTMENT channel and that is how he heard the calls come out. Deputy THOMPSON explained that he has never dealt with this suspect in the past.

While Deputy THOMPSON was on the scene a citizen came out of the residence right across from where the incident happened and they were sent back into the house. Deputy THOMPSON explained that his dog never came out of the car.

Deputy THOMPSON stated that his CPR training is current and that he has additional

Reporting Officer(s):

Mendola, Brett A.

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Oak Creek Police Department**Continuation**

Incident Report Number

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19-003186

800 school drive Waukesha

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in-house TECC training which is tactical medical training.

At that time we had Deputy THOMPSON remove all the spare magazines. I counted the ammunition in each magazine and each magazine held 17 rounds of .40 caliber ammunition. It should be noted that 17 is the capacity for the magazines. The magazine in Deputy THOMPSON's gun contained 17 rounds and there was one round in the chamber. Deputy THOMPSON's gun is a green Smith & Wesson M & P 2.0 9mm with a serial number of [REDACTED]. It should be noted that the firearm is a personal firearm owned by Deputy THOMPSON.

NAMES**Contact**

Thompson, Kurt G W/M-30 of 515 W Moreland Blvd, Waukesha, WI, 53188

DOB: [REDACTED]

Work Phone: [REDACTED]

Reporting Officer(s):

Mendola, Brett A.

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Oak Creek Police Department

Supplementary Report

Incident Report Number: 19-003186	Incident Location: 800 school drive Waukesha	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: 9078	New CFS Code - 1 : New CFS Code - 2:

SUMMARY

Detective assisted in a canvas of the neighboring houses.

NARRATIVE

On February 10, 2019, I (Detective MENDOLA) assisted in a canvass of the neighboring area around the officer involved shooting at 800 School Drive, Waukesha, Wisconsin. I made contact at [REDACTED]. I spoke with [REDACTED], who reside at that residence. Both of them advised me that they were asleep when the incident happened and did not wake up or hear anything. They were woken up by an officer who was canvassing the area from WAUKESHA POLICE DEPARTMENT and did not know anything of the incident until that point.

I then responded to 834 School Drive and attempted to make contact. There was no answer and I left a red tag for the resident to contact me.

NAMES

Contact-1

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Contact-2

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Reporting Officer(s): Mendola, Brett A.	Payroll Number : 877	Report Date: 02/10/2019
Reviewed by: Ashenhurst, David S.	Payroll Number : 879	Copy To: Page: 1 Of 1



West Milwaukee Police Department

Incident Report

Incident:
Mutual Aid Response

Incident Report Number: 19-001026	Between: Date - Time	And/At: Date-Time 2/10/19	00:33
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Incident Location:
1901 Delafield St, Waukesha, WI, 53188

CFS Code-1: 9012	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number
Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number

SUMMARY

The Milwaukee Area Investigative Team responded to the area of 810 School Drive in Waukesha to investigate an officer involved critical incident.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Other Vehicle Information:			Insurance Company:
Reporting Officer(s): Chic, Brian M.			NCIC#
Payroll Number : 227		Report Date: 02/10/2019	
Time Received: 03:24:00	Time Cleared: 07:14:00	Unit(s) Assigned: 28	Pages: 1 Of 6
Reviewed by: Randolph, Shaundra N.		Payroll Number : 206	Copy To

Date: 02/10/2019
CFS Code-1: 9012
Incident Report Number: 19-001026

West Milwaukee Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-001026

1901 Delafield St, Waukesha, WI, 53188

02/10/2019

NARRATIVE

West Milwaukee Police Department Detective Brian Chic reporting...

On Sunday, February 10th, 2019, at approximately 2:16 a.m., the Milwaukee Area Investigative Team (MAIT) was requested to respond to 810 School Drive in Waukesha to investigate an officer involved critical incident; refer to lead agency West Allis Police Department case #19-5427 for further details.

On Sunday, February 10th, 2019, at approximately 4:43 a.m., Oak Creek Police Department (OCPD) Detective Brett Mendola and I interviewed Waukesha County Sheriff's Department Deputy Kurt G. Thompson, at the Waukesha Police Department, located at 1901 Delafield Street in Waukesha, WI. Refer to Oak Creek Police Department case #19-3186 for further details.

On Sunday, February 10th, 2019, at approximately 5:44 a.m., in a police supervisor office of the Waukesha Police Department, OCPD Detective Mendola and I interviewed Waukesha Police Department Officer Darin J. Wittnebel, Badge #477. Officer Wittnebel stated he has been employed as a certified law enforcement officer for the Waukesha Police Department for the past eight years. Officer Wittnebel stated his normal work shift [REDACTED]

[REDACTED]. Officer Wittnebel stated he worked February 8th, 2019 from 11:00 p.m. to February 9th, 2019 at 7:00 a.m., during which was not involved in any major incident. [REDACTED]

[REDACTED] Officer Wittnebel stated he began his current shift at 11:00 p.m., on February 9th, 2019, and was scheduled to work until 7:00 a.m. on February 10th, 2019. Officer Wittnebel stated for his current shift he was in full department issued uniform, which is the one he was currently wearing and the one he was photograph in by MAIT investigators. Officer Wittnebel stated his patrol section and radio communication number for today's shift was #104 and he was operating Waukesha Police Department squad fleet #26, an unmarked blue Ford Interceptor equipped with emergency lights, siren and a squad camera. Officer Wittnebel stated he was on normal patrol and was not equipped with body camera.

Officer Wittnebel stated prior to this incident, he responded to a burglary complaint with a complainant that possibly had mental health issues. Officer Wittnebel stated he was in the area of Sunset Drive and S. Grand Avenue when he heard via Waukesha Police Department police radio, Waukesha Police Department Officer Fletcher, police radio #106, and desk Officer Stern being dispatched to the area of Center Road and School Drive for a welfare check of Ted Schmitz. Schmitz was reported to be armed with a knife, suicidal and attempting to slit his wrist. Officer Wittnebel stated after the dispatch, Officer Stern informed officers via police radio, that there was probable cause to arrest Schmitz regarding a previous forgery case he was investigating. Officer Wittnebel stated

Reporting Officer(s):

Chic, Brian M.

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West Milwaukee Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-001026

1901 Delafield St, Waukesha, WI, 53188

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he heard via police radio, Waukesha Police Department Officer Jose Arellano, police radio #118, state he would be checking the area. Officer Wittnebel stated approximately twenty to thirty seconds later Waukesha Police Department Officer (Bradley) Condon, police radio #114, radioed that he'd be out with the subject at Prairie and Center. Officer Wittnebel stated Officer Condon immediately radioed "10-39, he's got a knife". Officer Wittnebel stated "10-39" was the radio code for an "emergency response" by officers. Officer Wittnebel stated he was in the area of S. Grand Avenue and Wilson Avenue at which time he responded to Officer Condon's location with emergency lights and siren activated. Officer Wittnebel stated almost immediately, via police radio, he heard Officer Condon state something to the effect of "10-78, shots fired, suspect down, he dropped a knife, he had multiple weapons, 10-52". Officer Wittnebel stated "10-78" is the radio code for "officer needs assistance all call" and radio code "10-52" is "request for an ambulance". Officer Wittnebel stated he arrived on scene approximately one minute after the radio transmission for shots fired.

Officer Wittnebel stated upon arrival to the area of 810 School Drive, he observed Officer Condon's fully marked Waukesha Police Department squad, parked, facing westbound in the eastbound lane of travel on School Drive. Officer Wittnebel stated next to the driver and passenger side of Officer Condon's squad were fully marked Waukesha County Sheriff's Department squads. Officer Wittnebel stated Officer Condon's squad did not have it's emergency lights activated and he did not believe the sheriff squads had their emergency lights activated either. Officer Wittnebel stated he parked his squad behind Officer Condon's squad offset to the left and facing west.

Officer Wittnebel stated Officer Condon was standing to the side of the open driver side door of his squad, his duty weapon was holstered and he was just watching. Officer Wittnebel stated Waukesha County Sheriff's Office Deputy (Brian) Skaar and Deputy (Kurt) Thompson were kneeling next to a subject lying face down. The subject's head was to the west and his feet were to the east a couple feet in front of the front driver side quarter panel. Officer Wittnebel stated he observed the subject on the ground to be a large over weight male, wearing a zipped up black fleece, blue jeans, glasses and was handcuffed by two sets of interlocked handcuffs due to his size. Officer Wittnebel stated upon approaching the subject and the deputies, in order to better see the subject's wounds, he turned on the spot light from Officer Condon's squad and closed the driver door. Officer Wittnebel stated he assisted Deputy Skaar with the search of the subject. Officer Wittnebel stated he searched the subjects back right pants pocket and then his front left side when they rolled the subject over. Officer Wittnebel stated he removed handfuls of items from the subject's pockets and placed them together, near there location, between the curb and the sidewalk. Officer Wittnebel stated Deputy Skaar was also placing items from the subject in the same area. Officer Wittnebel stated he removed an approximate 3-inch dark woodgrain folding knife from one of the subject's pockets as well as a carabiner clip containing approximately twenty keys attached, from the front right side of the subject's belt.

Reporting Officer(s):

Chic, Brian M.

Payroll Number:

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West Milwaukee Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-001026

1901 Delafield St, Waukesha, WI, 53188

02/10/2019

Officer Wittnebel stated they unzipped the subject's fleece where Deputy Skaar pulled the subject's blood soaked shirt up and away from his body. This allowed Officer Wittnebel to use his 5-inch, black metal handled folding knife to cut the shirt in the middle, so they could assess his injuries and render aid. Officer Wittnebel stated he folded his knife closed, but due to it being covered in blood, he set it down in arms reach of where they were with the subject. Officer Wittnebel stated someone had wiped off the subject's chest with a gloved hand to look for injuries at which time he observed what appeared to be three gunshot wounds to the subject's chest and possibly an exit wound to the outside of the subject's right pectoral region. Officer Wittnebel stated one of the deputies applied a chest seal over two of the gunshot wounds. Officer Wittnebel stated gauze was then used to wipe off the chest where a deputy applied another seal to the other chest wound. Officer Wittnebel stated an AED (Automated External Defibrillators) was brought to them by an officer, which he (Officer Wittnebel) applied one pad to the subject's upper right chest and Waukesha County Sheriff's Department Deputy (David) Schroeder attached the other pad to the lower left area of the subject's chest. Officer Wittnebel stated the AED was turned on, analyzed, stated "no shock" and advised to "begin chest compressions". Officer Wittnebel stated one of the deputies began chest compressions.

Officer Wittnebel stated Waukesha Police Department Officer Jose Arellano removed Officer Condon from the scene. Officer Wittnebel stated he instructed Waukesha Police Department Officer Fletcher to place cones over the shell casings to identify and preserve there location. Officer Wittnebel stated he observed citizens on the sidewalk by the houses across the street from there location and ordered officers to get them back and put up police tape to preserve the scene. Officer Wittnebel stated the deputy administered several rounds of chest compressions and someone else had used a protective breathing mask to give breaths to the subject during CPR. Officer Wittnebel stated he took over chest compressions for the deputy and administered three to four rounds until he was relieved by Waukesha Fire Department personnel. Officer Wittnebel stated, during the time CPR was being administered, he observed the subject's blood from his wounds to keep breaking the chest seals suction. Officer Wittnebel stated due to the subject's large size he assisted the fire department attach the LUCAS (Lund University Cardiopulmonary Assist System) chest compression machine. Officer Wittnebel stated he stood by with the Waukesha Fire Department until the subject was placed on a gurney and removed from the scene. Officer Wittnebel stated, to preserve the integrity of the scene, he used yellow chalk to mark Officer Condon's squad tires. Officer Wittnebel stated he drew circle's around the four shell casings that were located behind Officer Condon's squad and had traffic cones over them. Officer Wittnebel stated he circled two knives, one which was in the snow bank along the curb line to the south of the rear of Officer Condon's squad and the other was approximately ten feet behind (east) of the aforementioned knife. Officer Wittnebel stated he remembered one of the knives appeared to have a plastic handle and one appeared to have had a black handle. Officer Wittnebel stated after approximately one hour, he was ordered by Waukesha Police Department

Reporting Officer(s):

Payroll Number:

Pages:

Chic, Brian M.

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West Milwaukee Police Department**Continuation**

Incident Report Number 19-001026	Incident Location: 1901 Delafield St, Waukesha, WI, 53188	Incident Date: 02/10/2019
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Lieutenant Becker, who was on scene to turn off squad cameras, which he did. Officer Wittnebel stated Lieutenant Becker also made a radio transmission at the time informing the dispatch center that squad cameras were being turned off. Officer Wittnebel stated he did not manipulate anything inside Officer Condon's squad other than to turn off the squad camera.

Officer Wittnebel stated he did not fire his personal duty weapon during this incident. I observed Officer Wittnebel's duty weapon to be a Smith & Wesson 40 caliber firearm, serial number [REDACTED]. I conducted a round count and observed Officer Wittnebel's three back up magazines to be full with 15 rounds, the magazine in his firearm contained 15 rounds and there was one in the chamber; none of which were spent. Officer Wittnebel stated he does not carry any other firearms on his person and he did not remove anything from the scene. Officer Wittnebel stated the only item's from his person that he left on scene were his light blue latex gloves and his black handled folding knife. Officer Wittnebel stated the subject never said anything from the time he arrived on scene and when he initially approached the subject, he heard one angular breath, which he informed dispatch of over police radio. Officer Wittnebel stated he did not suffer any injuries as a result of this incident.

The interview ended at approximately 6:35 a.m.

The deceased subject was positively identified as Ted C. Schmitz.

NAMES**Police Department-1**

WAPD - West Allis Police Department of 11301 W Lincoln Ave,
West Allis, WI, 53227
Fax Phone: (414) 302-8196 Business Phone: (414) 302-8000

Police Department-2

Waukesha Police Department of 1901 Delafield Street, Waukesha, WI, 53188
Work Phone: (262) 524-3831

Police Department-3

Waukesha County Sheriff's Department of 515 Moreland Blv, Waukesha, WI, 53011
Work Phone: (414) 548-7170

Police Officer-1

Thompson, Kurt G U/M of 515 W Moreland Blvd, Waukesha, WI, 53188
Work Phone: [REDACTED]

Reporting Officer(s): Chic, Brian M.	Payroll Number: 227	Pages: 5 Of 6
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West Milwaukee Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-001026

1901 Delafield St, Waukesha, WI, 53188

02/10/2019

Police Officer-2

Wittnebel, Darin J U/M of 1901 Delafield St, Waukesha, WI, 53188

Work Phone: [REDACTED]

Police Officer-3

Condon, Bradley U/M of 1901 Delafield St, Waukesha, WI, 53188

Work Phone: [REDACTED]

Deceased

Schmitz, Ted C W/M-54 of 1206 Lambeth Rd, 4, Waukesha, WI, 53189

DOB: 12/23/1964

HT: 603 WT: 340 Hair: Brown

Eyes: Brown

Police Officer-4

Schroeder, David U/ of 515 W Moreland Blvd, Waukesha, WI, 53188

Work Phone: [REDACTED]

Reporting Officer(s):

Chic, Brian M.

Payroll Number:

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Wauwatosa Police Department

Incident Report

Incident: Assist Other Agency			
Incident Report Number: 19-003142	Between: Date - Time	And/At: Date-Time 2/10/19	02:00
Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226			
CFS Code-1: ASSIST	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

COM	Name (Last, First, Middle) Waukesha Police Department,	DOB:	Race/Sex	
Address: (Address, City, State, Zip) 1901 Delafield St, Waukesha, WI, 53188			Home Phone Number	
Employer			Work Phone Number (262) 524-3820	
Employer Address			Cell Phone Number	
Name (Last, First, Middle)			DOB:	Race/Sex
Address: (Address, City, State, Zip)			Home Phone Number	
Employer			Work Phone Number	
Employer Address			Cell Phone Number	

SUMMARY

On February 10, 2019 at 02:00, Wauwatosa Police Detectives assisted in a Milwaukee Area Investigative Team response to a fatal shooting involving a City of Waukesha Officer. The incident occurred in the 800 Block of School Drive in the City of Waukesha and is Waukesha Police incident 19-7469. The lead agency is West Allis (WAPD incident 19-5427).

Vehicle Information: (Year, Make, Model, Style, Color)				
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
Other Vehicle Information:				NCIC#
Reporting Officer(s): Kirby, Stephen F.		Payroll Number : 5874	Report Date: 02/11/2019	
Time Received: 02:57:07	Time Cleared: 08:47:17	Unit(s) Assigned: 508, 520, 541	Pages: 1 Of 1	
Reviewed by: 6454		Payroll Number : 6454	Copy To	

Date: 02/11/2019
CFS Code-1: ASSIST
Incident Report Number: 19-003142

Wauwatosa Police Department**Supplementary Report**

Incident Report Number: 19-003142	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

NARRATIVE**19-3142 Milwaukee Area Investigative Team**

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the fatal officer involved shooting in the City of Waukesha (Waukesha incident 19-7469). The City of West Allis Police Department is the lead agency with their case number of 19-5427. The Wauwatosa incident for reporting is 19-3142. I, Detective Stephen F. Kirby, responded to the City of Waukesha Police Department to assist the investigation.

Photos of Involved Officer: City of Waukesha Police Officer Bradley R. Condon

At the City of Waukesha Police Department I, with Detectives Caleb Porter and Todd Kurtz, met with the involved Officer Bradley Condon. Officer Condon was in a conference room with his legal representatives.

I took a series of 14 digital photos of Officer Condon. He confirmed he was wearing exactly the same clothing and items in the same configuration as when the incident occurred. Photos included all sides, knees and elbows and his weapon during the round count. Officer Condon was wearing a City of Waukesha uniform including external vest with fabric patch (with mourning band) and name tag. City of Waukesha patches were on both shoulders of his long sleeve uniform shirt.

Officer Condon turned over his handgun for inspection and evidence. The weapon was a Glock brand, model 21, chambered in .45ACP with serial number [REDACTED]. There was a magazine seated in the gun and one cartridge in the chamber. I unloaded the magazine from the gun and found it to contain nine cartridges in a thirteen round capacity magazine. Officer Condon confirmed his standard load is a full thirteen cartridges in the magazine and one round in the chamber. Four .45ACP cartridges were no longer present.

Reporting Officer(s): Kirby, Stephen F.	Payroll Number : 5874	Report Date: 02/11/2019	
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

Officer Condon carried three spare magazines on three pouches on his external vest carrier. The pouches are on his front lower left side. The three magazines were unloaded by me and found to contain thirteen .45 ACP cartridges in each thirteen round magazine. The only item of note was in the third magazine (farthest from his center line). Five of the bullets in the cartridges, randomly spaced, were a slightly different bullet design. All cartridges (including the five of different design) were Federal jacket hollow points of .45ACP caliber.

The magazines were reloaded (to secure and store the ammunition) and the weapon with all magazines secured in a box and turned over to Detective Porter as evidence.

Photos of Uninvolved Responding Officers

At the request of West Allis command, photos were taken of Officers who responded to the scene after the incident and had physical contact with the deceased. Round counts were conducted during the interviews of the officers by the interviewing detectives and that process not photographed unless there were missing rounds.

Responding City of Waukesha Officer: P.O. Benjamin Stern

City of Waukesha Officer Benjamin Sterns was photographed wearing his City of Waukesha uniform including external vest with fabric patch badge (with mourning band) and name tag. City of Waukesha patches were on both shoulders of his long sleeve uniform shirt. He confirmed he was wearing exactly the same clothing and items in the same configuration as when he responded to the incident. No evidence of injury, blood transfer or other evidence was noted.

Responding City of Waukesha Officer: P.O. Darin Wittnebel

City of Waukesha Officer Darin Wittnebel was photographed wearing his City of Waukesha uniform including external vest with fabric patch badge (with mourning band) and name tag. City of Waukesha patches were on both shoulders of his long sleeve uniform shirt. He confirmed he was wearing exactly the same clothing and items in the same configuration as when he responded to the incident. Once Officer Wittnebel rolled up his sleeves for the photographing process a small

Reporting Officer(s):

Payroll Number:

Pages:

Kirby, Stephen F.

5874

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Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

spot of apparent blood was found on his right shirt cuff on the reflective detail. He explained he rendered aid and that was likely from that activity.

Responding Waukesha County Sheriff Deputy: Deputy Brian Skaar

Waukesha County Sheriff Deputy Brian Skaar was photographed wearing his Waukesha Sheriff Deputy uniform including external vest with metal badge and name tag. Waukesha County Sheriff patches were on both shoulders of his short sleeve uniform shirt. He confirmed he was wearing exactly the same clothing and items in the same configuration as when he responded to the incident. Areas of apparent blood were found on both knee areas of his pants. He explained he was kneeling while rendering aid and that was likely from that activity.

Responding Waukesha County Sheriff Deputy: Deputy David Schroeder

Waukesha County Sheriff Deputy David Schroeder was photographed wearing his Waukesha Sheriff Deputy uniform including external vest with metal badge and name tag. Waukesha County Sheriff patches were on both shoulders of his long sleeve uniform shirt. He confirmed he was wearing exactly the same clothing and items in the same configuration as when he responded to the incident. Areas of apparent blood were found on both knee areas of his pants. He explained he was kneeling while rendering aid and that was likely from that activity.

Responding Waukesha County Sheriff Deputy: Deputy Kurt Thompson

Waukesha County Sheriff Deputy Kurt Thompson was photographed wearing his Waukesha Sheriff Deputy uniform. He had a concealed vest and his shirt displayed a fabric patch badge and name tag. Waukesha County Sheriff patches were on both shoulders of his long sleeve uniform shirt. He confirmed he was wearing exactly the same clothing and items in the same configuration as when he responded to the incident. Areas of apparent blood were found on his left knee and several areas of his boots. He explained he was rendered aid and that blood was likely from that activity.

Photos of Witness Viewpoints

During the secondary canvass later that morning, I assisted with taking photos of the viewpoints witnesses reported. Interviewing detectives provided the information to me on where the witnesses stated they were when they observed

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

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Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

the details reported during the interview. I took photos of an information board, the house the witness was located in or nearest, and the viewpoint they would have had from their reported location to the incident scene.

Photos were taken of the locations and related to the witness statements as follows:

- [REDACTED]

Photographs Archived

All photos taken were uploaded to the secure Wauwatosa Police Detective Bureau photo server as well as the MCIT server under this case number, 19-3142. Digital copies were provided on CD to the lead agency West Allis Police for evidence and distribution as needed.

(Note the order of the photos and the order detailed in this report are not the same for clarity and organization reasons.)

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

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Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

NAMES**Police**

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

Work Phone: [REDACTED]

Other-1Condon, PO Bradley W/M of Waukesha Police DEpt. 1901 Delafield St,
Waukesha, WI, 53188**Other-2**

Skaar, Deputy Brian W/M of WKS0 515 W Moreland Blvd, Waukesha, WI, 53188

Other-3

Thompson, Deputy Kurt W/M of WKS0 515 W Moreland Blvd, Waukesha, WI, 53188

Other-4

Schroeder, Deputy David W/M of WKS0 515 W Moreland Blvd, Waukesha, WI, 53188

Other-5Stern, PO Benjamin W/M of Waukesha Police 1901 Delafield St,
Waukesha, WI, 53188**Other-6**Wittnebel, PO Darin W/M of Waukesha Police 1901 Delafield St,
Waukesha, WI, 53188

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number :

5874

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Wauwatosa Police Department**Supplementary Report**

Incident Report Number: 19-003142	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2 :

NARRATIVE

This report was completed by Wauwatosa Police Detective James Donovan as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of Waukesha. The West Allis police department is the primary investigative agency (#19-5427). This report will be attached to Wauwatosa Police Department incident number #19-3142.

On 02/10/19, I responded to the City of Waukesha police department to assist with an officer involved shooting investigation. I was directed to Waukesha fire department station 3, located at 2440 Les Paul Parkway, for an interview of a firefighter that was on scene of the shooting.

Upon arrival, contact was made with firefighter/equipment operator Steven Putchinski. He gave the following statement:

Putchinski has been with the Waukesha fire department for 19 years. He started work yesterday (Saturday the 9th) at 8:00am, and works a 24 hour shift. This was the first day of his cycle. Units at Station 3 were dispatched at 12:40:46am to assist the police department, who were checking the area for a possible suicidal subject. The fire department was sent there to stand by until the subject was located. While en-route, (already in emergency mode) they were told the subject was shot. Putchinski, who was the driver of the engine, followed another engine into the scene. Lt. Daniel Holehouse and firefighter Pete Oleniczak were with him on the engine. Upon arrival, Putchinski was told to get the Lucas CPR device. Putchinski brought the Lucas to the scene, and then began to enter patient info on the department computer. He went to get a cot for transport, but did not lift the patient onto the cot or into the ambulance. Putchinski collected all of the gear that was left behind. He was escorted by a Waukesha police officer while picking the equipment up (laryngoscope, RTF trauma bag, med bag and a life pack) so as not to disturb any evidence.

Reporting Officer(s): Donovan, James P.	Payroll Number : 5699	Report Date: 02/12/2019
Reviewed by: 6454	Payroll Number : 6454	Copy To: Page: 1 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

Putchinski took the engine to Waukesha Memorial Hospital to clean up and pick up his crew who rode in the ambulance. They got back to the fire department around 2:20am.

The interview was completed, and I returned to the Waukesha police station. I was then assigned to conduct a neighborhood canvass on School Drive.

Neighborhood canvass

I went to [REDACTED], and made contact with [REDACTED] [REDACTED], and his wife, [REDACTED]. I was given the following information:

On 02/10/19, sometime around 12:30am, [REDACTED] was asleep on the couch, and [REDACTED] was asleep in a back bedroom. [REDACTED] said something, she is not sure what, woke her up. Within a few minutes, she heard four loud noises in a row. [REDACTED] looked outside, and saw the flashing lights on police cars. She saw someone lying on the snow bank on the south side of the street near a handicap sign. The officers pulled the subject off the snow bank. [REDACTED] went and got [REDACTED], and then returned to the window. Numerous officers were on scene, and they could not see what else was happening.

