

		Wauwatosa Police Department		Incident Report			
		Incident: Assist Other Agency					
		Incident Report Number: 23-026254		Between: Date - Time		And/At: Date-Time 9/28/23 06:48	
		Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226					
		CFS Code-1: ASSIST		CFS Code-2:		CFS Code-3:	
CFS Code-5:		CFS Code-6:		CFS Code-7:			
CFS Code-4:		Offense Code-4:		CFS Code-8:			
COM		Name (Last, First, Middle) Wood, Sgt James		DOB:			
				Race/Sex M			
Address: (Address, City, State, Zip) 1700 N 116 St, Wauwatosa, WI, 53226							
Employer Wauwatosa Police Department				Phone 1 (414) 471-8430			
Employer Address 1700 N 116 St, Wauwatosa, WI 53226				Phone 2			
				Work Phone # (414) 471-8430			
		Name (Last, First, Middle)		DOB:			
				Race/Sex			
Address: (Address, City, State, Zip)							
Employer				Phone 1			
				Phone 2			
Employer Address				Work Phone #			
SUMMARY On Thursday, 09/28/23, at approximately 6:48am, West Allis Police Department Officers Brockmann, Iaquina, Hayner, Santa Cruz Medina, and Stuetgen shot Justin R. Gonzales (M/W, ■■■-87) after he charge at them while armed with two knives. The officers were responding to 14■■■ S. 71 St. West Allis, WI for a restraining order violation where Gonzales was the suspect and stated he wanted to commit suicide. Gonzales was armed with two knives and had made comments about waiting for the cops because he was going to die. Gonzales succumbed to his injuries from the shooting. In accordance with Wisconsin State Statute 175.47, The Milwaukee Area Investigative Team responded and investigated the use of force. The Wauwatosa Police Department was the lead investigative agency.							
Vehicle Information: (Year, Make, Model, Style, Color)							
License Number:		State:		Expiration Year:			
		Vin:		Insurance Company:			
Other Vehicle Information:				NCIC#			
Reporting Officer(s): Wood, James L.				Payroll Number : 6505			
				Report Date: 09/28/2023			
Time Received: 07:05:35		Time Cleared: 15:26:15		Unit(s) Assigned: 409, 160, 506, 513			
				Pages: 1 Of 4			
Reviewed by: 5615		Payroll Number : 5615		Copy To			

Date: 09/28/2023

CFS Code-1: ASSIST

Incident Report Number: 23-026254

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

NARRATIVE

On Thursday, 09/28/23, at about 7:43am, I (Sgt. James Wood) was notified of the officer involved shooting at 14██ S. 71 St. West Allis, WI by MAIT commander, Captain Eric Lindstrom of the Greenfield Police Department. I responded to the command post at 6900 W. National Ave. and was briefed about the incident by Captain Brian Saftig of the West Allis Police Department. In accordance with the Milwaukee Area Investigative Team (MAIT) MOU, and Wisconsin State Law, he turned the investigation over to me.

West Allis Police Department CAD number for the incident is 23-38085. Compiled in this case are supplemental reports and other documents which described the actions taken by members of the Wauwatosa Police Department and other MAIT agencies who assisted with the investigation. The following agencies assisted with the investigation:

- Milwaukee Police Department
- Franklin Police Department
- City of Brookfield Police Department
- South Milwaukee Police Department
- Waukesha Police Department
- Hales Corners Police Department
- West Milwaukee Police Department
- Greenfield Police Department
- Milwaukee County Sheriff's Office
- Glendale Police Department
- Saint Francis Police Department

Reporting Officer(s):

Wood, James L.

Payroll Number :

6505

Pages:

2 Of 4

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- Oak Creek Police Department

- Wisconsin State Crime Lab

- Wisconsin State Patrol

See attached reports for additional information.

Reporting Officer(s):

Wood, James L.

