



OFFICE OF THE DISTRICT ATTORNEY

Milwaukee County

JOHN T. CHISHOLM • District Attorney

Chief Deputy Kent L. Lovern, Deputies Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel,
Elisabeth Mueller, Matthew J. Torbenson, Megan Newport

August 17, 2023

Chief Jeffrey Norman
Milwaukee Police Department
749 W. State Street
Milwaukee, WI 53233

Re: Officer Andrew Langer's Use of Force Against Deon Nabors

Dear Chief Norman:

On Friday, May 5, 2023, at approximately 11:00 p.m., Milwaukee Police Officer Andrew Langer, along with other members of the Milwaukee Police Department, were conducting crowd control near the intersection of Scott Street and Cesar Chavez Drive, where hundreds of people were gathered for Cinco de Mayo festivities. Officer Langer heard gunshots and observed a large crowd of people begin moving quickly in response to the gunfire. Langer then observed Deon Nabors, within the crowd, raise his arm upward and fire seven shots in rapid automatic fashion. Out of concern for the safety of the dozens of people immediately surrounding Nabors, Langer quickly approached him, ordered him to stop, and while Nabors was still in possession of a firearm, shot him numerous times, causing multiple non-fatal wounds. The handgun found in possession of Nabors was a Glock 9mm handgun with an extended magazine and a full auto switch on the rear rendering it fully automatic when fired. When discovered, the firearm was still loaded with 25 rounds of ammunition.

The use of force by Officer Langer was in response to Nabors' use of potentially deadly force in close proximity to a large crowd of people, which caused imminent risk of bodily harm or death to those around him. The application of Wisconsin law to the facts and circumstances of the situation created by Nabors justifies Officer Langer's use of force against him. This office is closing its review of Langer's use of force in this matter.

Nabors is currently charged in Milwaukee County Circuit Court in case 2023-CF-002128 with multiple felony charges arising from his conduct on May 5, 2023. A copy of the criminal complaint is attached to this letter.

Sincerely,

A handwritten signature in blue ink that reads "Kent Lovern".

Kent Lovern
Chief Deputy District Attorney

cc: Assistant Chief Paul Formolo
Assistant Chief Nicole Waldner
Attorney Brendan Matthews

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2023ML010735

Court Case No.:

vs.

CRIMINAL COMPLAINT

NABORS, DEON D

5151 NORTH 87TH STREET

MILWAUKEE, WI 53225

DOB: 08/12/2005

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Friday, May 5, 2023, at 1207 South Cesar Chavez Drive, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly endanger the safety of another person, contrary to sec. 941.30(2), 939.50(3)(g), 939.63(1)(b) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Count 2: POSSESSION OF A MACHINE GUN

The above-named defendant on or about Friday, May 5, 2023, at 1207 South Cesar Chavez Drive, in the City of Milwaukee, Milwaukee County, Wisconsin, did possess a fully automatic firearm, contrary to sec. 941.26(1g)(a) and (2)(a), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 3: POSSESSION OF A DANGEROUS WEAPON BY A PERSON UNDER 18

The above-named defendant on or about Friday, May 5, 2023, at 1207 South Cesar Chavez Drive, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person under 18 years of age, did possess a dangerous weapon, contrary to sec. 948.60(2)(a), 939.51(3)(a) Wis. Stats.

Upon conviction for this offense, a Class A Misdemeanor, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Probable Cause:

Your affiant is a City of Milwaukee law enforcement officer and I base this complaint on my review of official Milwaukee Police Department reports. Said reports indicate the following:

This affidavit contains a summary of facts to establish probable cause. It does not contain all of the facts known to me relating to this investigation.

On May 5th, 2023, at approximately 11:00pm, officers with the Milwaukee Police Department were in the area of 1207 S. Cesar Chavez Dr, City of Milwaukee, Milwaukee County, WI conducting crowd control for Cinco de Mayo festivities. There were many hundreds of people in the general area of Cesar Chavez Dr and hundreds in the immediate area of the intersection of Scott St and Cesar Chavez Dr. At around 11:00pm, Officer Langer, conducting crowd control, heard gunshots. Officer Langer observed large amounts of people moving away from the intersection of Scott Dr and Cesar Chavez. People were heard to say "They're shooting" as they ran away. As Officer Langer moved through the crowds towards where the shots were heard, he observed the defendant, Deon Nabors, amongst the crowd raise his arm up and fire at least seven shots into the air in a rapid, automatic fashion. Officer Langer then moved toward the defendant, who was still armed with the firearm, and ordered him to stop. The defendant was shot by Officer Langer.

The firearm was recovered and found to be a Glock 45 9mm handgun with an extended clip and a full auto switch on the rear rendering it full automatic.

Officers on scene later recovered seven 9mm casings that will be compared to the firearm recovered from the defendant.

The above events were captured on body camera.

The defendant has a date of birth of August 12th, 2005.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Eric Bashirian.

ADA Assigned Email Address: eric.bashirian@da.wi.gov

Subscribed and sworn to before me on 05/09/23

Electronically Signed By:

Eric Bashirian

Assistant Attorney General

State Bar #: 1105843

Electronically Signed By:

Detective Michael Braunreiter

Complainant