I contacted Detective Stephen Kirby, and had him take photos from the porch of [REDACTED] towards the handicap sign across the street.

Reporting Officer(s):

Donovan, James P.

Payroll Number:

5699

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Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

NAMES**Police**

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

Work Phone: [REDACTED]

Other-1

Putchinski, Steven W/M-40 of 2440 Les Paul Pkwy, Waukesha, WI, 53189

DOB: [REDACTED]

Work Phone: [REDACTED]

Other-2[REDACTED]
[REDACTED]
[REDACTED]**Other-3**[REDACTED]
[REDACTED]
[REDACTED]

Reporting Officer(s):

Donovan, James P.

Payroll Number :

5699

Pages:

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Wauwatosa Police Department**Supplementary Report**

Incident Report Number: 19-003142	Incident Location: 1700 N 116 St, Wauwatosa, WI, 53226	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2 :

NARRATIVE

This report is completed by Detective Joseph Lewandowski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Ted Charles Schmitz (M/B 12/23/1964) in the 800 block of School Drive in the City of Waukesha. The West Allis Police Department is the primary investigative agency; this report will be attached to West Allis Police Department incident number 19-5427.

Initial Assignment

Upon activation, I responded to the on-scene police command post and met with West Allis Detective Captain Chris Marks. He asked me to report the Waukesha Police Department and report to West Allis Detective Lieutenant Brian Saftig. There, I was assigned to conduct an interview, along with West Allis Police Detective Jason Vanderwerff, of Waukesha Police Officer Benjamin M Stern. For additional information, see report by Detective Vanderwerff.

Secondary Assignment

I was reassigned to the scene of the incident to assist with a reconvening of the neighborhood. I made contact at residents [REDACTED] and her husband [REDACTED] at their home [REDACTED]. The house is a ranch style home on the north side of the street and is [REDACTED] of the shooting location.

[REDACTED] stated that he was alone inside of the living room, which is on the south side of the home, watching television. He and his wife were the only

Reporting Officer(s): Lewandowski, Joseph	Payroll Number : 6089	Report Date: 02/19/2019
Reviewed by: 6454	Payroll Number : 6454	Copy To: Page: 1 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

people in the house. [REDACTED] recalls, around 12:35 AM or 12:45 AM, he heard 3-4 gunshots. He thought something was going on at the school and was planning to call the police. Prior to making the phone call, he opened his interior door and looked through the storm door. He could see a uniformed police officer pointing his handgun at a subject on the ground. [REDACTED] could hear the officer yelling something but was unable to make out his exact words.

[REDACTED] said that the uniformed officer was standing on the driver's side of the squad close to the front bumper area. He described the squad car was a fully marked City of Waukesha Police squad. It was parked in the street in a northwest direction and had the emergency red and blue lights activated.

Within a matter of seconds, two or three additional squad cars arrived. [REDACTED] woke [REDACTED] up and notified her of the shooting. Both he and [REDACTED] went back to the front door and continued to watch. [REDACTED] said that first aid was rendered immediately in the form of officers doing chest compressions and calling out for an AED.

I asked [REDACTED] if there was any way that the subject could make the argument that he did not know that he was dealing with the police, he responded, "the suspect would have to be blind".

[REDACTED] went to bed between 11:30 PM and 12:00 AM. She never heard any shots fired. [REDACTED] woke up to her husband telling her about the shooting. [REDACTED] went to the front door, with [REDACTED], and looked out. Her view was partially obstructed, but she recalls seeing an officer doing chest compressions.

Neither [REDACTED] observed any of the interactions prior to the shooting.

Reporting Officer(s):

Lewandowski, Joseph

Payroll Number:

6089

Pages:

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Wauwatosa Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-003142

1700 N 116 St, Wauwatosa, WI, 53226

02/10/2019

Photographs

Wauwatosa Police Detective Technician Stephen Kirby responded and took a photograph of the view that the [REDACTED] would have had from their front door.

Disposition

End of Statement.

Reporting Officer(s):

Lewandowski, Joseph

Payroll Number:

6089

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Wauwatosa Police Department**Continuation**

Incident Report Number

19-003142

Incident Location:

1700 N 116 St, Wauwatosa, WI, 53226

Incident Date:

02/10/2019

NAMES**Police**

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

Work Phone: [REDACTED]

Witness-1[REDACTED]
[REDACTED]
[REDACTED]**Witness-2**[REDACTED]
[REDACTED]
[REDACTED]

Reporting Officer(s):

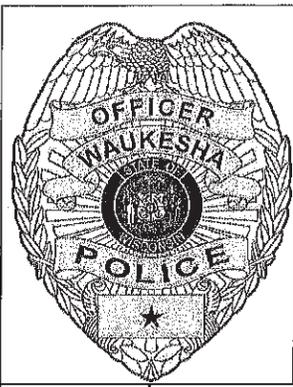
Lewandowski, Joseph

Payroll Number :

6089

Pages:

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Waukesha Police Department Incident Report

Incident: Weapons - Use Of A Knife			
Incident Report Number: 19-007469	Between: Date - Time	And/At: Date-Time 2/10/19	00:33
Incident Location: 821 School Dr, Waukesha, WI, 53189			
CFS Code-1: 1512	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)		Home Phone Number	
Employer		Work Phone Number	
Employer Address		Cell Phone Number	
Name (Last, First, Middle)		DOB:	Race/Sex
Address: (Address, City, State, Zip)		Home Phone Number	
Employer		Work Phone Number	
Employer Address		Cell Phone Number	

SUMMARY

On Sunday, February 10, 2019, at approximately 0039 hours, I, Sergeant Gawrisch, responded to shots fired, located on School Dr. at S. Prairie Ave. Ted C. Schmitz (DOB 12/23/64) conspicuously ignored orders and attacked Officer Condon with knives, forcing Officer Condon to use deadly force with his firearm to stop the threat. I responded to stabilize the suspect and the scene. Refer to other officers' reports for further details.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Insurance Company:			NCIC#
Reporting Officer(s): Gawrisch, David J.			Payroll Number : P476
Report Date: 02/10/2019			Pages: 1 Of 5
Time Received: 00:33:48	Time Cleared: 09:53:03	Unit(s) Assigned: 104, 106, 110, 112, 114, 116, J	Copy To
Reviewed by: Dally, David M.		Payroll Number : P431	

Date: 02/10/2019
CFS Code-1: 1512
Incident Report Number: 19-007469

Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

NARRATIVE

On Sunday, February 10, 2019, I was on duty as a Sergeant of Police for the City of Waukesha Police Department. I was assigned to the late shift patrol. I was in full police uniform and was operating a police squad (Fleet 28), which is equipped with emergency equipment.

On Sunday, February 10, 2019, I met with Officer Stern, who informed me that he had probable cause to arrest Ted C. Schmitz, DOB 12-23-64, for Theft, Forgery, and Uttering. Officer Stern informed me that he had previously been in contact with Ted and that Ted was aware that there was probable cause for his arrest. Officer Stern requested to book and release Ted, if he was able to arrest him.

A short time later, Officer Stern informed me that he had contact with Ted and that Ted was stressing out over the probable cause for his arrest. Officer Stern informed me that Ted was threatening to slit his wrists and throat. Officer Stern stated that he was able to obtain a location from Ted and that Ted was believed to be in the area of School Dr. in the City of Waukesha. Officer Stern responded to that area to make a well-being check of Ted, due to the direct threats of self-harm. In addition, it was believed that Ted may cooperate with officers and return to the Waukesha Police Department with them. Officer Stern requested that other officers assisted in attempting to locate Ted for his safety.

Officer Condon was patrolling in the area. A short time later, Officer Condon advised over the police radio that he had located Ted. Officer Condon then made contact with Ted. As he made contact with Ted, he stated over the police radio that he needed help in emergency fashion, as Ted had a knife. Officer Condon then stated over the police radio, 10-78, which is Officer Needs Assistance, followed by shots fired. Officer Condon advised that the suspect, Ted, came at him with a knife and other weapons. It should be noted that Ted is approximately 6'3" tall and weighs approximately 340 lbs. Ted ignored Officer Condon's orders to stop and stay back, or he would be shot.

After hearing this on the police radio, I immediately responded to the scene in emergency fashion. It should be noted that on my way to this incident, I contacted my immediate supervisor, Lieutenant Becker. Lieutenant Becker made the notification to the Criminal Investigation Division, along with making notifications through the chain of command.

Upon arriving on scene, I observed Ted lying in the road near Officer Condon's police squad. Officer Condon was standing several car lengths away next to Officer Arellano. I observed two Waukesha County Sheriff's Deputies, along with Officer Wittnebel, providing life-saving measures to Ted. Specifically, they were performing CPR and also utilizing an automated external defibrillator.

Reporting Officer(s):

Payroll Number :

Pages:

Gawrisch, David J.

P476

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Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

I immediately approached Officer Condon and Officer Arellano. I asked Officer Condon if he was ok. He stated yes. I asked Officer Condon if he was injured. He stated no. I asked Officer Condon if he needed medical attention. He stated no. I then asked Officer Condon if any other officers were involved. Officer Condon stated no. I asked Officer Condon if he would like a specific support officer. Officer Condon stated that Officer Arellano had been assisting him since he arrived on scene and would like Officer Arellano to remain as his support officer.

As the deputies and officers continued to attempt to provide life-saving measures to Ted, I coordinated the stabilization of the scene. The scene was secured using police tape to block off the crime scene. Officer Riedel was assigned to maintain the Crime Scene Log. I requested that Officer Stern obtain photographs of the scene.

I then assigned Officer Fletcher, Officer P. Kenealy, and Officer Cde Baca to begin canvassing the area to attempt to identify any possible witnesses to this incident. In addition, there were homes on the north side of the street and I requested that they check the well-being of the residents inside these homes. Refer to Officer Fletcher, Officer P. Kenealy, and Officer Cde Baca's reports for further details.

By this time, Officer Arellano and Officer Condon were seated in a police squad away from the scene of the incident. I informed Officer Condon of some of the process regarding the investigation and informed him that I would be speaking with him and asking him questions momentarily. Officer Condon stated that he understood.

I then spoke with Officer Condon regarding the incident. Officer Condon informed me that he observed Ted walk out in the street from behind a van that was parked on the street. Officer Condon stated that he exited his squad and observed that Ted had a hunting knife in his left hand. Officer Condon stated that Ted held the knife to his neck and his wrist, saying that he was going to slit his neck and wrist. Ted then took the knife and threw it at Officer Condon. Officer Condon stated that Ted never stopped advancing towards his driver's side door, where he was located. Officer Condon stated that he told Ted to stay back or he would be shot. Officer Condon retreated to the rear of his squad.

Officer Condon stated that Ted had another knife and other weapons and continued to advance towards him, ignoring his commands. Officer Condon stated that when Ted was approximately 5 to 8 feet away from him, he was forced to fire approximately four rounds from his Glock 21 handgun to stop the threat, which was Ted with the knife. Officer Condon stated that he believed he fired four rounds and that they struck Ted in the center mass. Officer Condon stated that he then held on Ted until two Waukesha County Sheriff's Deputies, Deputy Thompson and Deputy Skaar, arrived on scene. Once they were on scene, Ted was secured and was given medical attention. The Waukesha Fire Department later responded and also

Reporting Officer(s):

Payroll Number:

Pages:

Gawrisch, David J.

P476

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Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

attempted life-saving measures. The Waukesha Fire Department transported Ted up to Waukesha Memorial Hospital. Officer Stern rode in the ambulance with Ted.

I completed the Waukesha Police Department Public Safety Statement form with Officer Condon. Refer to the enclosed Waukesha Police Department Public Safety Statement form for further details.

I remained as Incident Command of this incident until Lieutenant Rice relieved me of this duty on scene.

On scene, it was believed that Officer Condon was the only officer to use force in this incident. At the Waukesha Police Department, I checked all the City of Waukesha late shift patrol officers' handguns to ensure that no other officers were involved.

This completes my involvement in this incident. Refer to other officers' reports for further details. Refer a copy of this report to the Milwaukee Area Investigative Team.

CV/REFER: IR 19-7469, Supplements, Public Safety Statement

Reporting Officer(s):

Payroll Number:

Pages:

Gawrisch, David J.

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Waukesha Police Department**Continuation**

Incident Report Number

19-007469

Incident Location:

821 School Dr, Waukesha, WI, 53189

Incident Date:

02/10/2019

NAMES**Field Interrogation****Suspect**

Schmitz, Ted Charles W/M-54 of 1206 Lambeth Rd, #4, Waukesha, WI, 53189

DOB: 12/23/1964

HT: 603 WT: 340 Hair: Brown

Eyes: Brown Complexion: Fair

Cell Phone: (262) 506-4367

Reporting Officer(s):

Gawrisch, David J.

Payroll Number :

P476

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Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:

SUMMARY**SUPPLEMENT #2**

On Sunday, 02/10/19, at 0033 hours, Squad Area 110/Fleet 44, I (Ofc. Riedel) responded in emergency fashion to the area of School Dr. and S. Prairie Ave. for the report of shots fired by Officer Condon and that the suspect was down. Upon arrival, several officers were providing life-saving measures to the suspect. I immediately began securing the scene with evidence tape around the perimeter. At 0125 hours, I began a Crime Scene Log and documented all officers on scene. At 0325 hours, I turned over the log to Officer Mackowski. Refer to her report and the log for further details. This completes my involvement in this incident.

Refer a copy of this report to the Milwaukee Area Investigative Team.

No narrative to follow.

REFER: IR 19-7469, Supplements

Reporting Officer(s): Riedel, Brenna L.	Payroll Number : P527	Report Date: 02/10/2019	
Reviewed by: Rice, Kevin W.	Payroll Number : P387	Copy To:	Page: 1 OF 1

Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1:	New CFS Code - 1:	New CFS Code - 2:

SUMMARY**SUPPLEMENT #3**

On 02-10-19, at approximately, 12:37 am, I, Officer Arellano (Squad 118/Fleet 22) responded to the area of Center Rd. and School Dr. for a well-being check of Ted Charles Schmitz (M/W, DOB: 12-23-64), who was reportedly walking around that area and threatening to slit his wrist. Officer Stern advised over police radio that there was probable cause to arrest Ted Schmitz for Theft, Forgery, and Uttering. Officer Condon located Ted Schmitz on School Dr. near Prairie Ave. Officer Condon advised over police radio something to the effect of, shots fired; he came at me with a knife; 10-78 (Officer needs assistance); I'm okay; stage an ambulance; safe approach is School from Prairie. When I arrived on scene, Waukesha County Sheriff's Deputies were on scene administering first aid to Ted Schmitz, who was lying on his back on the ground. I walked Officer Condon away from the scene and stood by with him.

The dash camera in my squad car (Fleet 22) recorded portions of this incident. I saved the video as evidence. Refer a copy of this report to the Milwaukee Area Investigative Team.

No narrative to follow.

REFER: IR 19-7469, Supplements

Reporting Officer(s): Arellano, Jose L.	Payroll Number : P472	Report Date: 02/10/2019	
Reviewed by: Rice, Kevin W.	Payroll Number : P387	Copy To:	Page: 1 Of 1

Waukesha Police Department		Supplemental Report	
Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019	
New Incident:	Original CFS Code - 1: 1512	New CFS Code - 1 :	New CFS Code - 2:
<p>SUMMARY</p> <p>SUPPLEMENT #4</p> <p>On Sunday, February 10, 2019, at 0040 hours, I, Officer Cde Baca (Squad Area 112/Fleet 34), responded in emergency fashion to a shots fired, officer needs assistance call from Officer Condon, located at S. Prairie Ave. and School Dr. Upon arrival, I initially met with multiple officers who were performing life-saving measures on a male identified as Ted C. Schmitz (DOB 12/23/1964). I assisted in securing the crime scene with evidence tape and conducted a canvass of the area. Following the canvass, I was then tasked to meet with Officer Stern at the hospital, where I waited for the Medical Examiner and assisted in the removal of the decedent. Sgt. Gawrisch was the supervisor on duty.</p> <p>Fleet 34's MAVRS (mobile audio video recording system) was active during this incident and saved as evidence.</p> <p>NARRATIVE</p> <p>On Sunday, February 10, 2019, at 0040 hours, I, Officer Cde Baca (Squad Area 112/Fleet 34), responded in emergency fashion to a shots fired, officer needs assistance call from Officer Condon, located at S. Prairie Ave. and School Dr.</p> <p>Prior to responding, police dispatch advised that Ted Schmitz, who is a larger male, is walking around the area and is threatening to slit his wrist. Upon arrival, I positioned my squad at the intersection of S. Prairie Ave. and School Dr. I exited the vehicle and sprinted on foot westbound on School Dr. I initially met with multiple officers who were performing life-saving measures on a male identified as Ted C. Schmitz (DOB 12-23-64). As multiple officers assisted in life-saving measures, I assisted in securing the crime scene with evidence tape.</p> <p>Shortly after securing the scene, Waukesha Fire personnel arrived and began providing additional medical treatment to Schmitz. Once Waukesha Fire personnel departed the scene with Schmitz, I was tasked to conduct an initial canvass of the area.</p> <p>First, I went to [REDACTED] and spoke with [REDACTED] and [REDACTED]. Both [REDACTED] and [REDACTED] stated that they had been asleep and had not heard or seen anything abnormal. [REDACTED] explained how they were only awoken by myself knocking on their door several times.</p>			
Reporting Officer(s): Cde Baca, Jacob M.	Payroll Number : P593	Report Date: 02/10/2019	
Reviewed by: Rice, Kevin W.	Payroll Number : P387	Copy To:	Page: 1 Of 4

Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

I then went to [REDACTED] and spoke with [REDACTED]. Both [REDACTED] and [REDACTED] described how they were both awake in a computer room that was facing School Dr. [REDACTED] explained that he heard three "tapping sounds" coming from his window. [REDACTED] then explained that approximately two minutes after hearing the three "tapping" sounds on the window, he looked out the window and saw the lights from police vehicles. [REDACTED] went on to explain that she heard four popping sounds that she thought were "fireworks" and thought nothing of it. [REDACTED] explained how their son [REDACTED] was awake, however, he was in the basement at the time of the incident. Both stated that they did not hear or see anything else.

I then went to [REDACTED] I spoke with [REDACTED]. [REDACTED] stated that she was awake inside her residence because she was on call for work. At approximately 12:30am, she heard three gunshots from outside her residence. [REDACTED] explained that she could not see anything outside of her window, just lights from police vehicles.

I then went to [REDACTED] I spoke with [REDACTED]. [REDACTED] explained that she had not heard anything abnormal, but woke up at approximately 12:15am to seeing lights from police vehicles outside of her window.

Following the canvass, I was advised to check a pavilion at Prairie Park and look for external signs of evidence related to the shots fired by Officer Condon. The search of this pavilion provided no evidentiary value. I then conducted an exterior check of Prairie Elementary School (1801 Center Road). During this check nothing of evidentiary value was provided.

I was then tasked to meet with Officer Stern at Waukesha Memorial Hospital. When I arrived, Officer Stern advised that Dr. Szymanski advised that Schmitz was deceased at 0135 hours on 2-10-19. A short time after, the Deputy Medical Examiner Tabitha A. Kukes arrived at the hospital. The Medical Examiner conducted her initial investigation. I then assisted in the removal of the decedent and escorted the body to the Medical Examiner's vehicle, which was located in the ambulance bay at Waukesha memorial hospital.

This completes my involvement in this investigation. Sergeant Gawrisch was the supervisor on duty.

Fleet 34's MAVRS was active during this incident and saved as evidence. Please refer a copy of this report to the Milwaukee Area Investigative Team.

CV/REFER: IR 19-7469, Supplements

Reporting Officer(s):

Payroll Number:

Pages:

Cde Baca, Jacob M.

P593

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Waukesha Police Department

Continuation

Incident Report Number
19-007469

Incident Location:
821 School Dr, Waukesha, WI, 53189

Incident Date:
02/10/2019

NAMES

Witness-1



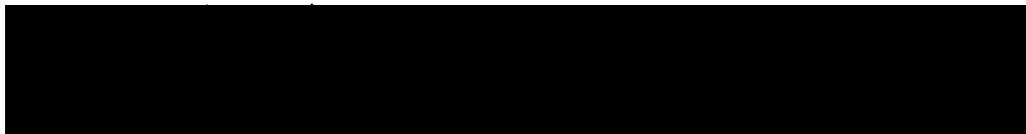
Witness-2



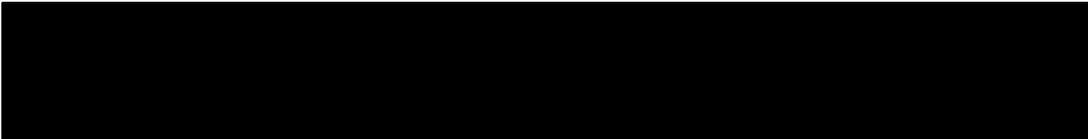
Witness-3



Witness-4



Witness-5



Witness-6



Waukesha Police Department

Continuation

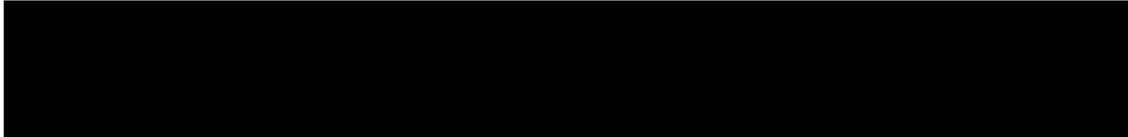
Incident Report Number
19-007469

Incident Location:
821 School Dr, Waukesha, WI, 53189

Incident Date:
02/10/2019



Witness-7



Reporting Officer(s):
Cde Baca, Jacob M.

Payroll Number:
P593

Pages:
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Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: 1512	New CFS Code - 1: New CFS Code - 2:

SUMMARY**SUPPLEMENT #5**

On Sunday, February 10th, 2019, at 0040 hours, I, Officer P. Kenealy (Squad Area 112/Fleet 34), along with Officer J. Cde Baca, responded in emergency fashion to the area of S. Prairie Ave./School Dr. for the report of an Officer Involved Shooting. During the investigation, I assisted officers in securing the scene, conducting a canvass of the neighborhood, and turning the body of the decedent, Ted C. Schmitz (DOB: 12/23/1964), over to Deputy Medical Examiner Tabitha Kukes while at Waukesha Memorial Hospital (725 American Avenue). This completes my involvement in the incident. Sergeant Gawrisch was the supervisor on duty.

Fleet 34's MAVRS (mobile audio video recording system) was activated and also saved as evidence.

NARRATIVE

On Sunday, February 10th, 2019, at 0040 hours, I, Officer P. Kenealy (Squad Area 112/Fleet 34), double, with training Officer J. Cde Baca, responded in emergency fashion to the area of S. Prairie Ave./School Dr. for the report of an Officer Involved Shooting. Prior to responding to the call, I observed Waukesha Police Dispatch create a call for service at the area of Center Rd. and School Dr. for a well-being check. The call notes stated that a Ted Schmitz was walking around the area and was threatening to slit his wrist. Police Dispatch also noted that Ted is a "larger male."

I overheard Officer Stern advise via police radio that he was going to be responding, as he was investigating a portion of the incident. Officer Stern advised via police radio that there was probable cause to arrest Ted for Theft, Forgery, and Uttering.

Prior to responding, I was completing a traffic stop with Officer Cde Baca at the intersection of E. North St. and Albert St., reference CAD Call #19-7468. While still on scene at E. North St. and Albert St., I heard Officer Condon advise over the police radio, "he dropped a knife, keep them coming 10-39". I recognized this 10-code as Officer Condon requesting more units in emergency fashion. A few seconds later, Officer Condon advised, "10-78, shots fired." I immediately recognized "10-78" as Officer Needs Immediate Assistance and that all available officers are to respond to his/her location. Officer Condon advised that he was ok and the male suspect was down with multiple gunshot wounds and appeared to be breathing. Officer Condon advised the safe approach

Reporting Officer(s): Kenealy, Patrick L.	Payroll Number : P507	Report Date: 02/10/2019
Reviewed by: Rice, Kevin W.	Payroll Number : P387	Copy To: Page: 1 Of 4

Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

to the scene was taking Prairie Ave. southbound to School Dr.

Officer Cde Baca and I immediately responded to the scene. Upon arrival, we responded on foot to the 800 block of School Dr. I observed numerous officers and Waukesha County Sheriff's Deputies, specifically Deputy K. Thompson and Deputy B. Skaar, providing medical assistance to the male subject who was later identified as Ted C. Schmitz (DOB 12-23-64). I stood by with officers as they continued to perform life-saving measures on Schmitz until he was later escorted away by the Waukesha Fire Department personnel.

After Schmitz's body was removed from the scene, I was assigned by Sergeant Gawrisch to conduct a canvass of the neighborhood in attempt to locate any subjects that had information relevant to the investigation. I was told that the Department of Criminal Investigation would follow up with any subjects that had any type of information.

Officer Cde Baca and I then began responding to several residences in the 800 block of School Dr. The first residence we went to was [REDACTED]. During this time, we made contact with [REDACTED]. [REDACTED] provided a phone number for both subjects as [REDACTED]. Both [REDACTED] advised that they were in bed at 11:30pm on February 9th and had only awoken to officers knocking on their door. Both [REDACTED] advised they did not hear anything else during the incident.

Officer Cde Baca and I then went to [REDACTED] where we made contact with [REDACTED]. [REDACTED] provided a phone number of [REDACTED]. [REDACTED] provided a phone number of [REDACTED]. [REDACTED] advised that he heard "tapping" on the window and it appeared to vibrate the window. He stated that he had heard approximately three sounds at approximately 12:30am. He advised that he and [REDACTED] were in their computer room, which faces School Dr. He initially did not think much of the sounds, but he looked out his window and observed red and blue emergency lights emanating from a patrol vehicle.