Payroll Number:

6505

Pages:

3 Of 4

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES		
Police - Other Agency-1 Brockmann, Kyle of 11301 W Lincoln Ave, West Allis,WI,53227		
Police - Other Agency-2 Iaquinta, Connor of 11301 W Lincoln Ave, West Allis,WI,53227		
Police - Other Agency-3 Hayner, Anthony of 11301 W Lincoln Av, West Allis,WI,53227		
Police - Other Agency-4 Santa Cruz Medina, Sergio of 11301 W Lincoln Av, West Allis,WI,53227		
Police - Other Agency-5 Stuettgen, Ryan of 11301 W Lincoln Ave, West Allis,WI,53227		
Other Gonzales, Justin Robby W/M-36 of [REDACTED] [REDACTED] [REDACTED], West Allis,WI,53227 DOB: [REDACTED]/[REDACTED]/1987 HT: 510 WT: 190 Hair: Black Eyes: Hazel Phone 1: ([REDACTED]) [REDACTED]-[REDACTED] Phone 2: ([REDACTED]) [REDACTED]-[REDACTED] =====		
Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Pages: 4 Of 4

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE 23-026254 Milwaukee Area Investigative Team This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting in the City of West Allis (West Allis incident number 23-038085). The City of Wauwatosa Police Department is the lead agency with assigned case number 23-026254. I, Detective Ryan Cepican, responded to the City of West Allis Police Department to assist with the investigation. There, I met with the five (5) involved officers in the case to document uniforms, officer injuries, firearms, equipment and round counts. Photos of Involved Officer: City of West Allis Police Officer Ryan M Stuetzgen - Squad 320 – Acting Sergeant I took a series of digital photos of Officer Ryan Stuetzgen who confirmed he was wearing exactly the same uniform and gear for the photos as at the time of the shooting, with the exception of the Less Lethal shotgun, which he no longer had possession of. Officer Stuetzgen wore a dark blue short sleeve uniform shirt with a City of West Allis Police patch on both of his shoulders. The shirt had his name embroidered (STUETTGEN) on the right breast. The shirt had a metal City of West Allis Police Patrol badge on his left breast. His pants were dark blue cargo type uniform pants and his boots were a black duty style. Officer Stuetzgen was wearing a nylon duty belt with handgun holster (right side), Taser (left side), OC spray (right side), radio (left side), handcuffs (right side) and a two (2) handgun magazine pouch (left side). Officer Stuetzgen was wearing a body camera, just to the right of the buttons on his shirt, next to his right breast pocket. Officer Stuetzgen was wearing a bulletproof vest under his uniform shirt. Officer Stuetzgen stated he had blood on his hands and arms after the incident, but he was cleaned up prior to the photographs I took. Officer Stuetzgen said he was uninjured and his hands, arms and legs showed no injury. Officer Stuetzgen's pants were dirty at the knees. The duty handgun from Officer Stuetzgen's holster was turned over to me. He stated he did not fire his handgun during the incident. The handgun was a Glock brand, model 17, semi-automatic 9mm, with serial number [REDACTED]. The handgun had one round chambered. The magazine seated in the gun held seventeen (17) cartridges			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 09/28/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

of WIN 9mm Luger +P ammunition with a bright silver case. The two (2) magazines that were in his magazine holder were turned over to me and found to both contain seventeen (17) cartridges of identical ammunition. The magazines all were marked "RS966" on them. Officer Stuetgen stated he carries full magazines of seventeen (17) with one round in the chamber. His total handgun ammunition load is 52 cartridges. He had 52 cartridges indicating he did not fire his handgun during the incident. Officer Stuetgen has a Streamlight TLR-1HL flashlight with serial number 04914700318 attached to his handgun.