[REDACTED] advised a similar statement, indicating that she heard four "pop" sounds and she initially thought it was fireworks. She advised that she did not believe it sounded that loud initially. She advised that her 13 yr. old son was also in the basement of the residence playing video games. [REDACTED] identified her son as [REDACTED].

The next residence Officer Cde Baca and I responded to was [REDACTED] where we made contact with a female identified as [REDACTED]. [REDACTED] provided a phone number of [REDACTED]. [REDACTED] advised that she heard approximately three gunshots between 12:30am and 12:45am, as she was already awake, due to the fact that she was on call for her work. She advised that she did not see anything else besides "cop lights" upon looking out her exterior window.

Reporting Officer(s):

Payroll Number:

Pages:

Kenealy, Patrick L.

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Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

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821 School Dr, Waukesha, WI, 53189

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The next residence Officer Cde Baca and I made contact with was [REDACTED]. We made contact with a female identified as [REDACTED]. [REDACTED] provided a phone number of [REDACTED]. [REDACTED] advised that she had woken up at approximately 12:15 and observed red and blue emergency lights emanating from a patrol vehicle on School Dr. She did not see or hear anything prior to police arrival.

Officer Cde Baca and I provided this information to Officer Fletcher, who was the canvass strike team leader.

This completed the initial canvass of the area, as directed by Sergeant Gawrisch.

Officer Cde Baca and I were then assigned by Sergeant Gawrisch to make a check of the pavilion and bathroom areas at Prairie Park, which is located at 821 School Dr. We were looking for any signs of evidence related to the shots fired by Officer Condon. I did not observe anything of evidentiary value along the pavilion and bathroom areas of Prairie Park. I then made a check of Prairie Elementary School (1801 Center Road), again looking for any signs of evidence related to the shots being fired. I again did not locate anything of evidentiary value at Prairie Elementary School.

I was then requested by Sergeant Gawrisch to respond to Waukesha Memorial Hospital to meet with Officer Stern. Officer Stern had rode in the ambulance with Ted Schmitz after being escorted away from the scene by the Waukesha Fire Department personnel. A short time later, Officer Cde Baca and I responded to Waukesha Memorial Hospital (725 American Avenue). Upon making contact with Officer Stern at Emergency Room #19, I was advised by Officer Stern that Dr. Szymanski had noted the time of death of Ted Schmitz at 0135 hours. I stood by with the decedent, Ted Schmitz, at Waukesha Memorial Hospital until Waukesha County Deputy Medical Examiner Tabitha Kukes arrived. After Deputy Medical Examiner Kukes had completed her initial investigation, I assisted Kukes in securing Schmitz's body, and turning it over to her.

This completes my involvement in the incident. Sergeant Gawrisch was the supervisor on duty.

Fleet 34's Mobile Audio Video Recording System was activated during the time of the incident and was also saved as evidence.

This completes the initial investigation. Please refer a copy of this report to the Criminal Investigation Division and the Milwaukee Area Investigative Team for further follow up.

Reporting Officer(s):

Payroll Number:

Pages:

Kenealy, Patrick L.

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Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

CV/ REFER: IR 19-7469, Supplements

Reporting Officer(s):

Kenealy, Patrick L.

Payroll Number:

P507

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Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: 1512	New CFS Code - 1: New CFS Code - 2:

SUMMARY**SUPPLEMENT #6**

On Sunday, February 10, 2019, at approximately 0036 hours, I, Officer Fletcher, #538 (Squad 106, Fleet 32) responded to the area of Center Rd. and School Dr. for a well-being check. Upon arriving on scene, I assisted officers who were already on scene, specifically, Deputy Skaar, by retrieving medical supplies, including an AED from Deputy Skaar's patrol vehicle. Further, I assisted in conducting a canvass of the neighborhood for any potential witnesses.

This completes my involvement in the investigation. The on duty supervisor at the time of this incident was Sergeant Gawrisch. The video/audio recording system of Fleet 32 was activated during this incident and was saved as evidence. -cv

NARRATIVE

On Sunday, February 10, 2019, at approximately 0036 hours, I, Officer Fletcher, #538 (Squad 106, Fleet 32) responded to the area of Center Rd. and School Dr. for a well-being check. Upon arriving on scene, I assisted Deputy Skaar, who was rendering aid to a subject who was lying on the ground who was later identified as Ted C. Schmitz (M/W DOB 12-23-64). Deputy Skaar requested that I retrieve medical supplies from his patrol vehicle. I retrieved various medical supplies from a medical kit which was located in the front seat area of Deputy Skaar's patrol vehicle. I also heard Deputy Skaar request that I grab the AED out of his patrol vehicle, which was also in the front passenger compartment area. I provided the AED and the other various medical supplies to Deputy Skaar.

Further, I was directed by Officer Wittnebel to shell casings which were lying on the ground towards the rear of Officer Condon's patrol vehicle. Further, Officer Wittnebel directed me to two knives which were lying on the ground to the side of Officer Condon's patrol vehicle. I retrieved orange traffic cones from the rear of multiple vehicles, placing the orange traffic cones over four shell casings which I had located near the rear of Officer Condon's patrol vehicle. I did so to preserve the evidence. I also placed orange traffic cones next to the two knives which I had located in the roadway. Again, I did so to mark, identify, and preserve the evidence.

It should be noted that I was interviewed by Investigator Rivamonte with the City of South Milwaukee Police Department reference this incident. Refer to

Reporting Officer(s): Fletcher, Terrence R.	Payroll Number : P538	Report Date: 02/10/2019
Reviewed by: Daily, David M.	Payroll Number : P431	Copy To: Page: 1 Of 4

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Continuation

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

Investigator Rivamonte's report for further details pertaining to my initial response to the scene and arrival on scene.

I was later contacted by the on duty supervisor, Sergeant Gawrisch, who requested that I conduct a canvass of the area, in attempt to identify potential witnesses who may have pertinent information regarding this incident. I made contact with Field Training Officer P. Kenealy and Officer Cde Baca, as well as Officer Spakowicz, who all assisted in conducting the canvass of the neighborhood. Refer to Officer Cde Baca, Officer P. Kenealy, and Officer Spakowicz's supplements for further details pertaining to their involvement in the canvass of the neighborhood. Together, myself, Officer Spakowicz, and Officer P. Kenealy and Officer Cde Baca, conducted a canvass of the residences on School Drive, in between S. Prairie Avenue and Center Road.

Officer P. Kenealy and Officer Cde Baca made contact at the following addresses on School Drive: [REDACTED]

Officer Spakowicz made contact at the following addresses on School Drive: [REDACTED]

I made contact with the residence of [REDACTED]. The sole occupant of the residence at the time of this incident was identified as [REDACTED]. [REDACTED] stated that he was not harmed during this incident. [REDACTED] indicated that at the time of the incident, he was awake watching TV in his living room when he heard what he believed to be four gunshots. [REDACTED] indicated that he immediately got up and looked out his window and saw a person lying in the street. [REDACTED] stated that he did not hear or see anything else involving this incident.

I then made contact with the residence at [REDACTED]. I spoke with a male who was identified as [REDACTED]. I also spoke with [REDACTED]'s wife, who was identified as [REDACTED]. In speaking with both [REDACTED] indicated that she was asleep in her bedroom during this incident and did not hear nor see anything. [REDACTED] indicated that during this incident, he was awake and watching TV in the living room. [REDACTED] indicated that his first observation of this incident was hearing three to four what he believed to be gunshots. [REDACTED] indicated that at that time, he got up and looked outside and saw a subject lying on the ground. [REDACTED] indicated he did not hear or see anything else involving this incident.

I then attempted to make contact at the corner residence located at the northeast corner of School Drive and Center Road, which has the Center Road address 1723 Center Road. I noted that the lights were on at this residence, however, there was no answer at the door.

This completes my involvement with the canvass of the neighborhood. Refer to

Reporting Officer(s):

Fletcher, Terrence R.

Payroll Number:

P538

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Waukesha Police Department**Continuation**

Incident Report Number

Incident Location:

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821 School Dr, Waukesha, WI, 53189

02/10/2019

Officer Spakowicz, Officer P. Kenealy, and Officer Cde Baca's reports for further details.

I later passed this information along to the Incident Command.

This completes my involvement in the investigation. The video/audio recording system of Fleet 32 was activated during this incident and was saved as evidence.

Please forward a copy of this report to CID and the Milwaukee Area Investigative Team for further investigation.

REFER: IR 19-7469, Supplements

Reporting Officer(s):

Payroll Number:

Pages:

Fletcher, Terrence R.

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Waukesha Police Department

Continuation

Incident Report Number

Incident Location:

Incident Date:

19-007469

821 School Dr, Waukesha, WI, 53189

02/10/2019

NAMES

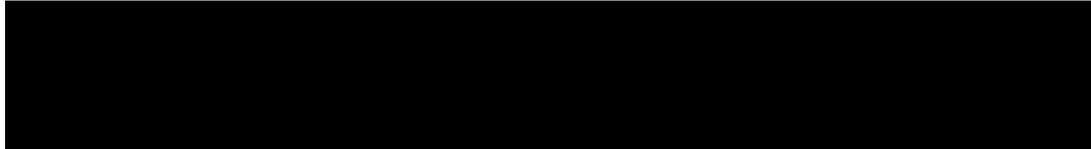
Witness-1



Witness-2



Witness-3



Reporting Officer(s):

Payroll Number :

Pages:

Fletcher, Terrence R.

P538

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Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: 1512	New CFS Code - 1: New CFS Code - 2:

SUMMARY**SUPPLEMENT #7**

On Sunday, February 10, 2019, at approximately 0310 hours, Squad 212 (Officer Mackowski) was dispatched to the area of S. Prairie Ave. and School Dr. to assist with an Officer Involved Shooting Incident. Upon my arrival, I met with Sgt. Esser at the Command Post and was requested to relieve Officer Riedel. I responded to her location and she turned over the Crime Scene Log to myself which she had started. On today's date at 0319 hours, I took over responsibility for the Crime Scene Log for this incident until the conclusion of the investigation at 0948 hours. Please refer to the Crime Scene Log which is included with this report.

This completes my assistance in this investigation. Further investigation is being done by the Waukesha County Medical Examiner's Office and the Milwaukee Area Investigative Team.

MAVRS (mobile audio video recording system) is not available for this incident-Fleet #2

No narrative to follow. DM

REFER: IR 19-7469, Supplements, Crime Scene Log

Reporting Officer(s): Mackowski, Debra G.	Payroll Number : P291	Report Date: 02/10/2019
Reviewed by: Daily, David M.	Payroll Number : P431	Copy To: Page: 1 Of 1

Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-007469	Incident Location: 821 School Dr, Waukesha, WI, 53189	Incident Date: 02/10/2019
New Incident:	Original CFS Code - 1: 1512	New CFS Code - 1 : New CFS Code - 2:

SUMMARY**SUPPLEMENT #8**

On Monday, February 11, 2019, at 1100 hours, I, Specialist K. Becker #457, and Specialist Howard #317, responded to 2001 S. Prairie Avenue to recover video involving Incident Report 19-7469. This video was copied and turned over to the Milwaukee Area Investigative Team. No narrative to follow.

KB/jeb/REFER: IR19-7469, Supplements.

Reporting Officer(s): Becker, Kyle J.	Payroll Number : P457	Report Date: 02/11/2019
Reviewed by: Daily, David M.	Payroll Number : P431	Copy To: Page: 1 Of 1

Waukesha Police Department

Property Report

Property Number: 19-000181	Case Number 19-007469	Location: 821 School Dr Waukesha, WI, 53189	Incident Date: 02/10/2019 00:33:48
Name (Last, First, Middle) City Of Waukesha Police Department,		DOB:	Race/Sex:
Address: (Address, City, State, Zip) 1901 Delafield St Waukesha, WI, 53188			Home Phone Number:

Details of Recovery

Recovered Location: (Address, City, State, Zip) 1901 S Prairie Ave, #B Waukesha, WI, 53186	Recovery Date: 02/13/2019 05:55:04
Found In Possession of:	Address: (Address, City, State, Zip)
<input checked="" type="checkbox"/> Evidence	Place Retained: Sent to Property Room 02/13/2019 05:55:04
<input type="checkbox"/> Found Property	

Item#	Type	Reason
1	Article	Evidence Description: Surveillance footage from Weldall Quan/Value: 1.000 / \$0.00 Disposition: Sent To Property Room
2	Article	Evidence Description: MAVRS Officer Stern Quan/Value: 1.000 / \$0.00 Disposition: Sent To Property Room
3	Article	Evidence Description: MAVRS Officer Arellano Officer Paulson Sgt Gawrisch Quan/Value: 1.000 / \$0.00 Disposition: Sent To Property Room
4	Article	Evidence Description: MAVRS Officer Wittnebel Quan/Value: 1.000 / \$0.00 Disposition: Sent To Property Room
5	Article	Evidence Description: MAVRS Officer CDE Baca Quan/Value: 1.000 / \$0.00 Disposition: Sent To Property Room

Reporting Officer: Nelson, Nichelle M	P354	Reviewed by: Nelson, Nichelle M	P354	Report Date 02/10/2019
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Disposition of Property

Release Date:	Proof of Ownership:	Signature of Officer Authorizing Release:
Owner - Agent Printed Name:	Owner - Address:	
Signature of Owner - Agent:	Signature of Officer Releasing Property:	

Continuation

Property Number: 19-000181	Case Number: 19-007469	Location: 821 School Dr Waukesha, WI, 53189	Incident Date: 02/10/2019
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6 Article Evidence
Description: MAVRS Officer Spakowicz
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

7 Article Evidence
Description: MAVRS Officer Fletcher
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

8 Article Evidence
Description: MAVRS Officer Condon
Quan/Value: 1.000 / \$0.00
Disposition: Sent To Property Room

Reporting Officer(s): Nelson, Nichelle M	P354	Pages: 2
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* [redacted]

- 10-28 [redacted]

[redacted] [redacted]
[redacted] [redacted]
[redacted] [redacted]

@ 1:00 wake up me & same
bed at 11:30

* [redacted]



[redacted]

[redacted]

* tapping on window vibrating
3 sounds
around 12:30

- 4 pop sounds thought fire works.
- not too loud

* in computer room
* looked out window
2 mins after and saw lights from
police.

[redacted]

* [redacted]

[redacted]

@ heard 3 gun shoots
- 12:30 - 12:45



was already awake
- did not see anything just cap lights

[redacted] - Ken & Cd

[redacted] - Spak

[redacted] - Fletcher

[redacted]

- Watching TV in living room.
- Heard - 4 shot - ~~nothing else~~ Saw person laying in Street -
- Home alone -

[redacted]

[redacted]

- Watching TV in living room
heard 3-4 shots
+ Call

[redacted]

[redacted]

looked outside

[redacted]

- Sleeping in bedroom, didn't
hear/see anything.
- Call

- Have cameras - Point at driveway / Property line
- wouldn't capture scene, wasn't triggered.

[redacted]

- Spak
- Spak
- Spak

1723 Center - No answer (faxes center)

Ken & Cd -

[redacted]



- woke up at 12:15 to seeing lights
- looked out saw police cars
- Did not see anything

WAUKESHA POLICE DEPARTMENT
PUBLIC SAFETY STATEMENT (CRITICAL INCIDENT)

DIRECTIONS TO ON-SCENE SUPERVISORS

The supervisor obtaining this statement:

- Will not deviate from its content.
- Will write down on this form the answers by the involved officer.
- Will disseminate public safety information to on scene supervisor or Lead Investigator.
- Will provide this form to the Lead Investigator or Supervisor responsible for conducting the investigation into the critical incident.

"At this time to the best of your knowledge, Officer Condon
please answer the following":

1. Are you injured or do you need medical attention?

NO, NO

2. Do you know of anyone that is injured? Yes No. If yes, what is her/his location?

Ted Schmitz. Don't know, but I'm guessing the Hospital

3. From where and in what direction did you or other officers' fire rounds?

I was by the rear driver side of my car. I fired approximately
4 rounds in a southwest direction.

4. In what direction did the suspect(s) fire rounds?

He did NOT fire any rounds

5. Are any suspects outstanding? Yes No. If the answer is no, proceed to question #6.

If the answer to #5 is "yes" answer the following questions:

5a What is the description of the suspect(s)?

WAUKESHA POLICE DEPARTMENT

PUBLIC SAFETY STATEMENT (CRITICAL INCIDENT)

5b What was their direction of travel?

5d With what weapons were they armed?

5e Are there any other safety risks known about the outstanding suspect(s)?

5f Did they leave the scene in a vehicle(s) Yes No. If yes, what is the description of their vehicle(s)?

6. Does any evidence need protection?

2 Knives that Ted had. 4 shell casings from my gun.
Some blood from where he was laying.

7. Are you aware of any witnesses? Yes No. If yes, where are they located?

Probably MAVRS.

WAUKESHA POLICE DEPARTMENT
CRIME SCENE LOG

0033 WELL BEING Check
S. PRAIRIE/Center Rd

IR# 19-7469
2/10/19

ALL PERSONNEL AT SCENE (Include above personnel and all persons entering or assigned to crime scene)

TIME		UNIT NO.	DIV./AGENCY	NAME(S)	I.D. NO(S)	DUTIES
ARRIVED	DEPARTED					
0125	0136	3408	New Berlin	Halliday		Inner perimeter
0125	0140	3633	New Berlin	J King		Inner perimeter
0125	0128	K365	T0B	Reinhold		Inner perimeter
0125	0125	33308	New Berlin	Helm		Inner perimeter
0125	0130	8414	WKSO	Michalsen		Traffic Control
0125	0224	8318	WKSO	Skaar		Scene Security
0125	0140	38946	New Berlin	Dodson		Inner perimeter
0125	0215	8594	WKSO	Mooney		Inner perimeter
0125	0435	11329	WKSO	Watterson		Outer perimeter
0125	0208	8514	WKSO	Kaeperrick		Inner perimeter
0125	0435	8150	WKSO	Schroeder		Outer perimeter
0125	0419	8689	WKSO	Thompson		Scene Security
0125	0806	8888	WKSO	Leon		Traffic Control
0127	0153	270	WKPD	Chief Jack		
0125	0234	538	WKPD	Fletcher		Canvas
0125	0227	531	WKPD	Spakwitz		canvas
0125	0208	507	WKPD	P. Kenealy		canvas
0125	0227	477	WKPD	Wittnebel		Evid. preservation
0125	0208	593	WKPD	Cde Baca		canvas
0125	0221	472	WKPD	Arellano		Support officer
0125	0221	509	WKPD	Condon		OIS
0125	0730	924	WKPD	Orgas		ICD
0125	0948	387	WKPD	Lt. Rice		CID Command
0146	0304	442	WKPD	Lt. Becker		Patrol Command
0125	0125	568	WKPD	Stern		w/Suspect
0125	0259	476	WKPD	Sgt. Gawrish		Shift supervisor
0125	0234	527	WKPD	Riedel		Crime Scene Log
0200	0717	431	WKPD	Sgt. Daily		CID STL
0214	0852	9075	West Allis	MARKS		Lead Investigator

TIME		UNIT NO.	DIV./AGENCY	NAME(S)	I.D. NO(S)	DUTIES
ARRIVED	DEPARTED					
0216	0833	299	WKPD	Sgt. Anderson		Command Post STL
0221	0549	448	WKPD	Sgt. Esser		Perimeter STL
0228	0420	8378	WKSO	Skaar		Scene Security
0259	0325	527	WKPD	Riedel		Left scene for PR
0259	0650	538	WKPD	Fletcher		Left scene for PR
0325	0325	8747	WKSO	Sahagian		Traffic Control
0313	0318	5874	Wauwatosa	Kirby		Investigator
0314	0318	56	West Allis	Madden		Investigator
0319	0948	468	WKPD	Edwards		Traffic Control
0319	0948	291	WKPD	Mackowski		Crime Scene Log
0328	0420	442	WKPD	Lt. Becker		Patrol Command
0329	0333	2256	Oak Creek	Mendola		Investigator
0330	0517		Greenfield	Capt Lindstrom - Greenfield		Investigator
0332	0335	541	Wauwatosa	Joe Lewandowski		Investigator
0334	0945		CRIME Lab	LISA TREFFINGER		Investigator
0338	0715	401	WKAD	Luke Hallmark		Investigator
0344	0406	28	West Milwaukee	Det BRIAN Chic		Investigator
0352	0657		West Allis	TREEP / HAVICAN		Investigator
0402	0441		West Allis	Lt CLEMENTI		Investigator
0410	0413	414/412	WKPD	PAULSON / FREDRICK		Taking FLT 30 to AD
0458	0948		DOJ	Chris Johnson / PAMELA TAYLOR		CRIME Scene Invest
0458	0948		DOJ	Levi Ingebrigtsen / Lacey Newbold		CRIME Scene invest
0526	0544		West Allis	Caleb Purter / Todd Kurtz		Investigator
0527	0613		West Allis	Lt CLEMENTI		Investigator
0544	0613		ME	Tabitha Kukes		Investigation
0546	0613		West Allis	DAVE Madden		Investigator
0554	0720	414	WKPD	PAULSON		Perimeter / Relief
0608	0613		WKAD	Chaplain Ryder		Notification / Support
0619	0837		STATE Patrol	S. DARIN		Scene Reconstruction
0710	0930		West Allis	TREEP / HAVICAN		Investigator
0639	0850		STATE Patrol	Pete Moe		Scene Reconstruction
0700	0716		West Allis	Lt Clementi		Investigator
0700	0717		West Allis	DAVE Madden		Investigator
0700	0716		WKPD	Det Hallmark		Investigator
0708	0710		ME	TABITHA KUKES		Investigator
0708	0716		WKAD	Chaplain Ryder		Support / Notification
0722	0758		Oak Creek	Brett Mendola		Investigator
0722	0748	420	WKPD	Fink		Perimeter / Scene Security

**Waukesha Police Department
Media Release**

Officer Involved Shooting February 10, 2019

On February 10, 2019 at approximately 00:33 hours officers from the City of Waukesha Police Department were in the area of School Drive and Prairie Avenue looking for a suspect involved in a forgery case. The suspect had been communicating with an officer on the phone and that officer was attempting to get the suspect to turn himself in to police. However, the suspect refused to respond to the Police Department. While officers responded to check for the suspect, information was relayed that the suspect was threatening to slit his wrists.

The suspect is a fifty-five-year-old male and has a physical description of being 6' 3" tall and weighed over 300 lbs. with a large build. The suspect is a felony offender with an extensive criminal history which included convictions for Battery, Burglary, Theft, Fraud, Disorderly Conduct, and Battery to a Peace Officer.

An officer located the suspect walking on School Drive near South Prairie Avenue. Upon making contact, the suspect immediately pulled a knife and threatened the officer. The officer attempted to defuse the situation by creating distance and using verbal commands, but the suspect ignored all orders to comply. The suspect charged at the officer and the officer feared the suspect was going to stab him. The officer was forced to shoot the suspect to stop the threat. The suspect was struck four times in the area of the chest. Two back-up officers arrived, and the three officers then stabilized the suspect and rendered first aid, which included CPR and the utilization of an Automated External Defibrillators. No officers or civilians were injured.

The suspect was transported by the Waukesha Fire Department to Waukesha Memorial Hospital where he was later pronounced dead.

We are not releasing the subject's name nor are we releasing the officer's name pending notification of family members. The involved officer has over five years of experience and, per policy, has been placed on paid administrative leave.

The Milwaukee Area Investigative Team (MAIT) is leading the investigation in collaboration with the Waukesha County District Attorney's Office.

Based on the preliminary information gathered at this point, I believe that the officer risked his life to fulfill the mission statement of the Waukesha Police Department; "A Pledge to Serve with Integrity, Honor, and Courage."

We will coordinate with MAIT to release more information as the investigation continues.

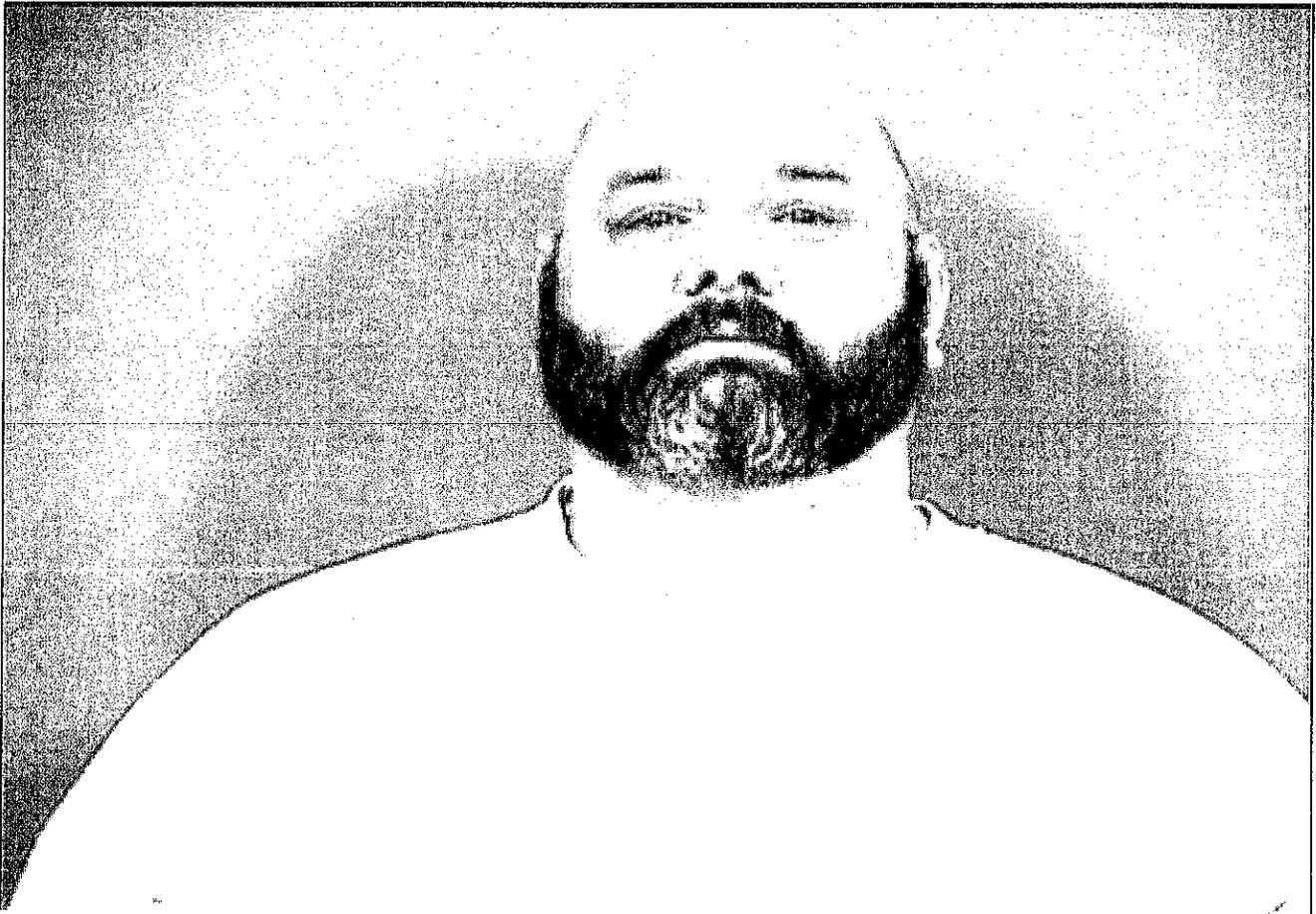
Russell P. Jack
Chief of Police
City of Waukesha Police Department

Reporting Agency : Waukesha Police Department-WI ID : A-00000090
 Name : Schmitz, Ted Charles
 Address : 1206 Lambeth Rd
 City-State/Zip : #4, Waukesha-WI, 53189
 Phone Home : (262) 506-4367 Work : (262) 506-4367
 DOB : 12/23/1964 Age : 54
 Sex : M-Male Race : W-White

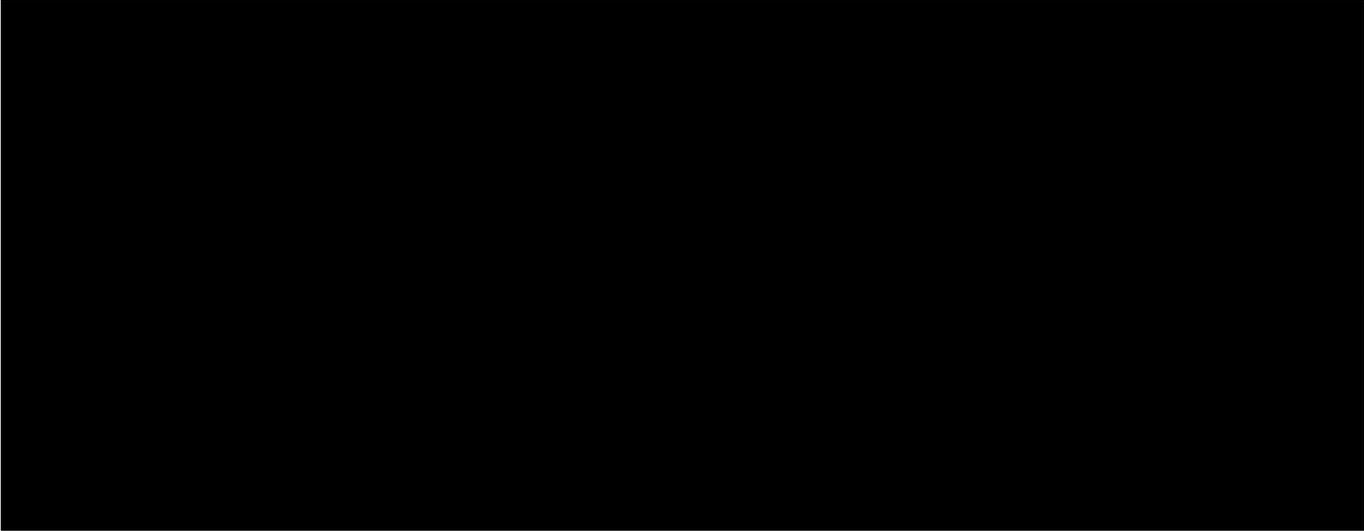


Main Physical **Activities**

Activity Date	Activity#	Activity Ty
2/10/2019	19-007469	Suspect 821 School Dr;OTH
2/10/2019	19-007469	Other 821 School Dr;OTH
1/14/2019	19-002635	Suspect 247 Wisconsin Ave,#1;CAL
12/7/2018	18-069192	Other 1206 Lambeth Rd,#4;CAL
12/7/2018	18-069143	Mental Patient 1206 Lambeth Rd,#4;CAL
5/11/2018	18-026590	Suspect 247 Wisconsin Ave,#1;CAL
5/11/2018	18-026590	Vehicle Owner 247 Wisconsin Ave,#1;CAL
9/4/2017	17-047438	Caller 400 Spring St;CAL
8/17/2017	17-043870	Other 134 W North St,#219;OTH
8/15/2017	17-043446	Other 134 W North St,#219;AAR
2/29/2016	16-010466	Caller 134 W North St,#319;CAL
9/15/2015	15-048707	Other 134 W North St,#319;CAL
6/8/2015	15-029247	Caller 134 W North St,#319;CAL
6/8/2015	15-029123	Caller 134 W North St,#319;CAL



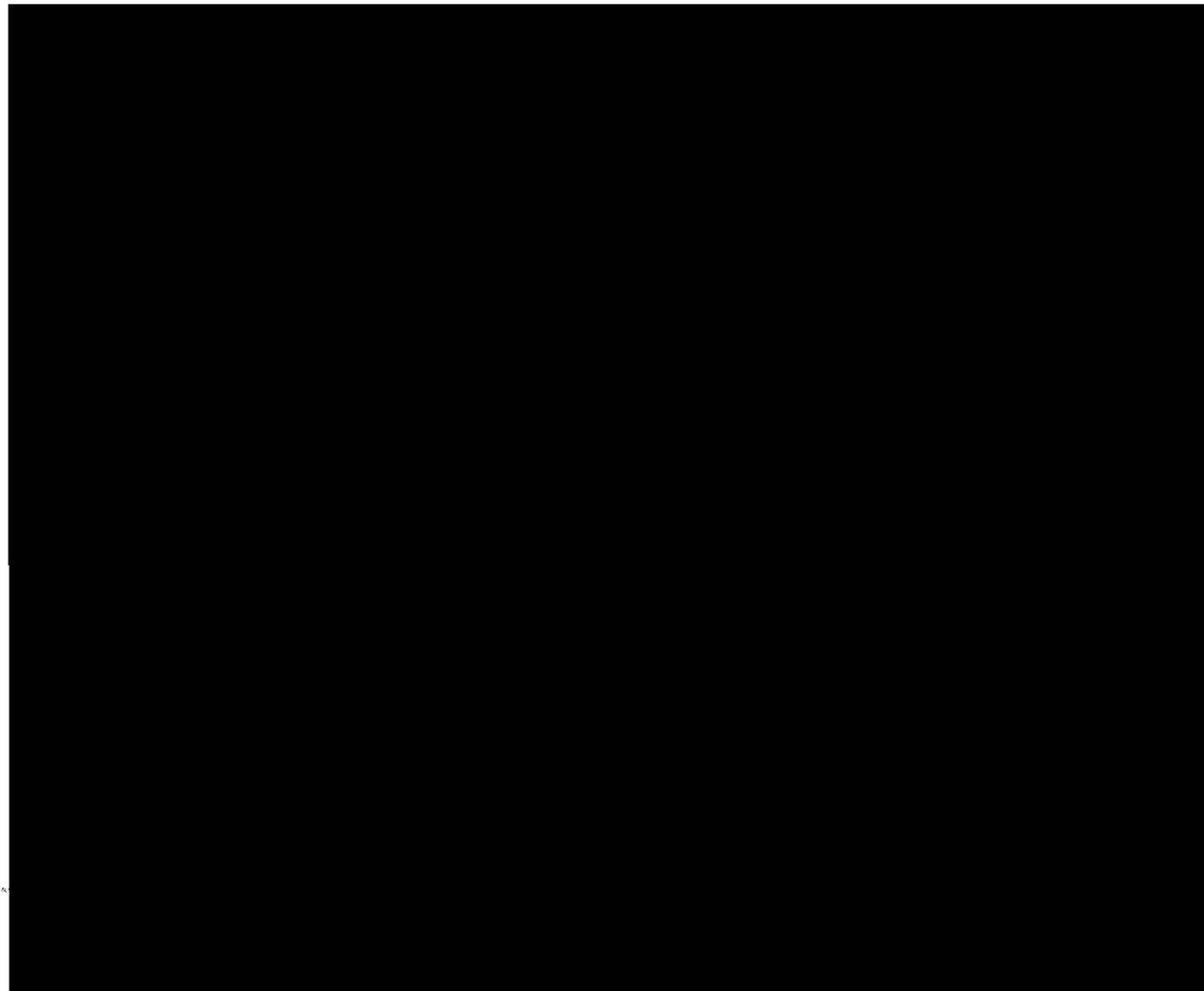
NCIC Search result



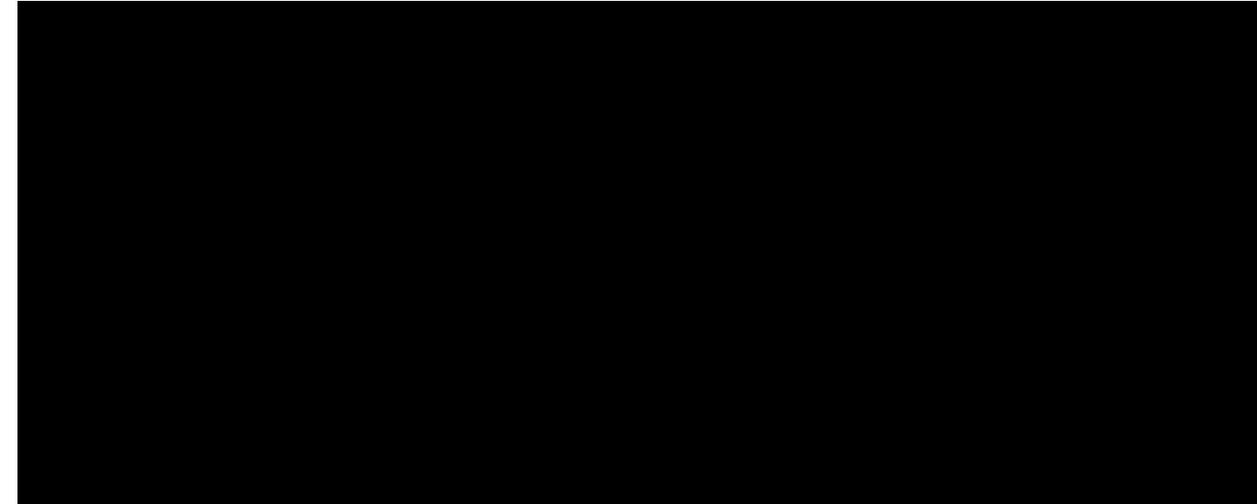
NCIC Search result



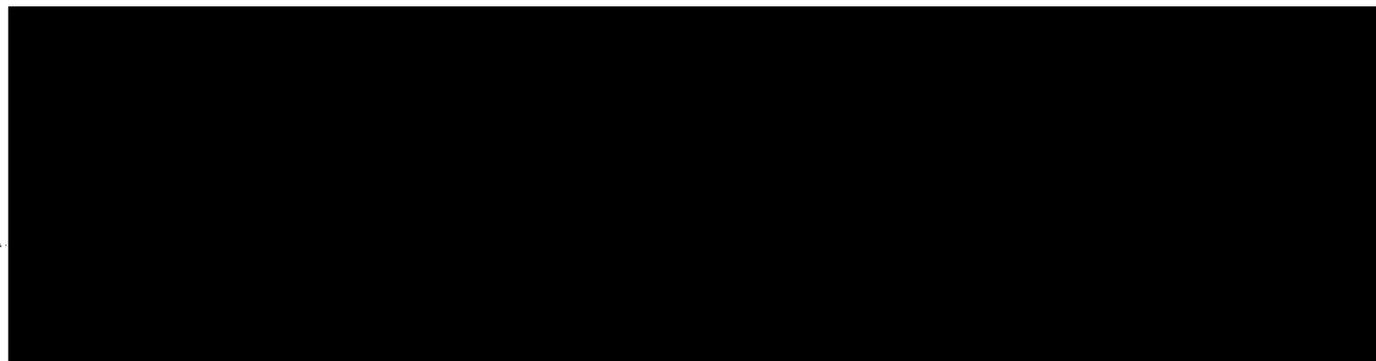
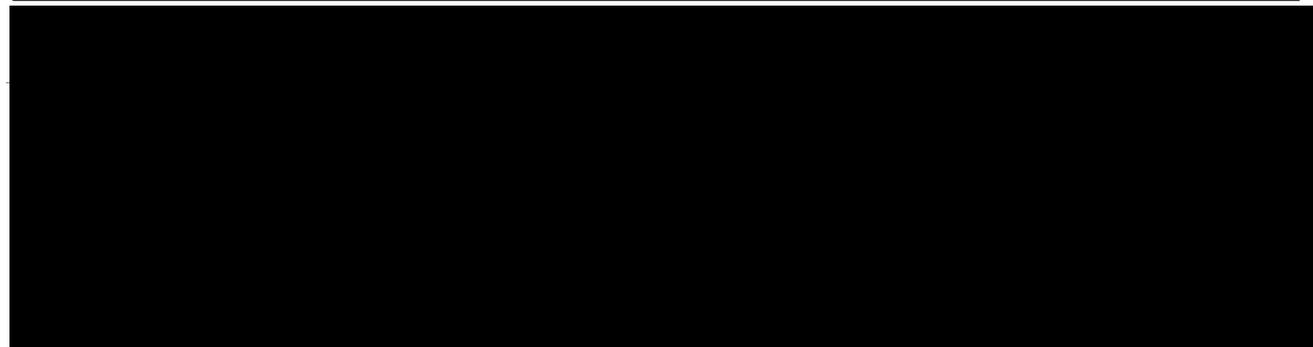
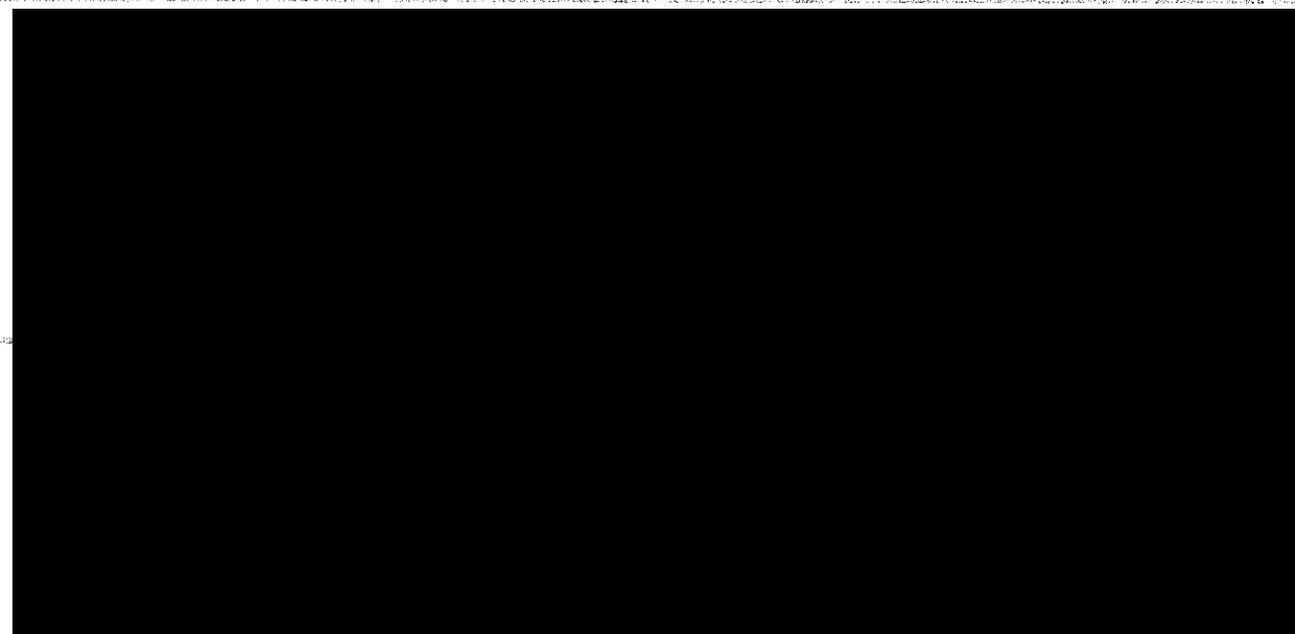
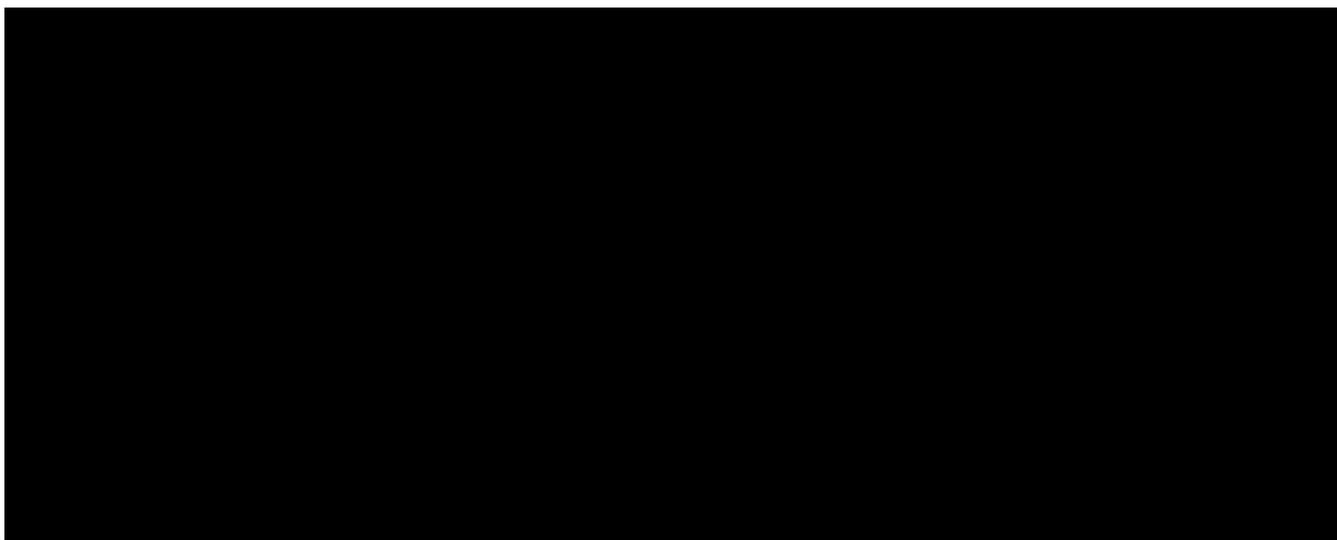
SEARCHED [] INDEXED []



SEARCHED [] INDEXED []



NCIC Search result

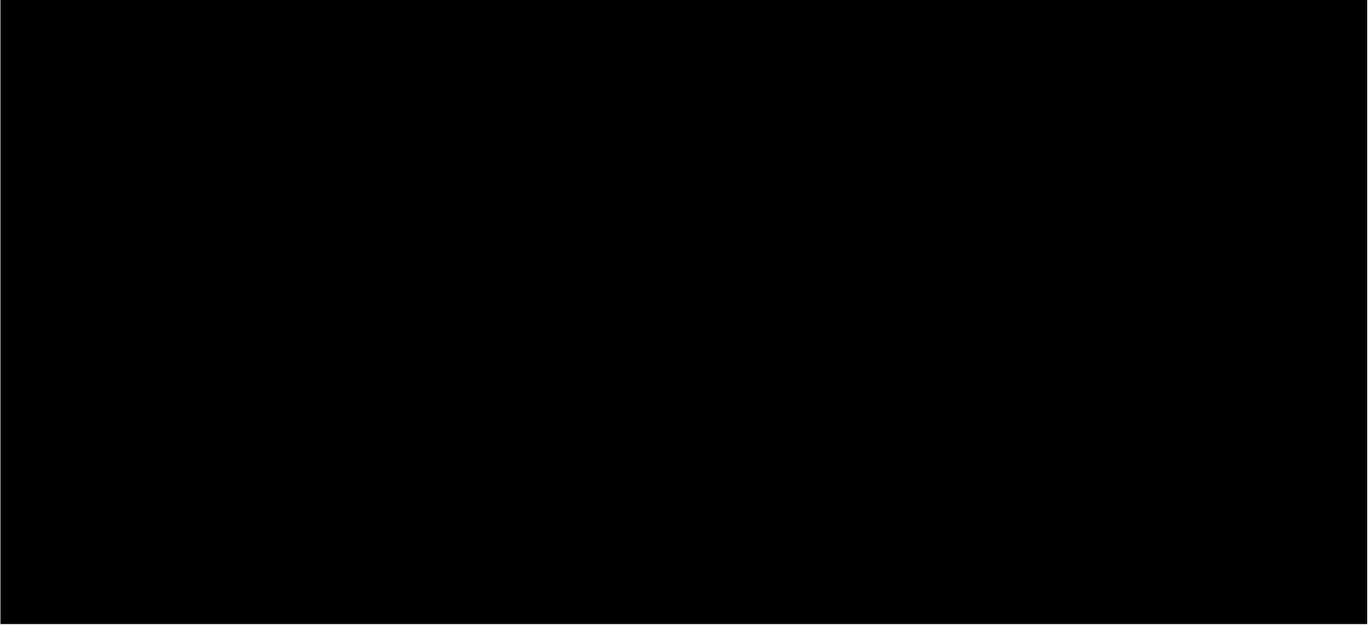


NCIC Search result



11/15/2015 10:10:10 AM

Page 1 of 1



11/15/2015 10:10:10 AM

NCIC Search result



THIS IS A SEARCH RESULT FROM THE NATIONAL CRIMINAL INTELLIGENCE CENTER (NCIC) SEARCH ENGINE. THE RESULTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND DO NOT CONSTITUTE A RECOMMENDATION OR ENDORSEMENT BY THE NCIC. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSES.

EVIDENCE DISPOSITION RECEIPT

Name Ted C. Schmitz

Case Number 19-0325

Date Recovered 2/11/19

Location WCMEO

- 1- Black shoe
- 1- Gray undiepants
- 1- Black athletic shorts
- 2- white/gray sock
- 1- Blue pants (cut)
- 1- Black belt with white metal buckle
- 1- left paper bag (Hand)
- 2- Right paper bag (Hand)
- 1- Paper bag with handles
- 1- 10 cc syringe
- 1- Red biohazard bag
- 1- DNA Card
- 1- CB of xrays
- 1- "Leather" type Necklace with "wood" type pendant
- 1- White ~~sheet~~ (soiled)

- 1- Tin containing: 1g partially jacketed slug from back right side (1 of 2)
- 1- Tin containing: 1g partially jacketed slug from back right side (2 of 2)
- 1- Tin containing: 1g size partially jacketed slug from mid back

Released By Jamie Allen Waukesha County MEO

Received By David Madden Signature

City of West Allis Police Dept Agency

2/11/2019 Date

Secured By _____ Waukesha County MEO

Location _____ Date _____

REQUEST FOR NON-DISCLOSURE OF INFORMATION

Case Number: 19-0325

Decedent Name: Ted C. Schmitz

Date of Death: 02/10/2019

Non-Disclosure Request Date: 02/11/2019

Requestor Name & Title: BRIAN HANCOCK - SERGEANT

Requestor Agency: CITY OF WEST AUNS POLICE DEPT.

The aforementioned agency requests the Waukesha County Medical Examiner's Office not disclose the following information on the above named case due to ongoing investigation.

- Any and all information and documents *ANY QUESTIONS FROM FAMILY, REFER TO LT. TODD CLEMENTI @ (414) 302-0000 WEST AUNS P.D.*
- OR
- Specific information specified below

SGT. [Signature] #2107 02/11/19
Requestor Signature

Non-Disclosure Removal

Date waived: _____

Waived by: _____
(Name and Agency)

Signature: _____



**STATE OF WISCONSIN
DEPARTMENT OF JUSTICE**

WEST Ams PD # 19-005427

Josh Kaul
Attorney General

DLES State Crime Laboratory -
Madison

DLES State Crime Laboratory -
Milwaukee

DLES State Crime Laboratory -
Wausau

Tina R. Virgil
Division Administrator
Division of Law Enforcement
Services
608-267-2791

4626 University Avenue
Madison, WI 53705
Phone 608/266-2031
FAX 608/267-1303
TTY 1-800-947-3529

1578 South 11th Street
Milwaukee, Wisconsin 53204
414/382-7500
FAX 414/382-7507
TTY 1-800-947-3529

7100 Stewart Avenue
Wausau, WI 54401
Phone 715/845-8626
FAX 715/848-5833
TTY 1-800-947-3529

Date: 2/10/19

Laboratory Case #: R19-565

Agency #: 19-065427

Crime Scene Response Team Members, Lisa Trellinger Chris Johnson

Levi Ingebrigtsen, Pamela Taylor, Leah Luckski, Lacey Neuendorf
have been assigned to assist your agency in this investigation.

Under Wisconsin Statutes 165.75 (3)(b), laboratory personnel are not peace officers and have no power of arrest, nor are they to serve or execute criminal process, nor can they be appointed as deputy sheriffs, nor can they be clothed with any police powers. It is therefore the responsibility of your agency to provide scene security.