Officer Stuetgen stated he was assigned City of West Allis Less Lethal Shotgun #6 (LLS6). Officer Stuetgen stated he deployed the Less Lethal shotgun and fired two (2) Less Lethal rounds from that Less Lethal shotgun. The Less Lethal shotgun was turned over to me from City of West Allis Corporal Jacob Kaye. The Less Lethal shotgun is a Remington 870 Police Magnum, with serial number [REDACTED]. The collapsible stock, pistol grip and forearm were painted orange. The Less Lethal shotgun had one (1) round in the chamber and two (2) rounds in the magazine tube. The Less Lethal ammunition was Defense Technology FR Drag Stabilized Bean Bag, part #3027. After photos of the handgun, handgun magazines and handgun ammunition were captured, I confirmed that Officer Stuetgen did not fire his Glock 9mm handgun. I turned the Glock handgun, all 9mm ammunition, Glock magazines over to Officer Stuetgen. After photos of the Less Lethal shotgun and Less Lethal ammunition were captured, I recovered the Less Lethal shotgun and Less Lethal ammunition and packaged them in a cardboard long gun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Remington Less Lethal shotgun and ammunition were entered into Evidence, under Property #23-003278-1.

Photos of Involved Officer: City of West Allis Police Officer Kyle A Brockmann - Squad 314

I took a series of digital photos of Officer Kyle Brockmann who confirmed he was wearing exactly the same uniform and gear for the photos as at the time of the shooting, with the exception of the rifle he no longer had possession of. Officer Brockmann wore a dark blue short sleeve uniform shirt with a City of West Allis Police patch on both of his shoulders. Brockmann was wearing an external vest carrier which had his name embroidered (BROCKMANN) on the right breast. The vest carrier had a metal City of West Allis Police Patrol badge on his left breast. His pants were dark blue cargo type uniform pants and his shoes were black in color. Officer Brockmann was wearing a nylon duty belt with handgun holster (right side), Taser (left side), OC spray (right side), baton (right side), radio (left side), handcuffs (right side) and a three (3) handgun magazine pouch (left side). Officer Brockmann was wearing a body camera on his right breast pocket. Officer Brockmann was wearing a baseball style hat that said "POLICE" on the front. Officer Brockmann had a pocket knife in his right leg cargo

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

pocket, along with a pair of black cloth gloves. Officer Brockmann said he was uninjured and his hands, arms and legs showed no injury.

The duty handgun from Officer Brockmann's holster was turned over to me. He stated he did not fire his handgun during the incident.

The handgun was a Glock brand, model 17 semi-automatic 9mm, with serial number [REDACTED]. The handgun had one round chambered. The magazine seated in the gun held seventeen (17) cartridges of WIN 9mm Luger +P ammunition with a bright silver case. The three (3) magazines that were in his magazine holder were turned over to me and they were all found to contain seventeen (17) cartridges of identical ammunition. The magazines all were marked "KB2863" on them. Officer Brockmann stated he carries full magazines of seventeen (17) with one round in the chamber. His total handgun ammunition load is 69 cartridges. He had 69 cartridges indicating he did not fire his handgun during the incident. Officer Brockmann had a Streamlight TLR-1s flashlight, serial number 2986861119, on his handgun.

Officer Brockmann stated he was assigned City of West Allis Rifle #6. Officer Brockmann's Rifle, a Smith & Wesson Model M&P-15, with serial number [REDACTED]. The Rifle was outfitted with a Streamlight flashlight on the end and a Vortex SPARCar optic mounted on the top rail. The Rifle had one (1) magazine with the gun and it was labeled 6-1. The magazine had 23 rounds of WMA 20 5.56mm. Officer Brockmann's rifle was cleared on scene and the round in the chamber was loaded back into the magazine. Officer Brockmann stated the magazine had 28 rounds in it when he started his shift. Officer Brockmann's rifle round count indicated he fired five (5) rifle rounds during the incident. After photos of the handgun, handgun magazines and handgun ammunition were captured, I confirmed that Officer Brockmann did not fire his Glock 9mm handgun. I turned the Glock handgun, all 9mm ammunition, Glock magazines over to Officer Brockmann. After photos of the Rifle and Rifle ammunition were captured, I recovered the Rifle and Rifle ammunition and packaged them in a cardboard long gun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Smith and Wesson Rifle and ammunition were entered into Evidence, under Property #23-003278-5.