We will provide technical assistance in locating, documenting and collecting physical evidence. The requesting agency is solely responsible for the complete investigation. All information, evidence and reports on this case are considered confidential by statute. The Crime Laboratory will not provide victims or family members with any information. Any requests for information will be referred to your agency.

We request that you assign a member of your staff, who is familiar with and directly involved in this investigation, to assist our laboratory team. It is hoped our joint effort in this matter will lead to a successful conclusion.

Sincerely,

Nicole L. Roehm

Nicole L. Roehm
Crime Laboratory Bureau Director
Wisconsin State Crime Laboratory

CSR Appendix C - CSR Letter of Introduction — Crime Scene Response Unit Procedure Manual				
Document ID	Revision	Effective Date	Status	Page Number
4431	9	1/9/2019 3:05:28 PM	Published	1 of 1

This controlled document was approved following the document management procedures in the Wisconsin Crime Laboratory Quality System.

WEST Ams P# 19-005427

WISCONSIN DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT SERVICES
STATE CRIME LABORATORY BUREAU

CASE NO R19-565 DATE 2/13/19 TIME 9:05 AM PM
REQUESTING AGENCY West Allis PD AGENCY CASE NO 19-005427

Item Designation	Description
21	- Jump drive of photos (335 photos)

Recovered at: 821 School Drive Waukesha

Recovered by (Print Name) <u>Lisa Treffinger</u>	Signature
Acknowledgement of Receipt - When material is received, sign and date	
Items Transferred <u>21</u>	Date/Time <u>2/13/19</u>
Recipient (Print Name) <u>Sgt. Brian Huch #2101</u>	Signature <u>Sgt. [Signature] #2101 WEST Ams P.D.</u>

19-005427

WISCONSIN DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT SERVICES
STATE CRIME LABORATORY BUREAU

CASE NO 19-505 DATE 2/10/19 TIME AM X PM —

REQUESTING AGENCY West Allis AGENCY CASE NO 19-005427

Item Designation	Description
1	Fired cartridge case (1) on street East of Sycard #48 Federal 45 auto
2	Fired cartridge case (1) " " " " " "
3	Fired cartridge case (1) " " " " " "
4	Fired cartridge case (1) " " " " " "
5	Black folding knife on street south of ^{but all 11:11} Sycard #48
6	White plastic knife on street
7	Newspapers/Clippers on street south of Sycard #48
8	Shoe (1) left on the street
9	Contents of pockets on side walk
10	2 sets of Hand cuffs (silver & black) on side walk south side
11	1 pair of eye glasses with stem on street
12	1 Black knit hat on the street
13	2 swabs of ble possible blood stain on the street
14	clothes with stains on the street
15	white lighter with stain on the street
16	1 pair of black gloves on the street
17	Folding knife from side walk
18	Hand cuff lock on the street (Key pen)
19	2 swabs of possible blood from street by drivers front tire Sycard #48
20	1 cell phone black with stain under clothes (item 14)

Recovered at: 821 school Dr. Waukesha

Recovered by (Print Name) <u>Lisa Treffinger</u>	Signature <u>[Signature]</u>
Acknowledgement of Receipt - When material is received, sign and date	
Items Transferred <u>1-20</u>	Date/Time <u>2/10/19</u>
Recipient (Print Name) <u>Sgt Wayne Treep West Allis PD</u>	Signature <u>[Signature]</u> <u>ep 20 am</u>



Waukesha County

Office of Medical Examiner

Ted C. Schmitz
Case No. 19-0325

Waukesha County, Wisconsin
Date of Autopsy: February 11, 2019

PRELIMINARY AUTOPSY FINDINGS

- I. Gunshot wound to upper chest (A)
 - A. No evidence of soot or gun powder on the skin
 - B. Large size partially jacketed slug recovered from the mid back and retained
 - C. Perforation of ascending aorta, left atrium and right lung, lower lobe
 - D. Direction of wound track: front to back and downward when body is in the anatomic position
- II. Gunshot wound to the right side of chest, (C)
 - A. No evidence of soot or gunpowder on the skin
 - B. Through and through gunshot wound, no slug recovered. Exit wound near right axilla (B)
 - C. Wound track through subcutaneous and muscular tissue.
 - D. Direction of wound track: rightward and upward when body is in the anatomic position
- III. Gunshot wound to lower chest, (D)
 - A. No evidence of soot or gunpowder on the skin
 - B. Large size partially jacketed slug recovered from right side of back and retained
 - C. Perforation of the liver
 - D. Direction of wound track: front to back, rightward and downward when body is in the anatomic position
- IV. Gunshot wound to left side of abdomen (E)
 - A. No evidence of soot or gunpowder on the skin
 - B. Large size partially jacketed slug recovered from right side of back and retained
 - C. Perforation of small bowel, right kidney and liver
 - D. Direction of wound track: left to right, front to back and upward when the body is in the anatomic position
- V. Cardiomegaly with left ventricular hypertrophy
- VI. Coronary artery atherosclerosis, moderate

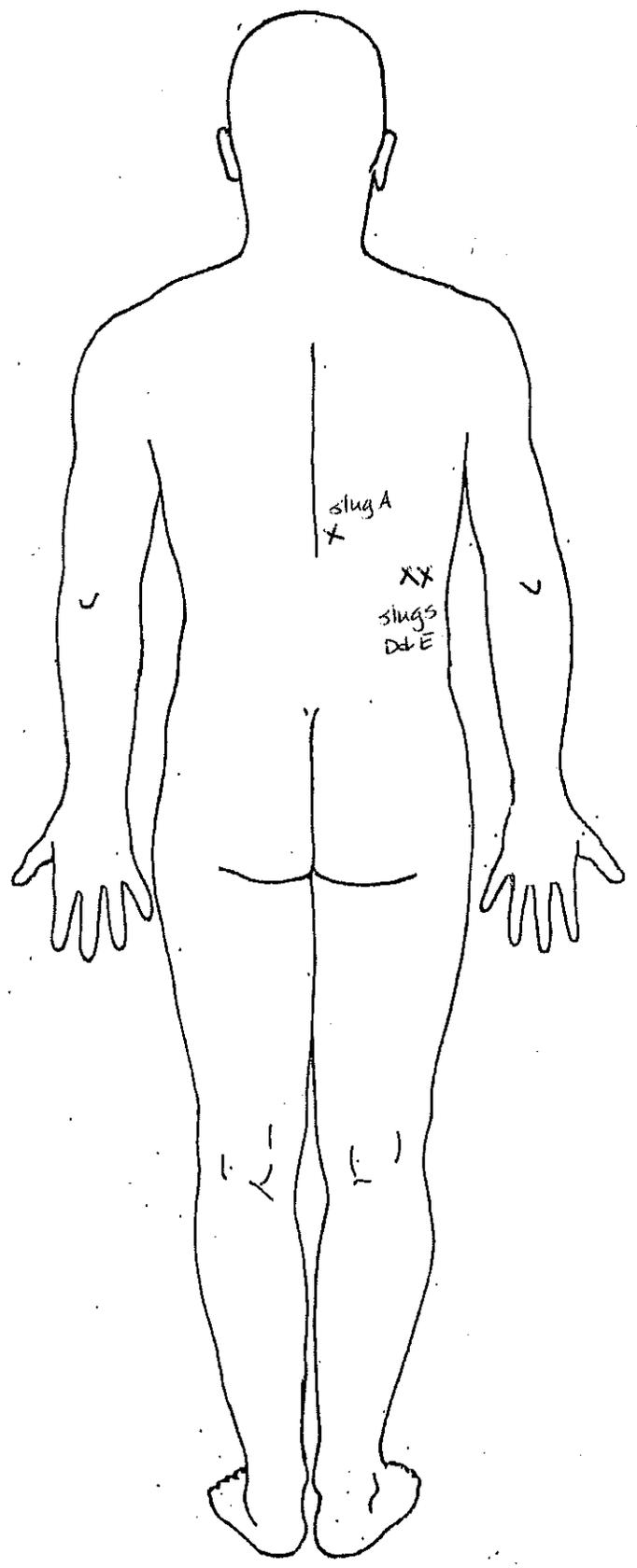
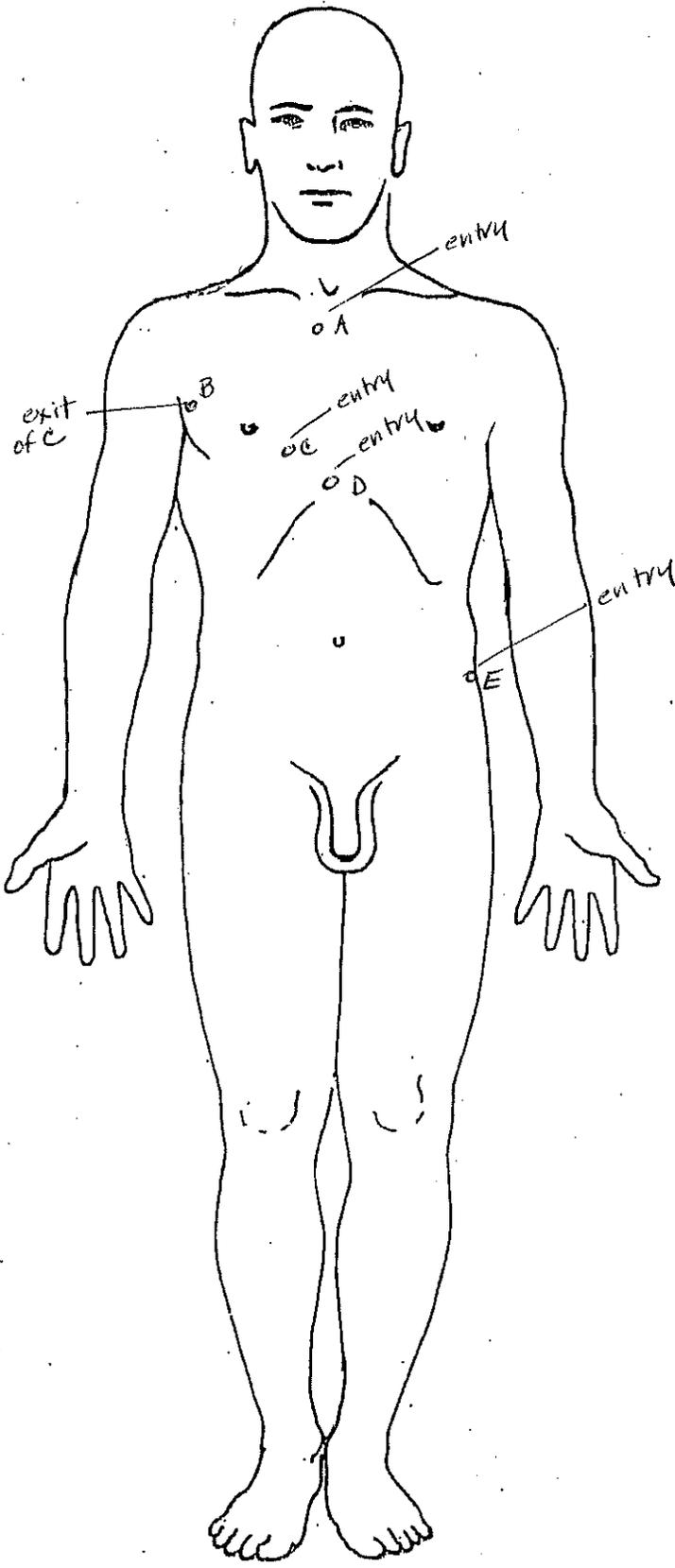
Lynda Biedrzycki, MD
Medical Examiner

Name

Ted C. Schmitz

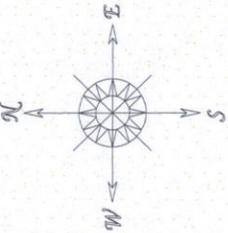
Case No.

19-0325



2019-044-SER

Location: 810 School Drive
City of Waukesha, County of Waukesha
Date of Incident: February 10, 2019
Measured by: Pete Moe
Drawn by: Pete Moe



Pete Moe

814 School Drive

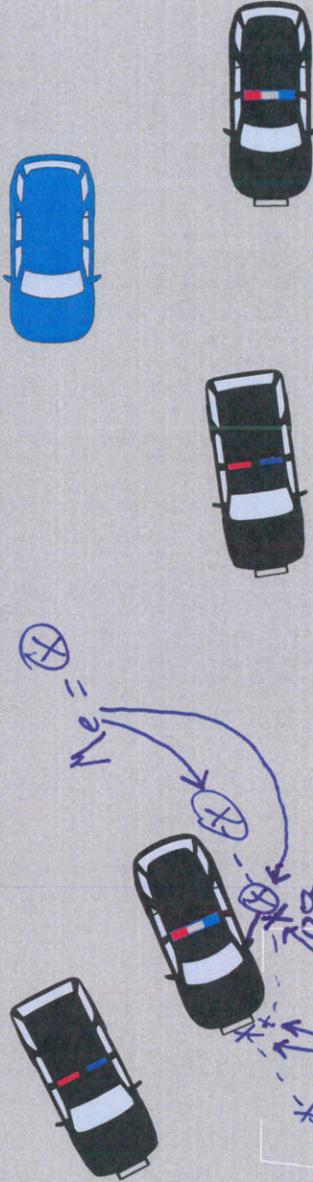
810 School Drive

School Drive

Sidewalk

Ramp

Park Entrance

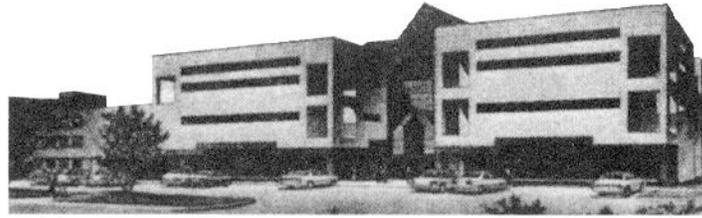


Area of white knife
Area of Knife before being kicked

Pete Moe



OFFICE OF THE SHERIFF



515 W. Moreland Blvd.
Box 1488
Waukesha, WI 53187

Waukesha County Jail
Box 0217
Waukesha, WI 53187

Waukesha County Huber
1400 Northview Road
Waukesha, WI 53188

ERIC SEVERSON, *Sheriff*

Matter-of

To: Medical Examiner's Office

Date: 02/11/2019

Reference: Fingerprint Identification of Deceased Subject

On Monday February 11, 2019, I used the MorphoMobile Fast ID machine to identify a deceased subject. Using the subject's left and right index fingerprints, he was identified as Ted Charles Schmitz (DOB: 12/23/1964) with a Wisconsin State ID Number of WI221484.

Respectfully submitted,

Sara Habermann
Waukesha Sheriff's Department

An Accredited Law Enforcement Agency

Administration: 262-548-7126 Records: 262-548-7156 Process: 262-548-7151 Jail: 262-548-7170 Huber: 262-548-7181 Fax: 262-548-7887

Report for Transaction TCN1542047920190211104914007

Request

Operator name: shabermann
Created: 2/11/2019 10:49:14 AM
DeviceName: MorphoIDent
DeviceSerialNumber: 15420479
DeviceFirmwareRevision: 05.00.02.00
DeviceCaptureId: 1322

Biometrics have been omitted as per configuration.

Response from WDOJ

SCHMITZ, TED CHARLES (Hit)

NAME: SCHMITZ, TED CHARLES
SID: 000000221484
DOB: 12231964
SEX: M
RAC: W
ORI: WI0680000



Waukesha County
Office of Medical Examiner

February 19, 2019

Re: Ted C. Schmitz
Waukesha County Medical Examiner Case #: 19-0325
Date of Birth: 12/23/1964 ▪ Date of Death: 02/10/2019

To Whom It May Concern,

The Waukesha County Medical Examiner's Office has investigated the death of Ted. C. Schmitz. Lynda Biedrzycki, M.D., Medical Examiner performed an autopsy on February 11, 2019.

Cause of death is multiple gunshot wounds. Manner of death is Homicide. As stated on the death certificate, this fatal injury occurred at 00:44 hours on February 10, 2019 when the decedent was shot by another (Glock .45 semiautomatic).

A death certificate has been signed and filed with the Waukesha County Register of Deeds and the Wisconsin Vital Records office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley Kirchenberg".

Ashley Kirchenberg
Administrative Assistant

Waukesha Police Department
 Call Detail Report Reverse Chronological Order



19.007469	821 School Dr		Well-Being Check (WELLCHK)
Reported	02/10/2019	0:33:48	Units 2101 - P270 - Jack, Russell P
Priority	3		2201 - P299 - Anderson, Brad S
Case#	19-007469		212 - P291 - Mackowski, Debra G
Stacked	0:34:53		2109 - P387 - Rice, Kevin W
Dispatched	0:36:11		208 - P412 - Fredrick, Richard D
Arrived	0:42:41		218 - P414 - Paulson, Katie R
Finished	9:53:03		206 - P420 - Fink, Jason C
Disposition	Cleared/No Report		2204 - P431 - Daily, David M
			401 - P441 - Hallmark, Lukas D
			1110 - P442 - Becker, Bradley Scott
			2208 - P448 - Esser, Brady T
			WKSO - wkso - Waukesha County Depu
			222 - P468 - Edwards, Ryan H
			118 - P472 - Arellano, Jose L
			1209 - P476 - Gawrisch, David J
			104 - P477 - Wittnebel, Darin J
			112 - P507 - Kenealy, Patrick L
			114 - P509 - Condon, Bradley R
			110 - P527 - Riedel, Brenna L
			116 - P531 - Spakowicz, Bryan R
			106 - P538 - Fletcher, Terrence R
			TS1 - P568 - Stern, Benjamin M
			112 - P593 - Cde Baca, Jacob M

Waukesha Police Department

Call Detail Report Reverse Chronological Order



Notes

2/10/19 0:34	Names Added : Schmitz Ted Charles
2/10/19 0:33	Ted schmitz is walking around the area and is threatening to slit his wrists, schmitz is a larger male
2/10/19 0:36	Dispatched: TS1, 106
2/10/19 0:37	Ts there is pc for theft/forgery/uttering
2/10/19 0:39	Dispatched: 118
2/10/19 0:39	Dispatched: 114
2/10/19 0:40	Dispatched: 104, 116
2/10/19 0:40	114 10-78 shots fired safe app off school from prairie, 10-52, mult gun shot wounds, male is breathing, he had mult weapons
2/10/19 0:40	Update reviewed by dispatcher- Miles, Amanda M-P563
2/10/19 0:41	104 close down school at center
2/10/19 0:42	still have agonal breathing
2/10/19 0:42	Dispatched: 110
2/10/19 0:43	ts has cen.sch shut down
2/10/19 0:44	1209 1110 has been advised
2/10/19 0:44	116 beginning cpr, fire can approach from school
2/10/19 0:45	Dispatched: 112
2/10/19 0:45	Dispatched: 1209
2/10/19 0:56	1209 command
2/10/19 1:00	ts riding in 10-52
2/10/19 1:09	Unit : WKSO , Loc Changed for On-Scene from { Center Rd/School Dr;sch.cen } to { S Prairie Ave/School Dr;pra.sch {Center Rd/School Dr;sch.cen} }
2/10/19 1:28	Dispatched: 2101
2/10/19 1:31	1209- two new berlin squads will be available to take any calls pending
2/10/19 1:33	room 19
2/10/19 1:36	Dispatched: 1110
2/10/19 1:38	mark the time
2/10/19 1:40	Dispatched: 2204
2/10/19 1:47	e3 in servie at hosp a53 and E1 out of service at the hosp
2/10/19 2:07	Unit : 2109 , Loc Changed for On-Scene from { Center Rd/School Dr;sch.cen } to { S Prairie Ave/School Dr;pra.sch {Center Rd/School Dr;sch.cen} }
2/10/19 2:08	Dispatched: 2201
2/10/19 2:17	1110 has patrol command, 2109 has incident command
2/10/19 2:21	Engine 1 Darren Becker Matt Gundersen Mike Whitehouse
	Ambulance 53 Joe Coffey Sara Murray
	Engine 3 Dan Holehouse Steve Putchinski Pete Oleniczak
2/10/19 2:26	Loc changed from {Center Rd/School Dr} to {810 School Dr}
2/10/19 2:26	Update reviewed by dispatcher- Orgas, James E

Waukesha Police Department

Call Detail Report Reverse Chronological Order



2/10/19 2:26	Update reviewed by dispatcher- Orgas, James E
2/10/19 2:26	Update reviewed by dispatcher- Orgas, James E
2/10/19 2:26	Update reviewed by dispatcher- Orgas, James E
2/10/19 2:31	Unit : 2208 , Loc Changed for On-Scene from { 810 School Dr } to { S Prairie Ave/School Dr;pra.sch {810 School Dr} }
2/10/19 2:53	Loc changed from {810 School Dr} to {821 School Dr;Prairie Park Shelter}
2/10/19 2:53	Update reviewed by dispatcher- Orgas, James E
2/10/19 3:09	Names Added : [REDACTED]
2/10/19 3:12	Dispatched: 212
2/10/19 3:22	Update reviewed by dispatcher- Orgas, James E
2/10/19 3:40	Dispatched: 222
2/10/19 3:59	Dispatched: 218, 208
2/10/19 4:10	Plates Added : 316VHX; 504XVJ; 988YMF;
2/10/19 4:10	Update reviewed by dispatcher- Miles, Amanda M-P563
2/10/19 4:10	Update reviewed by dispatcher- Miles, Amanda M-P563
2/10/19 4:11	Unit : 401 , Loc Changed for On-Scene from { 821 School Dr;Prairie Park Shelter } to { S Prairie Ave/School Dr;pra.sch {821 School Dr;Prairie Park Shelter} }
2/10/19 4:12	
2/10/19 5:31	Prime Unit Changed to - 2109
2/10/19 5:31	Case created - 19-007469
2/10/19 5:39	Names Added : [REDACTED]
2/10/19 5:40	[REDACTED]
2/10/19 5:40	Wp;
2/10/19 5:40	Names Updated : Name changed from [REDACTED]
2/10/19 5:41	Names Updated : [REDACTED]
2/10/19 5:41	Names Updated : Name changed from [REDACTED]
2/10/19 5:41	Names Updated : Name changed from [REDACTED]
2/10/19 5:44	Names Updated : [REDACTED]
2/10/19 5:47	Chap Ryder ETA 5 min at CP for next of kin notification
2/10/19 5:54	Dispatched: 218
2/10/19 6:13	Mait team members, chaplain hallmark and me making notification.
2/10/19 6:22	Notification at [REDACTED]
2/10/19 6:28	Spwk on scene.
2/10/19 6:37	Notification made, no problems. talking to the [REDACTED]
2/10/19 7:10	Dispatched: 206
2/10/19 7:29	per 2201, fleets 8 and 26 are ready to be transported back to the PD
2/10/19 7:29	Update reviewed by dispatcher- Jansen, Brian D-P278
2/10/19 7:54	Confirmed with It habanek, hosp strike team disbanded. body with ME
2/10/19 7:59	fleet 8 and 26 being returned to pd
2/10/19 9:31	command post - have fire responds to assist with some scene cleanup, and also to return the command post to station 1

Waukesha Police Department Call Detail Report Reverse Chronological Order



Names

Other

Schmitz, Ted Charles
1206 Lambeth Rd, #4
Waukesha, WI 53189

Sex> Male Race> White
DOB> 12/23/64

Field Interrogation

[REDACTED]

[REDACTED]

Witness

[REDACTED]

[REDACTED]

Witness

Witness

Witness

Witness

Witness

Witness

[REDACTED]

[REDACTED]

Waukesha Police Department

Call Detail Report Reverse Chronological Order



Unit History	CC	Date/Time	Unit	Officer	Operator	Disposition
	DI	02/10/19 00:36:11	106	P538	P513	
	DI	02/10/19 00:36:11	TS1	P568	P513	
	DI	02/10/19 00:39:10	118	P472	P513	
	DI	02/10/19 00:39:28	114	P509	P513	
	AC	02/10/19 00:39:31	118	P472	P472	
	EN	02/10/19 00:39:50	106	P538	P513	
	EN	02/10/19 00:39:50	114	P509	P513	
	EN	02/10/19 00:39:50	118	P472	P513	
	EN	02/10/19 00:39:50	TS1	P568	P513	
	DI	02/10/19 00:40:00	104	P477	P513	
	DI	02/10/19 00:40:00	116	P531	P513	
	EN	02/10/19 00:41:39	104	P477	P513	
	DI	02/10/19 00:42:37	110	P527	P513	
	OS	02/10/19 00:42:41	106	P538	P513	
	OS	02/10/19 00:42:43	104	P477	P513	
	EN	02/10/19 00:43:19	116	P531	P513	
	OS	02/10/19 00:43:22	116	P531	P513	
	OS	02/10/19 00:43:26	TS1	P568	P513	
	OS	02/10/19 00:43:45	118	P472	P513	
	OS	02/10/19 00:43:50	114	P509	P513	
	EN	02/10/19 00:44:00	110	P527	P513	
	DI	02/10/19 00:45:01	112	P593	P513	
	DI	02/10/19 00:45:01	112	P507	P513	
	EN	02/10/19 00:45:13	112	P593	P513	
	EN	02/10/19 00:45:13	112	P507	P513	
	OS	02/10/19 00:45:18	112	P593	P513	
	OS	02/10/19 00:45:18	112	P507	P513	
	OS	02/10/19 00:45:21	110	P527	P513	
	DI	02/10/19 00:45:30	1209	P476	P513	
	EN	02/10/19 00:45:43	1209	P476	P513	
	EH	02/10/19 01:00:54	TS1	P568	P513	
	OS	02/10/19 01:06:31	1209	P476	P513	
	DI	02/10/19 01:09:36	WKSO	wkso	P563	
	OS	02/10/19 01:09:36	WKSO	wkso	P563	
	DI	02/10/19 01:28:57	2101	P270	P513	
	EN	02/10/19 01:29:08	2101	P270	P513	
	OS	02/10/19 01:33:11	TS1	P568	p575	
	DI	02/10/19 01:36:35	1110	P442	p575	
	EN	02/10/19 01:36:49	1110	P442	p575	
	DI	02/10/19 01:40:45	2204	P431	p575	
	EN	02/10/19 01:40:56	2204	P431	p575	
	OS	02/10/19 01:44:24	1110	P442	p575	
	OS	02/10/19 02:00:29	2101	P270	P413	

Waukesha Police Department

Call Detail Report Reverse Chronological Order



OS	02/10/19 02:00:29	2204	P431	P413	
DI	02/10/19 02:07:14	2109	P387	P513	
OS	02/10/19 02:07:14	2109	P387	P513	
DI	02/10/19 02:08:17	2201	P299	P513	
EN	02/10/19 02:08:29	2201	P299	P513	
EN	02/10/19 02:09:24	112	P593	p575	
EN	02/10/19 02:09:24	112	P507	p575	
OS	02/10/19 02:20:42	2201	P299	924	
DI	02/10/19 02:31:27	2208	P448	924	
OS	02/10/19 02:31:27	2208	P448	924	
EN	02/10/19 02:32:15	114	P509	p575	
EN	02/10/19 02:32:15	118	P472	p575	
OS	02/10/19 02:32:18	114	P509	p575	
OS	02/10/19 02:32:18	118	P472	p575	
FI	02/10/19 02:36:05	116	P531	P513	Cleared/No Report
FI	02/10/19 02:36:06	104	P477	P513	Cleared/No Report
EN	02/10/19 02:39:04	2201	P299	924	
OS	02/10/19 02:39:10	2201	P299	924	
EN	02/10/19 02:40:13	2201	P299	924	
OS	02/10/19 02:40:25	2201	P299	924	
EN	02/10/19 02:41:04	2101	P270	924	
OS	02/10/19 02:49:41	2101	P270	924	
NC	02/10/19 02:58:38	114	P509		
NC	02/10/19 02:58:59	114	P509		
NC	02/10/19 02:59:35	114	P509		
NC	02/10/19 02:59:53	114	P509		
EN	02/10/19 03:03:46	1209	P476	p575	
OS	02/10/19 03:03:49	1209	P476	p575	
NC	02/10/19 03:10:03	114	P509		
DI	02/10/19 03:12:56	212	P291	p575	
EN	02/10/19 03:13:02	212	P291	p575	
FI	02/10/19 03:17:41	1209	P476	p575	Cleared/No Report
NC	02/10/19 03:18:00	2109	P387		
NC	02/10/19 03:18:45	2109	P387		
NC	02/10/19 03:19:15	2109	P387		
NC	02/10/19 03:19:51	2109	P387		
FI	02/10/19 03:30:10	110	P527	P513	Cleared/No Report
OS	02/10/19 03:39:49	212	P291	P513	
DI	02/10/19 03:40:07	222	P468	P513	
EN	02/10/19 03:40:16	222	P468	P513	
OS	02/10/19 03:40:24	222	P468	P513	
OS	02/10/19 03:42:01	112	P593	P513	
OS	02/10/19 03:42:01	112	P507	P513	
ES	02/10/19 03:55:47	TS1	P568	P513	

Waukesha Police Department

Call Detail Report Reverse Chronological Order



OS	02/10/19 03:55:49	TS1	P568	P513	
DI	02/10/19 03:59:54	208	P412	P513	
DI	02/10/19 03:59:54	218	P414	P513	
AC	02/10/19 04:00:02	218	P414	P414	
EN	02/10/19 04:00:08	208	P412	P513	
EN	02/10/19 04:00:08	218	P414	P513	
OS	02/10/19 04:08:03	208	P412	P513	
OS	02/10/19 04:08:03	218	P414	P513	
DI	02/10/19 04:11:55	401	P441	p575	
OS	02/10/19 04:11:55	401	P441	p575	
EN	02/10/19 04:12:04	401	P441	p575	
OS	02/10/19 04:12:07	401	P441	p575	
ES	02/10/19 04:22:12	1110	P442	P513	
ES	02/10/19 04:22:12	208	P412	P513	
FI	02/10/19 04:27:15	218	P414	P513	Cleared/No Report
OS	02/10/19 04:31:59	1110	P442	P513	
OS	02/10/19 04:31:59	208	P412	P513	
FI	02/10/19 04:39:56	112	P593	P563	Cleared/No Report
FI	02/10/19 04:39:56	112	P507	P563	Cleared/No Report
OD	02/10/19 04:40:12	208	P412	p575	
FI	02/10/19 05:03:37	208	P412	P513	Cleared/No Report
EN	02/10/19 05:05:22	WKSO	wkso	924	
OS	02/10/19 05:05:29	WKSO	wkso	924	
DI	02/10/19 05:54:26	218	P414	P513	
EN	02/10/19 05:54:33	218	P414	P513	
FI	02/10/19 06:08:15	2208	P448	p575	Cleared/No Report
EN	02/10/19 06:21:20	401	P441	924	
OS	02/10/19 06:21:30	401	P441	924	
OS	02/10/19 06:29:58	218	P414	P513	
FI	02/10/19 06:56:09	1110	P442	P513	Cleared/No Report
FI	02/10/19 06:56:09	114	P509	P513	Cleared/No Report
FI	02/10/19 06:56:09	118	P472	P513	Cleared/No Report
FI	02/10/19 06:56:28	TS1	P568	P513	Cleared/No Report
FI	02/10/19 06:56:28	WKSO	wkso	P513	Cleared/No Report
FI	02/10/19 06:56:49	2101	P270	P513	Cleared/No Report
EN	02/10/19 06:58:11	106	P538	924	
OS	02/10/19 07:02:52	106	P538	924	
FI	02/10/19 07:03:05	106	P538	924	Cleared/No Report
EN	02/10/19 07:07:45	401	P441	924	
OS	02/10/19 07:07:51	401	P441	924	
DI	02/10/19 07:10:58	206	P420	P348	
AC	02/10/19 07:11:37	206	P420	P420	
FI	02/10/19 07:18:48	401	P441	P348	Cleared/No Report
OS	02/10/19 07:20:21	206	P420	924	

Friday, February 15, 2019 15:02:15

For official use only

Waukesha Police Department

Call Detail Report Reverse Chronological Order



FI	02/10/19 07:20:52	218	P414	P348	Cleared/No Report
FI	02/10/19 08:56:18	2201	P299	P348	Cleared/No Report
FI	02/10/19 09:37:48	2204	P431	P348	Cleared/No Report
FI	02/10/19 09:52:01	212	P291	P348	Cleared/No Report
FI	02/10/19 09:53:03	206	P420	P348	Cleared/No Report
FI	02/10/19 09:53:03	2109	P387	P348	Cleared/No Report
FI	02/10/19 09:53:03	222	P468	P348	Cleared/No Report

LIMITED RECONSTRUCTION REPORT

RECONSTRUCTION CASE #: **2019-044-SER**

REGIONAL CFS: 000113-0646

REPORTING RECONSTRUCTIONIST: **Pete Moe**, ACTAR #2709

CASE TYPE: **Death Investigation**



February 10, 2019

- FORWARD -

Death Investigation is a comprehensive subject with many facets and specialty fields. The primary responsibility of the investigation is to document and preserve all available physical evidence. The following reconstruction is limited to the subjects stated herein. The author and the Wisconsin State Patrol reserve the right to conduct a more extensive analysis of the available material on a later date as necessity dictates. This document contains information that is sensitive and must be reviewed by the author prior to releasing publicly. Specifically, if text contains information that may lead to the identity of an informant, undercover operative or juvenile, it must be reviewed. This document was produced as a result of an official law enforcement investigation. Contents, in whole or part, are privileged by s. 905.09, Wis. Stats., and may not be used without express permission of the reporting Wisconsin State Patrol officer or appropriate prosecutor.

- **Request for Assistance:**

On February 10, 2019, at approximately 5:50 a.m., this author was contacted by the Wisconsin State Patrol Southeast Region Communications Center and requested to assist with the forensic mapping of an officer involved shooting scene. The scene was located in front of 810 School Drive, which is in the City of Waukesha, Wisconsin. This author, along with Trooper Scott Daring responded to the scene.

Upon arrival, Wisconsin State Crime Laboratory Supervisor Christopher Johnson briefed this author on the facts surrounding the incident. This author was notified my involvement was limited to the collection, and preservation of the data that was identified and sequentially numbered by the Wisconsin Crime Laboratory. Utilizing a Trimble S6 Robotic Total Station, this author mapped the numbered evidence. Trooper Darin exposed 23 photographs of the scene, and evidence utilizing a Canon T6i digital camera.

Summary

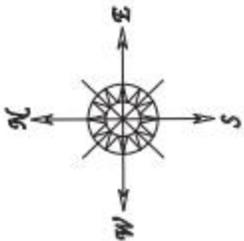
This report accurately reflects my involvement in this death investigation.

Respectfully submitted,



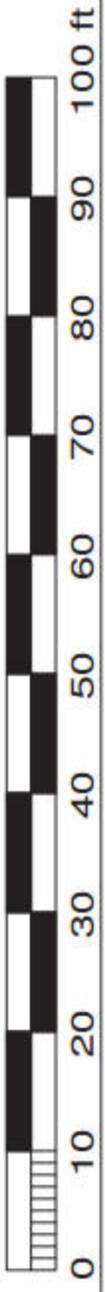
Trooper Peter M. Moe
Technical Reconstruction Unit
ACTAR – Accredited Crash Reconstructionist #2709
Specialized Services Section
Milwaukee, WI 53202





2019-044-SER

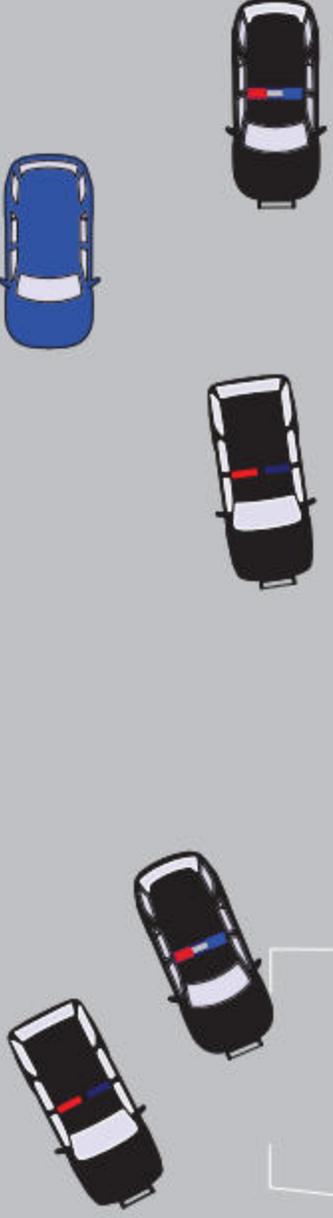
Location: 810 School Drive
City of Waukesha, County of Waukesha
Date of Incident: February 10, 2019
Measured by: Pete Moe
Drawn by: Pete Moe



814 School Drive

810 School Drive

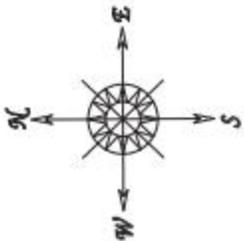
School Drive



Ramp

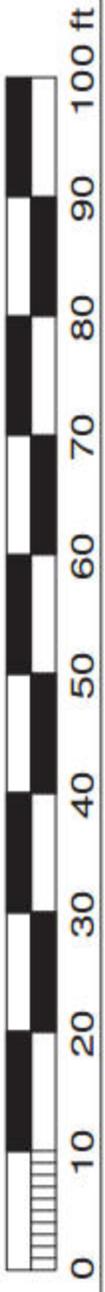
Sidewalk

Park Entrance



2019-044-SER

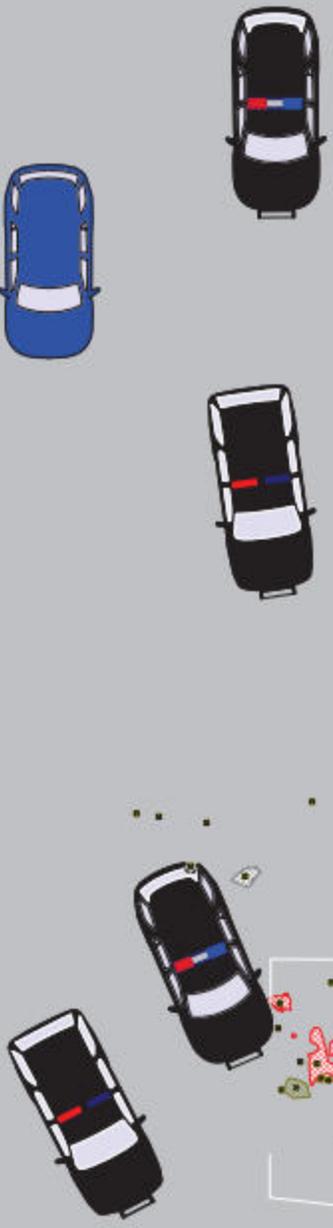
Location: 810 School Drive
City of Waukesha, County of Waukesha
Date of Incident: February 10, 2019
Measured by: Pete Moe
Drawn by: Pete Moe



814 School Drive

810 School Drive

School Drive



Ramp

Sidewalk

Park Entrance

WAUKESHA COUNTY MEDICAL EXAMINER'S OFFICE

EVIDENCE DISPOSITION RECEIPT

Name Ted. C. Schmitz

Case Number 19-0325

Date Recovered 2/12/19

Location WCMED

photo disc 10

Released By [Signature] Waukesha County MEO

Received By Dave Madden Signature

City of Waukesha Agency

02/18/2019 Date

Secured By _____ Waukesha County MEO

Location _____ Date _____



Submitting Agency:

Chief Patrick S. Mitchell
Attn: Chris Marks
West Allis Police Department
11301 West Lincoln Avenue
West Allis WI 53227

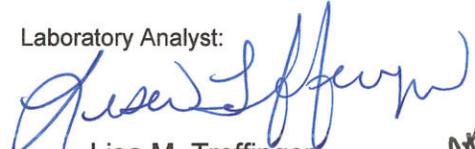
Date: February 27, 2019

Case No: R19-565

Report No: 3

Agency No: 19-005427

Laboratory Analyst:

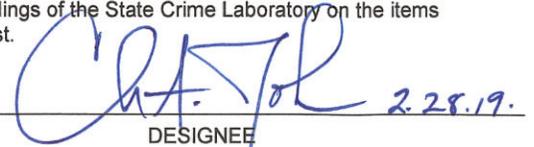

Lisa M. Treffinger
(Crime Scene Response)

JMA
2-28-19

Case Name: Schmitz, Ted C. [D]

I do hereby certify this document, consisting of 2 page(s), to be a true and correct report of the findings of the State Crime Laboratory on the items examined as shown by this report. This report contains the conclusions of the above signed analyst.

Joshua L. Kaul
ATTORNEY GENERAL


DESIGNEE 2-28-19

On Sunday February 10, 2019, at approximately 2:40 am, Lieutenant Brian Saftig (West Allis Police Department) of the Milwaukee Area Investigative Team (MAIT) requested technical assistance from the Wisconsin State Crime Laboratory concerning the Death Investigation of Ted C. Schmitz (DOB 12/23/1964).

The Crime Scene Response Team (CSRT) consisting of Lisa Treffinger, Christopher Johnson, Levi Ingebrigtsen, Pamela Taylor, and Lacy Neuendorf departed the laboratory at 4:20 am. Lisa Treffinger went directly to the scene at 821 School Drive in Waukesha, WI. She arrived at 3:35 am and was briefed by Captain Chris Marks from the West Allis Police Department (WAPD). The rest of the CSRT arrived at approximately 4:55 am.

The body of Ted C. Schmitz had been transported to the hospital before the CSRT arrived. His clothes were reportedly cut off his body but remained in the street. Additionally, a shoe, knit hat, cell phone and contents of his pockets lay on the surface of School Drive. Note: Multiple stains within the scene exhibited the physical characteristics of bloodstains. Within the text of this report, such stains are assumed to be deposits of blood. Possible bloodstains were on the street, as well as miscellaneous medical supplies that remained on and around School Drive and the sidewalk.

The scene was photographed by Pamela Taylor and video recorded by Levi Ingebrigtsen. The scene was examined as well as searched for potential evidence by the CSRT.



The scene was also scanned / documented by Wisconsin State Patrol Troopers Peter Moe and Scott Darin of the Technical Reconstruction Unit.

A total of twenty (20) items of evidence, as described on the Receipt of Physical Evidence, were collected by the CSRT:

- Four (4) fired cartridge cases, Federal 45 Auto (Items 1- 4) collected from the surface of School Drive
- Three (3) knives, Item 5 - folding knife on the street, Item 6 - white plastic knife on the street, and Item 17 - folding knife on the sidewalk
- Swabs from stains on the surface of the street, Item 13 - from where the body lay and Item 19 - near the front driver's tire of squad 48
- Four items of clothing were collected from the street, Item 8 - shoe, Item 12- knit hat, Item 14 - pile of clothes, and Item 16 - pair of gloves
- One cell phone, Item 20
- Four items were collected from the street, Item 7 - newspaper, Item 11 – eye glasses, Item 15 – white lighter, and Item 18 – handcuff pen/key
- Two items were collected from the sidewalk, Item 9 - contents of pockets and Item 10 - 2 sets of handcuffs

All items of evidence were transferred to and retained by Detective Sergeant Wayne Treep of the WAPD.

At approximately 9:45 am on February 10, 2019, the CSRT completed scene processing and departed the scene.

Enclosed with this report are five sets of distribution materials which include the following:

- 17 index prints
- One CD containing a PDF file with all 335 images
- One DVD with video of the scene
- One Photo log (17 pages) containing descriptions of the photographs

Original case related materials will be retained at the State Crime Laboratory in Milwaukee and are available should these materials be needed by the requesting agency.



Waukesha Police Department

Incident Report

Incident: Burglary Forced - Non Res Unk

Incident Report Number: 19-002635 Between: Date - Time And/At: Date-Time 1/14/19 12:58

Incident Location:

CFS Code-1: 0516 CFS Code-2: 1010 CFS Code-3: Offense Code-4: CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

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

Address: (Address, City, State, Zip) Home Phone Number

Employer Work Phone Number

Employer Address Cell Phone Number

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

Address: (Address, City, State, Zip) Home Phone Number

Employer Work Phone Number

Employer Address Cell Phone Number

SUMMARY

On Monday, January 14th, 2019, at approximately 1258 hours, Fleet 18, Squad area 212, I, Officer Pipia, responded to [redacted] for a theft complaint. Upon investigation, [redacted] had a total of \$200.00 worth of items taken from the office. There was no sign of forced entry into the office.

These actions were taken per Sgt. Esser's authority.

Fleet 18's MAVRS (Mobile Audio Video Recording System) was not activated during this incident.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#

Reporting Officer(s): Pipia, Steven R. Payroll Number : 597 Report Date: 01/14/2019

Time Received: 12:58:30 Time Cleared: 14:26:38 Unit(s) Assigned: 212 Pages: 1 Of 6

Reviewed by: Becker, Bradley S. Payroll Number : 442 Copy To

Date: 01/14/2019 CFS Code-1: 0516 Incident Report Number: 19-002635

Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

NARRATIVE

On Monday, 01/14/2019, at approximately 1258 hours, fleet 18, squad area 212, I, Officer Pipia was dispatched to [REDACTED], for a theft complaint. While en route, Dispatch advised the center had been entered over the weekend and several items were taken through the office.

Upon arrival, I made contact with [REDACTED]

[REDACTED] who stated an individual had entered the office area and had taken items from throughout the office. [REDACTED] stated her desk was on the north end of the office next to the door, and this unknown individual had taken several food items from her drawer, a pair of scissors and Post-It notes, and notepads. She said the total value of those items taken were approximately \$45.00. [REDACTED] stated an iPhone charger had been taken from her desk with a value of \$10.00. [REDACTED] stated there were a set of keys that had been taken off of her desk. She showed me a pink and yellow box that the keys had been in on her desk. [REDACTED] stated the following items were taken as well: Post-Its, Tums, rubber bands, notepads, stamps, scissors, and food from her drawer as well which had a total value of \$45.00. She also stated an Office Depot credit card had been taken, credit card number [REDACTED], and a debit card from the Waukesha State Bank which she did not know the credit card number to. [REDACTED] had already cancelled the two credit cards. [REDACTED] stated the keys that were taken belonged to the file cabinet that was located on the south wall of the office. Each drawer was labeled with the contents and third drawer down contained financial documents.

[REDACTED] gave permission for officers to forcibly open the file cabinet due to the only key belonging to the file cabinet had been taken. In the third drawer, there was a box of blank checks, account number [REDACTED], which [REDACTED] advised six checks had been missing; check numbers 128860 through check number 128866 had been taken. [REDACTED] also stated the petty cash box had been cleaned out, and there was approximately \$100 missing from the petty cash box.

[REDACTED] stated she left the office on Thursday, 01/10/2019 at 3:00 p.m., and nobody had returned from the business until 01/14/2019 at 7:30 a.m. [REDACTED] stated she had locked the door prior to leaving. There were no signs of forced entry into the business. There are no cameras in the vicinity that could have recorded the incident.

[REDACTED] stated nobody had keys to the door, and she had no suspects or individuals in mind that could have entered the business.

On Thursday, 01/17/2019, [REDACTED] had contacted me stating one of the blank checks that had been taken had been cashed. She also stated she had suspect information due to the individual writing his name on the check.

Reporting Officer(s):

Pipia, Steven R.

Payroll Number :

597

Pages:

2 Of 6

Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

I made contact with [REDACTED], who provided me a copy of check #12866, account # [REDACTED], that had paid to the order of Ted C. Schmitz for a total of \$873.09. In the memo of the check, it says paid in full - work completed, and a forged signature of [REDACTED]. [REDACTED] stated she had never written out a check to Ted Schmitz and her signature was different. [REDACTED] showed me what her actual signature looks like. The major difference between the signatures are the letter [REDACTED]. On the back of the check, Ted C. Schmitz had been signed and there are paid to the order of [REDACTED], line down, First Tennessee Bank for deposit only [REDACTED], return checks to Wells Fargo Bank.

[REDACTED] stated Schmitz used to be a custodian for the entire building, which contained [REDACTED]. [REDACTED] stated Schmitz had access to keys to the entire building during the time of his employment. He also is a current member of the [REDACTED] on the lower level of the building and a member of the [REDACTED], located in the building as well.

After I spoke with [REDACTED], the [REDACTED] brought me to his office and showed me damage to the door frame that possibly was done by the same individual that entered the office of [REDACTED]. The pastor stated there was damage to the door frame that had been fixed previously and after looking at it, it appeared somebody had damaged it again. The door frame had several scraps near the door handle on the frame itself, but the door had not been breached. See photos for more details.

I responded to [REDACTED] located at [REDACTED] to obtain information in regards to the check. I made contact with [REDACTED], who stated she was working on 01/11/2019. I asked [REDACTED] about the check and if she knew who Schmitz was, and she stated, "Fucking Ted." [REDACTED] stated he came in on 01/11/2019 with a check for \$873.09 from [REDACTED]. She said she had attempted six times to cash the check that was presented to her. She provided times of cash attempts with the following times: 0952, 1002, 1216, 1404, 1433, and at 1458 she was able to cash the check.

[REDACTED] stated Schmitz hangs around the business and will talk to random people. She stated he asked her if he brought in multiple checks, if she would be able to cash them, and she stated yes. [REDACTED] said Schmitz had obtained the check from another individual who had done work for [REDACTED]. [REDACTED] also stated that Schmitz had received the check from [REDACTED].

[REDACTED] advised that the [REDACTED] would be in contact with me to start the legal process for the check issue. Upon investigation, there is probable cause for Schmitz to be arrested for Theft, in violation of State Statute 943.20(1), Forgery in violation of State Statute 943.38(1), and Uttering in violation of Wisconsin State Statute 943.38(2).

This completes the initial investigation. Schmitz still needs to be located and

Reporting Officer(s):

Pipia, Steven R.

Payroll Number:

597

Pages:

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Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

interviewed.

I will remain the investigating officer while leads and evidence are still presented.

kak/REFER: IR19-2635, [REDACTED], Photographs

Reporting Officer(s):

Pipia, Steven R.

Payroll Number:

597

Pages:

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Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

NAMES**Suspect**

Schmitz, Ted Charles W/M-54 of 1206 Lambeth Rd,#4, Waukesha,WI,53189

DOB: 12/23/1964

HT: 603 WT: 340 Hair: Brown

Eyes: Brown Complexion: Fair

Cell Phone:(262) 506-4367

Victim-1

[REDACTED]

Other

[REDACTED]

Victim-2

[REDACTED]

Reporting Officer(s):

Pipia, Steven R.

Payroll Number :

597

Pages:

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Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
=====				
19-000094				
1	STO		\$100 from the Petty Cash Box	1.000 \$100.00
2	STO		Scissors, Post-It notes, notepads and food items from [REDACTED]'s desk	1.000 \$45.00
3	STO	IPhone	IPhone charger	1.000 \$10.00
4	STO		Office Depot Credit Card (#[REDACTED])	1.000 \$1.00
5	STO		Waukesha State Bank Debit Card	1.000 \$1.00
6	STO		Scissors, Post-Its, Tums, rubber bands, notepads, stamps, and food	1.000 \$45.00

Reporting Officer(s):

Pipia, Steven R.