Photos of Involved Officer: City of West Allis Police Officer Connor R laquinta - Squad 316

I took a series of digital photos of Officer Connor laquinta who confirmed he was wearing exactly the same uniform and gear for the photos as at the time of the shooting, with the exception of the rifle he no longer had possession of. Officer laquinta wore a dark blue short sleeve uniform shirt with a City of West Allis Police patch on both of his shoulders. laquinta was wearing an external vest carrier which had his name embroidered (IAQUINTA) on the right breast. The vest carrier had a fabric City

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

of West Allis Police Patrol badge attached with Velcro on his left breast. The vest carrier also had a Taser (right side), flashlight (right side), handcuffs (left side) and radio (right side). His pants were dark blue cargo type uniform pants and his boots were black in color. Officer laquinta was wearing a nylon duty belt with handgun holster (left side), OC spray (left side) and a two (2) handgun magazine pouch (right side). Officer laquinta was wearing a body camera on his left breast. Officer laquinta had a pocket knife in his right pants pocket and an additional flashlight in his left pants cargo pocket. laquinta said he was uninjured and his hands, arms and legs showed no injury.

The duty handgun from Officer laquinta 's holster was turned over to me. He stated he did not fire his handgun during the incident.

The handgun was a Glock brand, model 17 semi-automatic 9mm, with serial number [REDACTED]. The handgun had one round chambered. The magazine seated in the gun held seventeen (17) cartridges of WIN 9mm Lugar +P ammunition with a bright silver case. The two (2) magazines that were in his magazine holder were turned over to me and both magazines were found to contain seventeen (17) cartridges of identical ammunition. Officer laquinta stated he carries full magazines of seventeen (17) with one round in the chamber. His total handgun ammunition load is 52 cartridges. He had 52 cartridges indicating he did not fire his handgun during the incident. Officer laquinta had a Streamlight TLR-1HL flashlight, serial number 470928A1221, on his handgun.

Officer laquinta stated he was assigned City of West Allis Rifle #1. Officer laquinta's Rifle, a Smith & Model M&P-15, with serial number [REDACTED]. The Rifle was outfitted with a Streamlight flashlight on the end and a Vortex SPARCar optic mounted on the top rail. The Rifle had two (2) magazines with the gun. One of the magazines was labeled 1-2. The magazine labeled 1-2 had 27 rounds of WMA 20 5.56mm ammunition loaded in it. The clear magazine that was not labeled had 21 rounds of WMA 20 5.56mm loaded into it. Officer laquinta's rifle was cleared on scene and the round in the chamber was loaded back into the magazine. Officer laquinta stated the magazine should have 28 rounds loaded into them when he started his shift. Officer laquinta's total rifle ammunition load is 56 rounds and he had 48 rounds, indicating Officer laquinta fired eight (8) rounds from his rifle. Since Officer laquinta did not conduct a tactical reload, it was determined that Officer laquinta's second magazine (1-2) only had 27 rounds at the start of the shift. Lt Gold checked Officer laquinta's "go bag", which was still in Officer laquinta's Police vehicle and there was one (1) rifle magazine, labeled 1-3 in the "go bag". Lt Gold conducted a round count of magazine 1-3 and there were 27 rounds in that magazine, which never left Officer laquinta's Police vehicle. After photos of the handgun, handgun magazines and handgun ammunition were captured, I confirmed that Officer laquinta did not fire his Glock 9mm handgun. I turned the Glock handgun, all 9mm ammunition, Glock magazines over to Officer laquinta. After photos of the Rifle and Rifle ammunition were captured, I recovered the Rifle

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

and Rifle ammunition and packaged them in a cardboard long gun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Smith and Wesson Rifle and ammunition were entered into Evidence, under Property #23-003278-6.

Photos of Involved Officer: City of West Allis Police Officer Sergio Santa Cruz Medina - Squad 315

I took a series of digital photos of Officer Sergio Santa Cruz Medina who confirmed he was wearing exactly the same uniform and gear for the photos as at the time of the shooting, with the exception of the rifle he no longer had possession of. Officer Santa Cruz Medina wore a dark blue long sleeve uniform shirt with a City of West Allis Police patch on both of his shoulders. Officer Santa Cruz Medina was wearing an external vest carrier which had his name embroidered (SANTA CRUZ) on the right breast. The vest carrier had a metal City of West Allis Police Patrol badge on his left breast. vest carrier also had a flashlight (left side), handcuffs (right side), a two (2) single handgun magazine pouches (left side) and radio (left side), OC spray (right side) and a pair of trauma shears (right side).