Payroll Number :

597

Pages:

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Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-002635	Incident Location: [REDACTED]	Incident Date: 01/14/2019
New Incident:	Original CFS Code - 1: 0516	New CFS Code - 1 : New CFS Code - 2:

SUMMARY

SUPPLEMENT #2

On, Sunday, February 3, 2019, at approximately 1714 hours, Fleet 18, Squad Area 304, I, Officer Pipia, responded to 1206 Lambeth Rd, #4, to arrest Ted C. Schmitz, (M/W, DOB 12/34/1964). Upon arrival, I made contact with [REDACTED] [REDACTED] who advised Schmitz was home at the time but refused to speak with any officer without a lawyer present. I advised her that he needed to respond to the police department to speak with officers. This is the second time officers had attempted contact and Schmitz refused to speak with anybody. The manager at [REDACTED] advised Corporate would be in contact to provide more investigative information and video but has not contacted me. These actions were taken per Sgt. Trussoni's authority. Fleet 18 Mobile Audio Video Recording System (MAVRS) was not activated. This completes the initial investigation. Ted C. Schmitz still needs to be interviewed and arrested. Further investigation by CID is requested. No narrative to follow.

SP/hlk/REFER: IR19-2635, supplement

NAMES**Suspect**

Schmitz, Ted Charles W/M-54 of 1206 Lambeth Rd,#4, Waukesha,WI,53189
DOB: 12/23/1964
HT: 603 WT: 340 Hair: Brown
Eyes: Brown Complexion: Fair

Cell Phone:(262) 506-4367

Reporting Officer(s): Pipia, Steven R.	Payroll Number : 597	Report Date: 02/03/2019
Reviewed by: Daily, David M.	Payroll Number : P431	Copy To: Page: 1 Of 1

Waukesha Police Department**Supplemental Report**

Incident Report Number: 19-002635	Incident Location: [REDACTED]	Incident Date: 01/14/2019
New Incident:	Original CFS Code - 1: 0516	New CFS Code - 1 : New CFS Code - 2:

SUMMARY**Supplement #3**

On February 7, 2019, I, Detective Young, was assigned to follow up with this case. Following investigation, probable cause was developed to arrest Ted Schmitz (DOB 12/23/64) for Burglary per State Statute 943.10(1m) and Uttering per State Statute 943.38(2). As Schmitz is deceased, this case may be exceptionally cleared.

NARRATIVE

On 02/07/2019, I, Detective Young was assigned to follow up with this case.

I contacted [REDACTED] and spoke with [REDACTED], in order to obtain video of the uttering of the check that was stolen from the [REDACTED]. [REDACTED] indicated that she had her manager send an email to [REDACTED] who handles all of the video. She said that she would look into it and get back to me. In the coming days, [REDACTED] did call me back again and stated that I would need to call [REDACTED] myself in order to obtain this video. [REDACTED] further stated that she had the original check still at [REDACTED] awaiting pickup by the Police Department.

I contacted [REDACTED] and left a voicemail for a [REDACTED]. The following day she called me back and asked that I send her an email with the name of the individual that cashed the check. She stated that generally video is only kept for 30 days, but if the store only has one camera, that sometimes the video is kept for longer due to the low amount of space required to save it. A short time later, [REDACTED] did provide me a link to a Dropbox file that contained the video. In viewing the video, I noticed that it showed 01/12/2019 and started at 1507 hours, although the original report indicated that the check was cashed in 01/11/2019 at 1458 hours. I did clarify this with [REDACTED], and she stated that the check was dated for January 11th, but was cashed on January 12th. Furthermore, the time that the check was scanned at the [REDACTED] location was 1458 hours. She stated that she reviewed the video at that time, and that she did not feel that the video provided any evidentiary value as the individual that cashed the check in the video had his hood up and would be unable to be identified, so she started the video at a time where the subject could be seen. In reviewing the video, it is clear that the large White male individual wearing a black sweatshirt is that of Ted Schmitz in comparing it to Waukesha Police Department booking photo. In addition to Schmitz's booking information of being 6'3" and 340lbs, which also matches the approximate physical description of this individual. In the video,

Reporting Officer(s): Young, Richard L.	Payroll Number : P499	Report Date: 02/26/2019
Reviewed by: Daily, David M.	Payroll Number : P431	Copy To: Page: 1 Of 2

Waukesha Police Department**Continuation**

Incident Report Number

19-002635

Incident Location:

[REDACTED]

Incident Date:

01/14/2019

Schmitz is seen standing at the counter speaking with a teller, which appears to be having a conversation. At some point, he high-fived the teller and cash is then given to him. The video is inventoried at Waukesha Police Department File On Q evidence inventory system. Please refer to it for additional details.

I responded to [REDACTED] and obtained the original copy of the check that Schmitz cashed on the previously mentioned date and time. The account number, [REDACTED], did match that of the account number mentioned in the original incident report as well as check number 12866 also is within the range of the checks that were stolen. It should be noted that in the original report, the check numbers are reported to be 128860 through 128866. I believe this to be a typo given the similarity of the actual number. This check is written for \$873.09 paid to the order of Ted C. Schmitz and appears to be signed by a [REDACTED]. In the memo box, it states paid in full for work completed. The back of that check is signed Ted C. Schmitz and stamped by the [REDACTED] stamp. Please refer to that check for additional details. That check was inventoried in the Waukesha Police Department File On Q evidence inventory system. Please refer to it for additional details.

Based on the totality of the circumstances, there is probable cause to arrest Schmitz for Burglary to the office of the [REDACTED], as well as Uttering the check at the [REDACTED]. Ted Schmitz is not able to be arrested as he is deceased after being involved in an officer involved shooting with the Waukesha Police Department on 02/10/2019, reference incident report 19-7469.

This report will be classified as an exceptional clearance. This is being done based upon four factors. One, the investigation has identified the suspect as Ted Schmitz; two, there is enough information to support an arrest; three, the whereabouts of Ted Schmitz is known; and four, there is a reason outside of law enforcement's control that precludes arrest and prosecution due to him deceased. This is all per the authority of Sergeant Daily.

kak/REFER: IR19-2635, Supplement, Property Inventory 19-2635, Check Into Cash Customer Check History

Reporting Officer(s):

Young, Richard L.

Payroll Number:

P499

Pages:

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WAPD 19-005427

Thursday, March 7, 2019 7:30:21
** For official use only **

West Allis Police Department



Property Release Receipt

Property Number: 19-000743	Case Number: 19-005427	Location: 1901 Delafield St	Incident Date: 02/10/19 3:41
Name:		DOB:	Race/Sex: /
Address:			Home Phone number:

Item#	Description
14	Clothes with stains on the street, Item designation #14

Item#	Description
14	Clothes with stains on the street, Item designation #14 DUPLICATE BM2101

Reporting Officer: Treep, Wayne

Disposition of Property

Release Date: THUR 3/07/19 @ 08 ³⁵ AM	Officer Releasing Property: Sgt. [Signature] #2101
Signature of Owner - Agent: X [Signature]	Owner - Address:

101518 57401908



NMS Labs

CONFIDENTIAL

3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437

Phone: (215) 657-4900 Fax: (215) 657-2972

e-mail: nms@nmslabs.com

Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

Toxicology Report

Report Issued 02/27/2019 21:07

Patient Name SCHMITZ, TED C.
Patient ID 19-0325
Chain 19044312
Age 54 Y **DOB** 12/23/1964
Gender Male
Workorder 19044312

To: 10328
Waukesha County Medical Examiner
Dr. Lynda Biedrzycki
515 W. Moreland Blvd.
Waukesha, WI 53188

Page 1 of 3

Positive Findings:

<u>Compound</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
Delta-9 Carboxy THC	14	ng/mL	001 - Iliac Blood
Delta-9 THC	1.2	ng/mL	001 - Iliac Blood

See Detailed Findings section for additional information

Testing Requested:

<u>Analysis Code</u>	<u>Description</u>
8051B	Postmortem, Basic, Blood (Forensic)

Specimens Received:

<u>ID</u>	<u>Tube/Container</u>	<u>Volume/ Mass</u>	<u>Collection Date/Time</u>	<u>Matrix Source</u>	<u>Miscellaneous Information</u>
001	Gray Top Tube	9 mL	02/11/2019 12:47	Iliac Blood	

All sample volumes/weights are approximations.

Specimens received on 02/14/2019.



CONFIDENTIAL

Workorder 19044312

Chain 19044312

Patient ID 19-0325

Page 2 of 3

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Delta-9 Carboxy THC	14	ng/mL	5.0	001 - Iliac Blood	LC-MS/MS
Delta-9 THC	1.2	ng/mL	0.50	001 - Iliac Blood	LC-MS/MS

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

- Delta-9 Carboxy THC (Inactive Metabolite) - Iliac Blood:
Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC. The usual peak concentrations in serum for 1.75% or 3.55% THC marijuana cigarettes are 10 - 101 ng/mL attained 32 to 240 minutes after beginning smoking, with a slow decline thereafter. The ratio of whole blood concentration to plasma concentration is unknown for this analyte. THCC may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users. THCC is usually not detectable after passive inhalation.
- Delta-9 THC (Active Ingredient of Marijuana) - Iliac Blood:
Marijuana is a DEA Schedule I hallucinogen. Pharmacologically, it has depressant and reality distorting effects. Collectively, the chemical compounds that comprise marijuana are known as Cannabinoids.

Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. It rapidly leaves the blood, even during smoking, falling to below detectable levels within several hours. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC and may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users.
THC concentrations in blood are usually about one-half of serum/plasma concentrations. Usual peak levels in serum for 1.75% or 3.55% THC marijuana cigarettes: 50 - 270 ng/mL at 6 to 9 minutes after beginning smoking, decreasing to less than 5 ng/mL by 2 hrs.

Sample Comments:

001 Select testing may have been performed at: 200 Welsh Road, Horsham, PA 19044-2208

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 19044312 was electronically signed on 02/27/2019 20:51 by:

Erik Flail, B.A.
Certifying Scientist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 52198B - Cannabinoids Confirmation, Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:



CONFIDENTIAL

Workorder 19044312
Chain 19044312
Patient ID 19-0325

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Analysis Summary and Reporting Limits:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
11-Hydroxy Delta-9 THC	1.0 ng/mL	Delta-9 THC	0.50 ng/mL
Delta-9 Carboxy THC	5.0 ng/mL		

Acode 8051B - Postmortem, Basic, Blood (Forensic) - Iliac Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamines	20 ng/mL	Fentanyl / Acetyl Fentanyl	0.50 ng/mL
Barbiturates	0.040 mcg/mL	Methadone / Metabolite	25 ng/mL
Benzodiazepines	100 ng/mL	Methamphetamine / MDMA	20 ng/mL
Buprenorphine / Metabolite	0.50 ng/mL	Opiates	20 ng/mL
Cannabinoids	10 ng/mL	Oxycodone / Oxymorphone	10 ng/mL
Cocaine / Metabolites	20 ng/mL	Phencyclidine	10 ng/mL

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

WAUKESHA COUNTY MEDICAL EXAMINER'S OFFICE

AUTOPSY PROTOCOL

NAME: Ted C. Schmitz

CASE NO: 19-0325

AGE: 54 Years

SEX: Male

DATE OF AUTOPSY: February 11, 2019

TIME: 1010

PLACE OF AUTOPSY:

Waukesha County Morgue
Waukesha County Medical Examiner's Office
515 West Moreland Boulevard
Waukesha, Wisconsin 53188

ASSISTING AT AUTOPSY:

Jamie Rohn, Deputy Medical Examiner / Pathology Assistant

OTHER ATTENDEES:

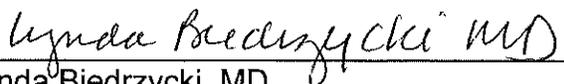
Sergeant Brian Havican, West Allis Police Department
Detective Dave Madden, West Allis Police Department

PROSECTOR:

Lynda Biedrzycki, M.D., Waukesha County Medical Examiner

CAUSE OF DEATH:

Multiple gunshot wounds



Lynda Biedrzycki, MD
Waukesha County Medical Examiner

FINDINGS

- I. Gunshot wound to upper chest
 - A. No evidence of soot or gunpowder on the skin
 - B. Large-sized partially jacketed slug recovered from the mid back and retained
 - C. Perforation of ascending aorta, left atrium and right lung
 - D. Direction of wound track front to back and downward when body is in the anatomic position
- II. Gunshot wound to the right side of the chest
 - A. No evidence of soot or gunpowder on the skin
 - B. Through-and-through gunshot wound, no slug recovered. Exit wound near right axilla
 - C. Wound tract through subcutaneous tissue and muscle
 - D. Direction of wound track rightward and upward when body is in the anatomic position
- III. Gunshot wound to lower chest
 - A. No evidence of soot or gunpowder on the skin
 - B. Large-sized partially jacketed slug recovered from the right side of the back and retained
 - C. Perforation of liver
 - D. Direction of wound track front to back, rightward and downward when body is in the anatomic position
- IV. Gunshot wound to left side of the abdomen
 - A. No evidence of soot or gunpowder on the skin
 - B. Large-sized partially jacketed slug recovered from the right side of the back and retained
 - C. Perforation of small bowel, right kidney and liver
 - D. Direction of wound track left to right, front to back and upward when the body is in the anatomic position
- V. Hypertensive cardiovascular disease
 - A. Cardiomegaly with left ventricular hypertrophy
 - B. Nephrosclerosis
- VI. Coronary artery atherosclerosis
 - A. Left anterior descending coronary artery: 60% stenosis proximally
 - B. Left circumflex coronary artery: 60% stenosis proximally
 - C. Right coronary artery: 70% stenosis proximally
- VII. Hepatic steatosis and chronic inflammation
- VIII. Lymphocytic thyroiditis

PHOTOGRAPHS

Photos are taken for the purposes of identification and documentation.

IDENTIFICATION

Identification was made by fingerprint comparison.

X-RAYS

X-rays of the chest, abdomen and pelvis are taken at this facility.

CLOTHING

There is no clothing upon the body. There is a yellow thong necklace with a broken wooden cross pendant around the neck. The chest and abdomen area are covered with blood. The hands are bagged at this time.

On March 7, 2019 Sergeant Brian Havican of the West Allis Police Department brought the clothing that Ted Schmitz was wearing at the time of his death. The clothing was all together in a plastic bag then placed in a paper bag labeled "Case #19-005427 West Allis PD Property #19-000743-14 Clothing/Furs."

The following items are present and are examined and photographed.

1. Blood soaked and wet gray t-shirt with 3 discrete holes and 2 related holes in the upper front of the shirt.
2. Blood soaked and wet black velour jacket with 4 holes in the right front and 1 hole in the lower left back.
3. Blood soaked and wet gray hoody with 3 holes in the right front and 1 hole in the lower left back.
4. A blue towel and cell phone from the jacket pocket.
5. A blue medical glove.
6. An EKG patch.
7. An orange lighter.
8. A sharpie pen.
9. A lens from glasses.
10. A wooden fragment matching the pendant from necklace.
11. An electronic cigarette device.
12. A fragment, possibly dried blood.

No soot or gunpowder is visually identified on the clothing.

EXTERNAL EXAMINATION

The body is that of a normally developed white male, appearing consistent with the recorded age of 54 years.

The length is 74 inches.

The weight 297 pounds.

Preservation is good in the absence of embalming.

Lividity is red-purple, present posteriorly, and blanches to pressure.

Rigidity is developed, and the body is cool to touch following refrigeration.

The head is totally shaved and there is balding to the front, top and back of the head with remaining head hair shaved close to the scalp with just an appearance of black hair.

There is a gray and black beard and mustache.

Male body hair distribution is normal and average in amount.

The scalp and ears are unremarkable.

The eyes are partly open.

The corneae are clear.

The irides are brown.

The nose and mouth exhibit no irregularities.

The natural lower teeth are present.

The upper is edentulous.

The face and neck are unremarkable.

The chest is symmetric as are the breasts, which are flat and contain no masses.

The abdomen is protuberant, obese, soft, and without palpable organs or masses.

There are some abdominal striae.

The limbs are equal and symmetrically developed.

The fingernails are short and generally clean.

The genitalia are that of a circumcised adult male with both testes descended.

The back and buttocks exhibit no gross lesions.

There are no prominent marks or tattoos.

SCARS

1. 10 cm oblique scar to the left inguinal area.
2. 4 cm scar with 0.5 cm sore to the left lateral chest.
3. 3.5 cm transverse scar above right knee.

EVIDENCE OF INJURY

Evidence of injury consists of multiple gunshot wounds. Gunshot wounds are numbered for convenience only and do not indicate sequence of firing.

1. There is a gunshot wound to the upper chest area. It is located 62 1/2 inches above the heel and 3/4 inch right of anterior midline. No soot or gunpowder is

seen on the skin. It consists of a 0.9 cm circular defect surrounded by a 0.1 cm even abrasion. There is a focal abrasion, 0.3 cm, at 8 o'clock adjacent to the entry wound as well. The slug passes through the subcutaneous and muscular tissue of the anterior chest, through the 2nd right rib, through the right atrium, the aorta, and lower lobe of the right lung. It passes adjacent to the thoracic vertebrae through the 9th intercostal space on the right and is recovered from the right side of the mid back, 53 1/2 inches above the heel. It is a large-sized partially jacketed slug. It is recovered and retained. The direction of the wound track is front to back and downward when the body is in the anatomic position. There is infiltrating hemorrhage along the wound track.

2. Gunshot wound #2 is located to the right side of the chest, 4 1/4 inches right of anterior midline and 57 3/4 inches above the heel. No soot or gunpowder is seen on the skin. It consists of a 1 cm in diameter circular defect surrounded by an uneven abrasion. It is 0.5 cm between 3 and 6 o'clock and 0.3 cm the remainder of the circumference. The slug passes through the skin, subcutaneous tissue and muscle of the anterior right chest, and exits the right chest near the right axilla. There is infiltrating hemorrhage along the wound track. The exit wound is located 8 inches right of anterior midline and 59 3/4 inches above the heel. The exit wound consists of a 1.5 cm in diameter circular defect with a 0.5 cm abrasion between 3 and 5 o'clock. Associated with this wound is an 8.5 cm blue contusion. The anterior right 3rd and 4th ribs are fractured associated with this gunshot wound. The direction of the wound track is rightward and upward when the body is in the anatomic position.
3. Gunshot wound #3 is located to the lower chest, 2 1/2 inches right of anterior midline and 55 inches above the heel. No soot or gunpowder is seen on the skin. The wound consists of a 0.9 cm circular defect with an abrasion varying from 0.3 to 0.5 cm between 12 and 6 o'clock. The slug passes through the skin, subcutaneous tissue, and muscle of the lower chest, upper abdomen, passing through the right lobe of the liver, entering the chest cavity, exiting the lower right chest area. There is infiltrating hemorrhage along the wound track. The direction of the wound track is front to back, rightward and downward when the body is in the anatomic position.
4. Gunshot wound #4 is located to the left side of the abdomen. It is located 15 inches left of anterior midline and 43 inches above the heel. No soot or gunpowder is seen on the skin. The gunshot wound consists of a 0.9 cm in diameter circular defect with a 0.2 cm abrasion between 8 and 11 o'clock. The slug passes through the skin, subcutaneous and muscular tissue of the abdomen, perforating the small bowel, the left lobe of the liver, the inferior pancreas, the right kidney, passing into the right chest cavity and into the muscular tissue of the back.

Two large-sized partially jacketed slugs are recovered adjacent to each other to the right side of the back located 7 inches right of posterior midline and 52 1/2 inches above the heel. There is a 6 x 7 cm area of purple-blue bruising located to the skin

above where these slugs are recovered. Two discrete exits of the chest cavity are identified; at the 10th and 11th intercostal spaces leading to the location of these two slugs. It cannot be determined which slug is associated with gunshot wound 3 and which is associated with gunshot wound 4.

Associated with the gunshot wounds is:

1. There is 300 mL of clotted blood in the left chest cavity.
2. There is 150 mL of liquid and clotted blood in the pericardial cavity.
3. There is a small amount of blood in the upper abdomen.

FURTHER EVIDENCE OF INJURY

1. 3 cm red bruise ulnar aspect of left forearm.
2. Parallel linear red marks to the posterior left wrist, 4 cm long, and 0.6 cm in width.
3. Linear red marks to the radial aspect of the posterior right wrist, 3 cm long and 1.5 cm between one pair and a third mark.
4. 0.3 cm abrasion to the posterior right forearm radial aspect.
5. 0.1 to 0.2 cm small abrasions to the radial aspect of the posterior left forearm.
6. 3 cm abrasion to the bridge of the nose.
7. 1.1 cm contusion to the tip of the left great toe, 0.8 cm contusion to the tip of the left second toe.
8. 2 cm brown-purple discoloration to the right 2nd toe.
9. 4 cm blue bruise with 1.0 cm abrasion over the 3rd metacarpal left hand.
10. Punctate bland abrasions 0.2 cm (3) to the anterior left wrist ulnar aspect.
11. 7 cm red/blue bruise lateral left hip.
12. 1.5 cm blue bruise with 0.4 and 0.6 cm abrasions over 2nd metacarpal left hand.
13. 0.2 cm abrasion distal phalangeal joint right thumb.
14. 0.5 cm tear lateral right index finger near cuticle.
15. 2.5 cm blue bruise between thumb and index finger right hand posterior.

EVIDENCE OF MEDICAL THERAPY

1. There are two thoracostomies to the upper right chest.
2. There is a catheter just left of the sternum near the epigastric area entering the pericardial sac.
3. An endotracheal tube is present in the mouth entering the trachea.
4. An intraosseous IV is present in the lower right leg.
5. There are fractures of the left 3-6th ribs anteriorly associated with resuscitation effort.

INTERNAL EXAMINATION

BODY CAVITIES

See previously described injuries.

The body is opened through the usual Y-shaped thoracoabdominal incision.

The mediastinum is in the midline.

There are adhesions of the left lung.

CARDIOVASCULAR

See previously described injuries.

The aorta is opened from iliacs to aortic valve.

There is moderate atherosclerosis distally and mild atherosclerosis in the thoracic aorta.

The ostia of the major vessels are patent.

The inferior vena cava is free of thromboemboli.

The heart is of normal shape.

The heart weighs 616 gm.

The epicardial surface is smooth and glistening.

The coronary arteries are serially sectioned revealing a right-dominant system.

The following stenoses are seen:

Left anterior descending coronary artery: 60% stenosis proximally by atherosclerotic plaque

Left circumflex coronary artery: 60% stenosis proximally by atherosclerotic plaque

Right coronary artery: 70% stenosis mid-course pre-posterior descending branch.

The myocardium is red-brown and firm without focal lesion.

Left ventricular thickness is 1.5 cm.

Right ventricular thickness is 0.5 cm.

Left ventricular chamber diameter is 4.5 cm.

The valve leaflets are thin and pliable without vegetations or mural thrombi.

The valve circumferences are as follows:

Tricuspid: 12.5 cm

Pulmonic: 69 cm

Mitral: 11.5 cm

Aortic: 8.5 cm

RESPIRATORY

See previously described injuries.

The upper airways are clear.

The trachea and mainstem bronchi are patent.

The pleural surfaces of both lungs are shiny and smooth.

The left lung weighs 752 gm.

The right lung weighs 626 gm.

On sectioning both lungs, there is congestion and edema without focal lesion.

There are no pulmonary thromboemboli.

HEPATOBIILIARY

See previously described injuries.

The liver is of normal shape.

The liver weighs 2218 gm.

The edges are blunt.

On section, the parenchyma is uniformly red-brown without evidence of pigment retention or focal lesion.

The gallbladder is present and contains about 10 mL of bile.

The extrahepatic biliary tree is of normal distribution and widely patent throughout.

LYMPHORETICULAR

The spleen is of normal shape.

The capsule is intact.

The spleen weighs 302 gm.

On section, the parenchyma is uniformly red-purple without focal lesion.

Lymph nodes where identified are unremarkable.

GENITOURINARY

The kidneys are about equal size and shape.

The capsules strip with ease to reveal granular red-brown cortical surfaces.

On bivalving each kidney, there is good corticomedullary delineation.

The pelves and calyces are not dilated.

The ureters are of even diameter as they course to the bladder.

The left kidney weighs 244 gm.

The right kidney weighs 242 gm.

The bladder is unremarkable and contains yellow urine.

The prostate is mildly enlarged and without focal lesion on section.

GASTROINTESTINAL

The esophagus, stomach, and duodenum are opened en bloc.
The stomach contains 100 mL of tan-green liquid with recognizable french fries.
The small bowel contains tan chyme and the large bowel contains green stool.
The appendix is present.

ENDOCRINE

See previously described injuries.
The pancreas is tan, lobulated and unremarkable on section.
The adrenals are otherwise symmetric with yellow cortices and gray-brown medullae.
The thyroid is red-brown, symmetric, and without focal lesion on section.
The pituitary is grossly unremarkable.

MUSCULOSKELETAL

See previously described injuries.
No other abnormalities of the skeletal structure are noted.
The muscles are red and moist throughout.

NECK

The hyoid bone is intact.
The larynx is unobstructed.
The upper esophagus is empty.
There is a pink piece of food material, possibly gum, adjacent to the endotracheal tube
at the level of the epiglottis.
It is not obstructing the airway.

CENTRAL NERVOUS SYSTEM

There are no subcutaneous hemorrhages of the scalp.
There are no fractures of the skull.
There is no epidural or subdural hemorrhage.
The spinal fluid is clear.
The brain exhibits normal topography.
The cerebral vasculature is of normal distribution and widely patent throughout.
The brain weighs 1472 gm.
On serial coronal sections, there are no focal lesions are seen.
The brainstem and cerebellum are unremarkable on section.

SPECIMENS OBTAINED

Routine histologic and toxicologic specimens are retained.

SLIDE KEY

1. Hippocampus
2. Liver / pancreas
3. Kidney
4. Anterior LV / coronary artery
5. Septum
6. LLL
7. Thyroid

MICROSCOPIC

Heart: Moderate myocyte hypertrophy is present. The coronary artery is cut eccentrically; atherosclerotic plaque is present.

Lung: Vascular congestion is present.

Liver: There is moderate steatosis. There is an increase in mononuclear inflammatory cells in portal areas. Glycogenated nuclei are seen.

Thyroid: There is multinodular hyperplasia with significant fibrosis between nodules. There are focal lymphocytic infiltrates with follicle destruction.

Kidney: There is focal subcapsular scarring.

Other sections examined are without specific histopathologic diagnoses.

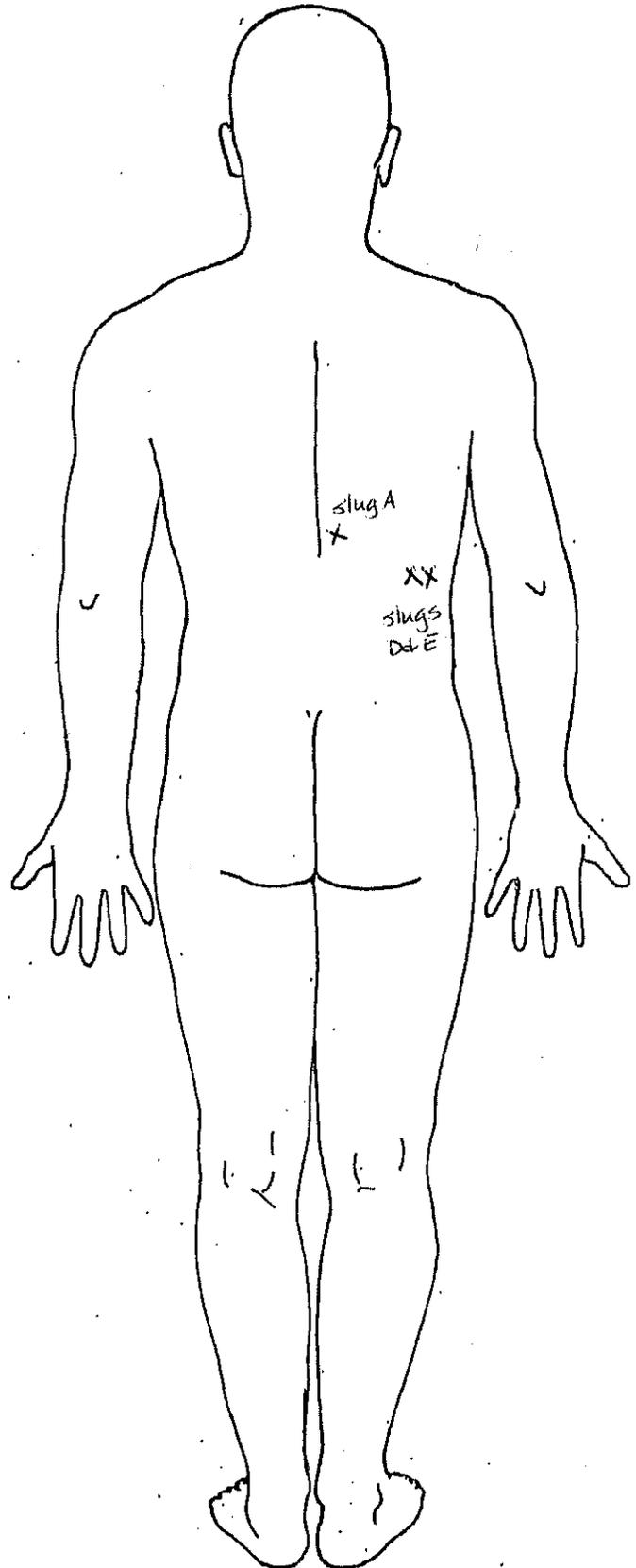
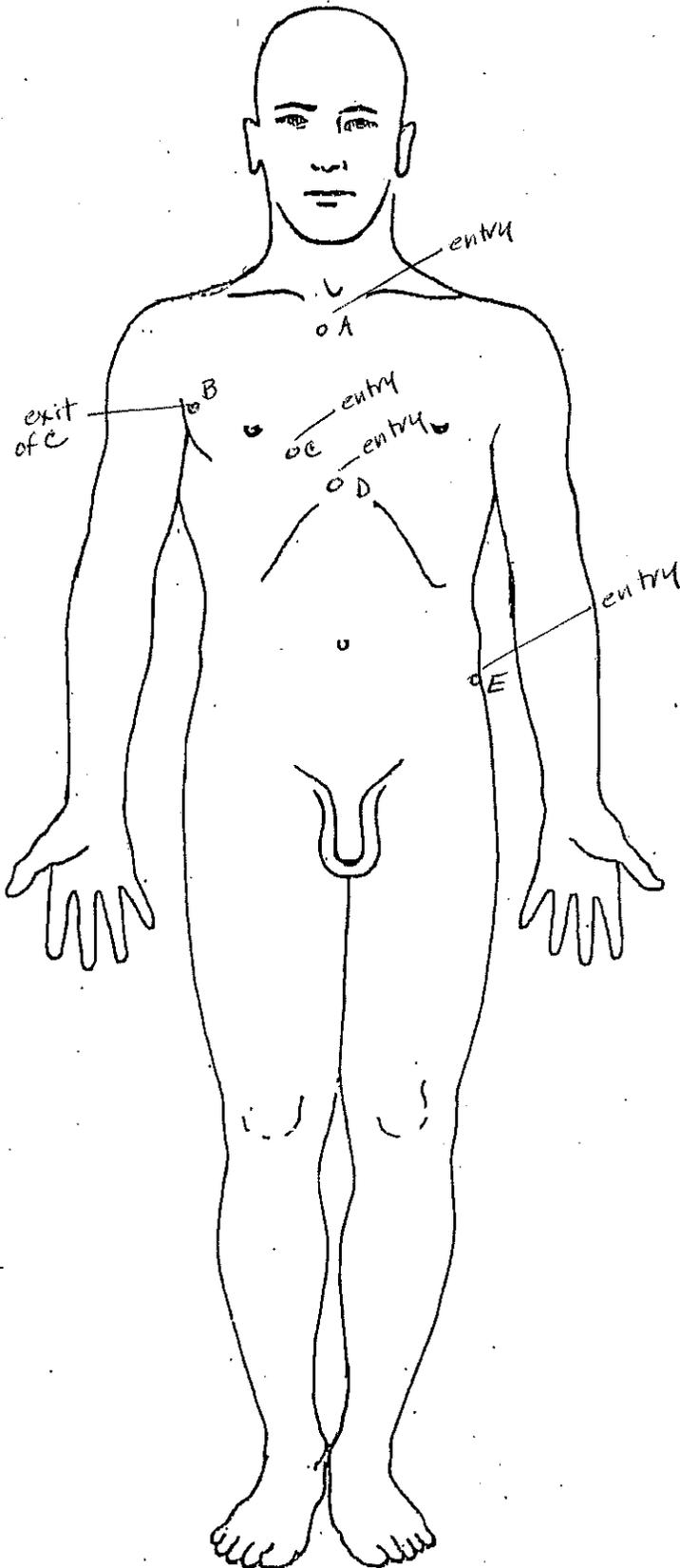
END OF REPORT

Name

Ted C. Schmitz

Case No.

19-0325

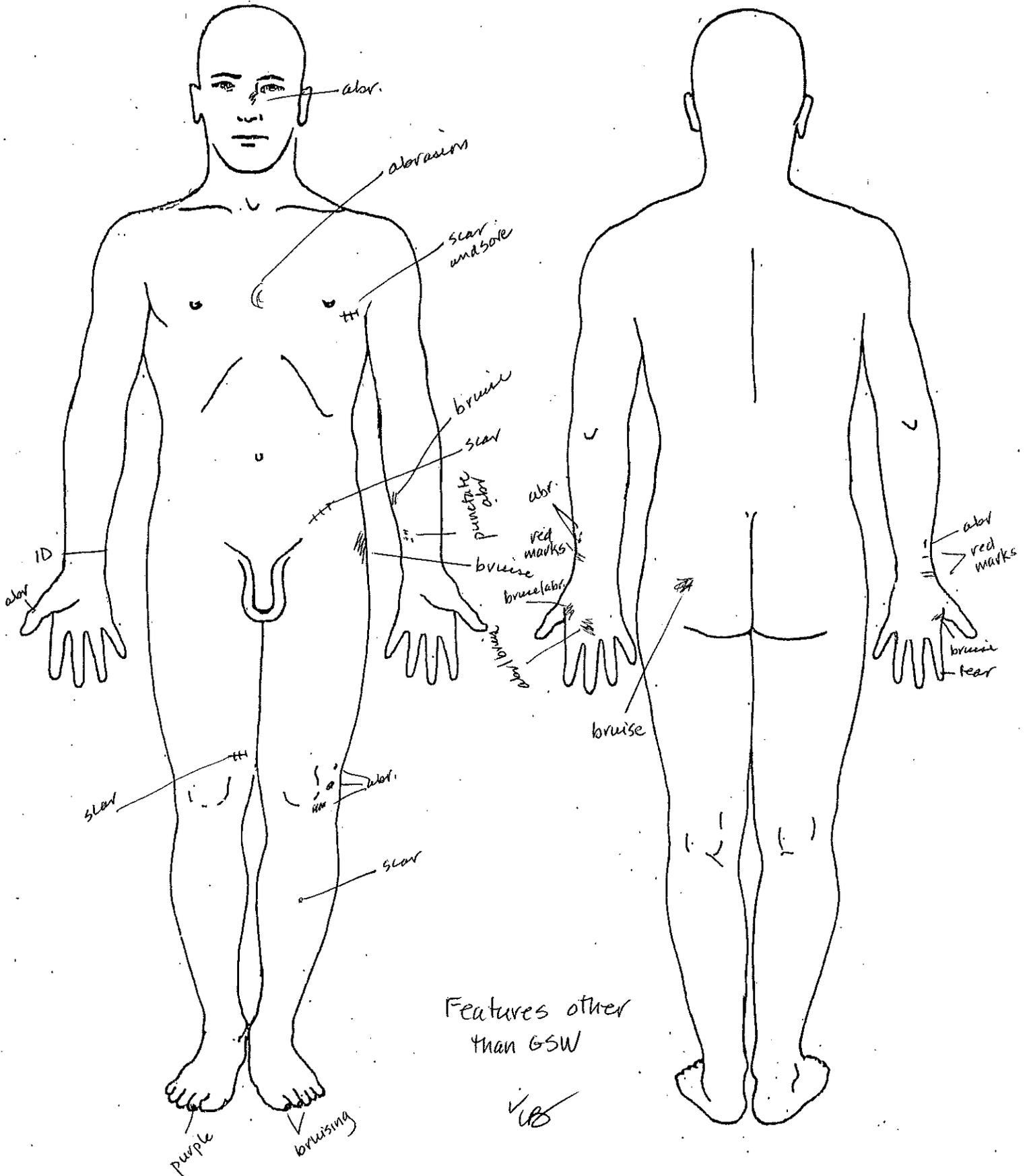


Name

Ted Schmitz

Case No.

19-0325



EVIDENCE DISPOSITION RECEIPT

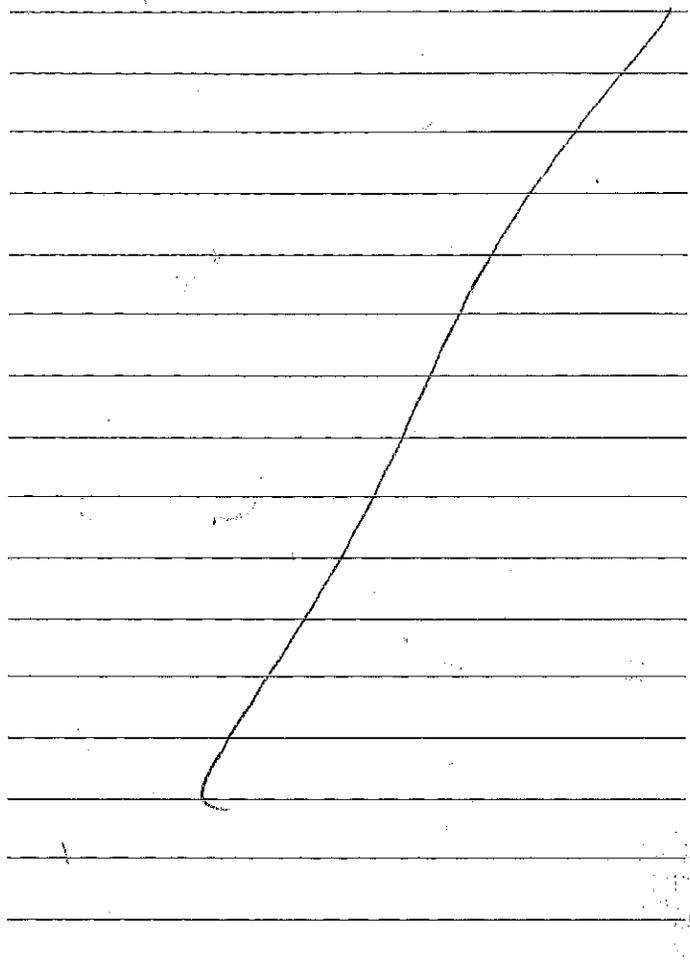
Name Ted C. Schmitz

Case Number 19-0325

Date Recovered 3/21/19

Location WCMEO

- 1-cell phone
- 1-blue cloth
- 1-orange lighter
- 1-vape pen
- 1-clear eye lense
- 1-blue glare
- 1-black/orange pen
- 1-partial black cross
- 1-gray hooded sweatshirt
- 1-black jacket
- 1-gray t-shirt



Released By [Signature] Waukesha County MEO

Received By [Signature] Signature

WEST ARMS P.D. Agency

MOJ 01/01/2019 Date

Secured By _____ Waukesha County MEO

Location _____ Date _____



NMS Labs

CONFIDENTIAL

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Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

Supplemental Report

Report Issued 04/02/2019 22:00.

Last Report Issued 02/27/2019 21:07

Patient Name SCHMITZ, TED C.
Patient ID 19-0325
Chain 19044312
Age 54 Y **DOB** 12/23/1964
Gender Male
Workorder 19044312

Page 1 of 5

To: 10328
 Waukesha County Medical Examiner
 Dr. Lynda Biedrzycki
 515 W. Moreland Blvd.
 Waukesha, WI 53188

Positive Findings:

<u>Compound</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
Pregabalin	2.6	mcg/mL	001 - Iliac Blood
Caffeine	Positive	mcg/mL	001 - Iliac Blood
Cotinine	Positive	ng/mL	001 - Iliac Blood
Amitriptyline	170	ng/mL	001 - Iliac Blood
Nortriptyline	84	ng/mL	001 - Iliac Blood
Delta-9 Carboxy THC	14	ng/mL	001 - Iliac Blood
Delta-9 THC	1.2	ng/mL	001 - Iliac Blood
Creatinine (Vitreous Fluid)	0.67	mg/dL	002 - Vitreous Fluid
Sodium (Vitreous Fluid)	138	mmol/L	002 - Vitreous Fluid
Potassium (Vitreous Fluid)	11	mmol/L	002 - Vitreous Fluid
Chloride (Vitreous Fluid)	124	mmol/L	002 - Vitreous Fluid
Urea Nitrogen (Vitreous Fluid)	17	mg/dL	002 - Vitreous Fluid

See Detailed Findings section for additional information

Testing Requested:

<u>Analysis Code</u>	<u>Description</u>
3795B	Pregabalin, Blood
8063B	Postmortem, Basic to Expanded Upgrade, Blood (Forensic)
8051B	Postmortem, Basic, Blood (Forensic)
1919FL	Electrolytes and Glucose Panel (Vitreous), Fluid (Forensic)

Specimens Received:

<u>ID</u>	<u>Tube/Container</u>	<u>Volume/ Mass</u>	<u>Collection Date/Time</u>	<u>Matrix Source</u>	<u>Miscellaneous Information</u>
001	Gray Top Tube	9 mL	02/11/2019 12:47	Iliac Blood	
002	Red Vial	2.25 mL	02/11/2019 12:47	Vitreous Fluid	

All sample volumes/weights are approximations.

Specimens received on 02/14/2019, 03/28/2019.

**Detailed Findings:**

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Pregabalin	2.6	mcg/mL	0.10	001 - Iliac Blood	LC-MS/MS
Caffeine	Positive	mcg/mL	0.20	001 - Iliac Blood	LC/TOF-MS
Cotinine	Positive	ng/mL	200	001 - Iliac Blood	LC/TOF-MS
Amitriptyline	170	ng/mL	20	001 - Iliac Blood	GC
Nortriptyline	84	ng/mL	20	001 - Iliac Blood	GC
Delta-9 Carboxy THC	14	ng/mL	5.0	001 - Iliac Blood	LC-MS/MS
Delta-9 THC	1.2	ng/mL	0.50	001 - Iliac Blood	LC-MS/MS
Creatinine (Vitreous Fluid)	0.67	mg/dL	0.050	002 - Vitreous Fluid	Colorimetry
Sodium (Vitreous Fluid)	138	mmol/L	80	002 - Vitreous Fluid	Chemistry Analyzer
Potassium (Vitreous Fluid)	11	mmol/L	1.0	002 - Vitreous Fluid	Chemistry Analyzer
Chloride (Vitreous Fluid)	124	mmol/L	70	002 - Vitreous Fluid	Chemistry Analyzer
Glucose (Vitreous Fluid)	None Detected	mg/dL	35	002 - Vitreous Fluid	Chemistry Analyzer
Urea Nitrogen (Vitreous Fluid)	17	mg/dL	3.0	002 - Vitreous Fluid	Chemistry Analyzer

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. Amitriptyline (Elavil®; Endep®) - Iliac Blood:

Amitriptyline is a tricyclic compound used in the treatment of depression. The compound undergoes extensive metabolism, and its major metabolite, nortriptyline, is also active as an antidepressant.

Optimal patient response is usually observed when plasma concentrations of amitriptyline plus nortriptyline range from 80 - 200 ng/mL.

A reported range of amitriptyline blood concentrations in fatalities from ingestion of amitriptyline range from 3000 - 15000 ng/mL.

Post-mortem blood concentrations of tricyclic antidepressants and structurally-related compounds may depend on the anatomic source of the blood specimen. Concentrations may be higher in blood from visceral organs and the major vessels associated with them than actual ante-mortem circulating levels.

2. Caffeine (No-Doz) - Iliac Blood:

Caffeine is a xanthine-derived central nervous system stimulant. It also produces diuresis and cardiac and respiratory stimulation. It can be readily found in such items as coffee, tea, soft drinks and chocolate. As a reference, a typical cup of coffee or tea contains between 40 to 100 mg caffeine.

The reported qualitative result for this substance was based upon a single analysis only. If confirmation testing is required please contact the laboratory.

3. Chloride (Vitreous Fluid) - Vitreous Fluid:

Normal: 105 - 135 mmol/L

**Reference Comments:**

4. Cotinine (Nicotine Metabolite) - Iliac Blood:

Cotinine is a metabolite of nicotine and may be encountered in the fluids and tissues of an individual as a result of tobacco exposure.

Anabasine is a natural product occurring in tobacco, but not in pharmaceutical nicotine and a separate test for anabasine in urine can be used to distinguish tobacco from pharmaceutical nicotine use.

The reported qualitative result for this substance was based upon a single analysis only. If confirmation testing is required please contact the laboratory.

5. Creatinine (Vitreous Fluid) - Vitreous Fluid:

Normal: 0.6 - 1.3 mg/dL

6. Delta-9 Carboxy THC (Inactive Metabolite) - Iliac Blood:

Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC. The usual peak concentrations in serum for 1.75% or 3.55% THC marijuana cigarettes are 10 - 101 ng/mL attained 32 to 240 minutes after beginning smoking, with a slow decline thereafter. The ratio of whole blood concentration to plasma concentration is unknown for this analyte. THCC may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users. THCC is usually not detectable after passive inhalation.

7. Delta-9 THC (Active Ingredient of Marijuana) - Iliac Blood:

Marijuana is a DEA Schedule I hallucinogen. Pharmacologically, it has depressant and reality distorting effects. Collectively, the chemical compounds that comprise marijuana are known as Cannabinoids.

Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. It rapidly leaves the blood, even during smoking, falling to below detectable levels within several hours. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC and may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users.

THC concentrations in blood are usually about one-half of serum/plasma concentrations. Usual peak levels in serum for 1.75% or 3.55% THC marijuana cigarettes: 50 - 270 ng/mL at 6 to 9 minutes after beginning smoking, decreasing to less than 5 ng/mL by 2 hrs.

8. Glucose (Vitreous Fluid) - Vitreous Fluid:

Normal: <200 mg/dL

Postmortem vitreous glucose concentrations >200 mg/dL are associated with hyperglycemia.

Since postmortem vitreous glucose concentrations decline rapidly after death both in vivo and in vitro, care should be taken in the interpretation of results. Stability of vitreous glucose for up to 30 days has been noted by NMS Labs when specimens are maintained frozen (-20°C).

9. Nortriptyline (Amitriptyline Metabolite; Aventyl®; Pamelor®) - Iliac Blood:

Nortriptyline is a tricyclic antidepressant drug used in the treatment of affective (mood) disorders, principally major depression. It is also a metabolite of the antidepressant amitriptyline (Elavil®).

Peak plasma levels are achieved at about 8 hr. Optimal therapeutic plasma levels for control of depression range from 50 - 150 ng/mL. Following chronic daily oral doses of 150 - 250 mg, reported steady-state plasma levels averaged 170 - 380 ng/mL, respectively.

At plasma levels exceeding 200 ng/mL, toxic side effects such as hyper- or hypotension, tachycardia, cardiac arrhythmias, confusion and nausea may be present; severe overdose may result in convulsions, coma and cardiac irregularities. Following ingestion of 2000 mg of nortriptyline, a plasma concentration of 900 ng/mL was reported in a patient who later died after ventricular tachycardia, convulsions and then cardiovascular collapse.

Postmortem blood concentrations of tricyclic antidepressants can depend on the anatomic source of the blood specimen. Concentrations may be higher in blood from visceral organs and the major vessels associated with them than actual antemortem circulating levels.



Reference Comments:

10. Potassium (Vitreous Fluid) - Vitreous Fluid:

Normal: <15 mmol/L

Quantitative results for Potassium will be affected if performed on gray top tubes since these collection tubes contain potassium oxalate.

11. Pregabalin (Lyrica®) - Iliac Blood:

Pregabalin is a drug indicated for the treatment of neuropathic pain associated with diabetic peripheral neuropathy, the treatment of partial-onset seizures, and the management of postherpetic neuralgia. Oral dosages vary depending on the indication and commonly will range from 150 to 600 mg daily in divided doses. Following multiple dosing, steady-state plasma concentrations are usually achieved within 2 days.

This drug is well absorbed following oral administration; food decreases the rate and extent of absorption. Pregabalin is not metabolized to any significant extent; it is eliminated largely through renal excretion. The elimination half-life is approximately 6 hours.

Mean peak plasma concentrations up to 9.5 mcg/mL have been reported approximately one hour post-administration of up to a 300 mg dose.

12. Sodium (Vitreous Fluid) - Vitreous Fluid:

Normal: 135 - 150 mmol/L

Quantitative results for sodium will be affected if performed on gray top tubes since these collection tubes contain sodium fluoride.

13. Urea Nitrogen (Vitreous Fluid) - Vitreous Fluid:

Normal: 8 - 20 mg/dL

Sample Comments:

001 Select testing may have been performed at: 200 Welsh Road, Horsham, PA 19044-2208

002 Select testing may have been performed at: 200 Welsh Road, Horsham, PA 19044-2208

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 19044312 was electronically signed on 04/02/2019 17:00 by:

Erik Flail, B.A.
Certifying Scientist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 1919FL - Electrolytes and Glucose Panel (Vitreous), Fluid (Forensic) - Vitreous Fluid

-Analysis by Chemistry Analyzer for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Chloride (Vitreous Fluid)	70 mmol/L	Sodium (Vitreous Fluid)	80 mmol/L
Glucose (Vitreous Fluid)	35 mg/dL	Urea Nitrogen (Vitreous Fluid)	3.0 mg/dL
Potassium (Vitreous Fluid)	1.0 mmol/L		



Analysis Summary and Reporting Limits:

-Analysis by Colorimetry (C) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Creatinine (Vitreous Fluid)	0.050 mg/dL		

Acode 3795B - Pregabalin, Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Pregabalin	0.10 mcg/mL		

Acode 52168B - Amitriptyline and Metabolite Confirmation, Blood - Iliac Blood

-Analysis by Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amitriptyline	20 ng/mL	Nortriptyline	20 ng/mL

Acode 52198B - Cannabinoids Confirmation, Blood - Iliac Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
11-Hydroxy Delta-9 THC	1.0 ng/mL	Delta-9 THC	0.50 ng/mL
Delta-9 Carboxy THC	5.0 ng/mL		

Acode 8051B - Postmortem, Basic, Blood (Forensic) - Iliac Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamines	20 ng/mL	Fentanyl / Acetyl Fentanyl	0.50 ng/mL
Barbiturates	0.040 mcg/mL	Methadone / Metabolite	25 ng/mL
Benzodiazepines	100 ng/mL	Methamphetamine / MDMA	20 ng/mL
Buprenorphine / Metabolite	0.50 ng/mL	Opiates	20 ng/mL
Cannabinoids	10 ng/mL	Oxycodone / Oxymorphone	10 ng/mL
Cocaine / Metabolites	20 ng/mL	Phencyclidine	10 ng/mL

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

Acode 8063B - Postmortem, Basic to Expanded Upgrade, Blood (Forensic) - Iliac Blood

-Analysis by High Performance Liquid Chromatography/Time of Flight-Mass Spectrometry (LC/TOF-MS) for: The following is a general list of compound classes included in this screen. The detection of any specific analyte is concentration-dependent. Note, not all known analytes in each specified compound class are included. Some specific analytes outside these classes are also included. For a detailed list of all analytes and reporting limits, please contact NMS Labs.

Amphetamines, Anticonvulsants, Antidepressants, Antihistamines, Antipsychotic Agents, Benzodiazepines, CNS Stimulants, Cocaine and Metabolites, Hallucinogens, Hypnotics, Hypoglycemics, Muscle Relaxants, Non-Steroidal Anti-Inflammatory Agents, Opiates and Opioids.