His pants were dark blue cargo type uniform pants and his boots were black in color. Officer Santa Cruz Medina was wearing a nylon duty belt with handgun holster (right side), Taser (left side) and a flashlight (left side). Officer Santa Cruz Medina was wearing a body camera on his left breast. Office Santa Cruz Medina had a pocket knife in his left pants pocket. Officer Santa Cruz Medina said he was uninjured and his hands, arms and legs showed no injury.

The duty handgun from Officer Santa Cruz Medina 's holster was turned over to me.

The handgun was a Glock brand, model 17 semi-automatic 9mm, with serial number [REDACTED]. The handgun had one round chambered. The magazine seated in the gun held seventeen (17) cartridges of WIN 9mm Lugar +P ammunition with a bright silver case. The two (2) magazines that were in his magazine holders were turned over to me and one was found to contain seventeen (17) cartridges of identical ammunition and the second magazine was found to have two (2) cartridges of identical ammunition. Officer Santa Cruz Medina stated he carries full magazines of seventeen (17) with one round in the chamber. His total handgun ammunition load is 52 cartridges. He had 37 cartridges indicating he fired fifteen (15) rounds from his handgun during the incident. Officer Santa Cruz Medina had a Streamlight TLR-1s flashlight, on his handgun. After photos of the Glock handgun and handgun ammunition were captured, I recovered the Glock handgun and handgun ammunition and packaged them in a cardboard handgun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Glock handgun and ammunition were entered into Evidence, under Property #23-003278-2.

Photos of Involved Officer: City of West Allis Police Officer Anthony Hayner - Squad 333

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

5 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

I took a series of digital photos of Officer Anthony Hayner who confirmed he was wearing exactly the same uniform and gear for the photos as at the time of the shooting, with the exception of the rifle he no longer had possession of. Officer Hayner wore a dark blue long sleeve uniform shirt with a City of West Allis Police patch on both of his shoulders. Officer Hayner was wearing an external vest carrier which had his name embroidered (HAYNER) on the right breast. The vest carrier had a fabric City of West Allis Police Patrol badge Velcroed on his left breast. Officer Hayner had his Police radio (left side), flashlight (right side) and medical supply pouch (left side) on the external vest carrier. His pants were dark blue cargo type uniform pants and his shoes were black in color. Officer Hayner was wearing a nylon duty belt with handgun holster (right side), Taser (left side), OC spray (left side), baton (left side), handcuffs (right side), tourniquet (right side) and a two (2) handgun magazine pouch (left side). Officer Hayner was wearing a body camera on his left breast pocket. Officer Hayner said he was uninjured and his hands, arms and legs showed no injury.

The duty handgun from Officer Hayner's holster was turned over to me. He stated he did not fire his handgun during the incident.

The handgun was a Glock brand, model 17 semi-automatic 9mm, with serial number [REDACTED]. The handgun had one round chambered. The magazine seated in the gun held seventeen (17) cartridges of WIN 9mm Luger +P ammunition with a bright silver case. The two (2) magazines that were in his magazine holder were turned over to me. I unloaded the two (2) magazines and I found one (1) magazine to contain seventeen (17) cartridges of identical ammunition. I found the other magazine to contain sixteen (16) cartridges of ammunition. Officer Hayner stated he carries full magazines of seventeen (17) with one round in the chamber. His total handgun ammunition load is 52 cartridges. He had 51 cartridges indicating he fired his handgun during the incident. Officer Hayner wanted to explain the reason he was one (1) round short, but his Attorney did not want him to talk during the round count and photographs. Officer Hayner had a Streamlight TLR-1HL flashlight, serial number 8359930321, on his handgun. After photos of the Glock handgun and handgun ammunition were captured, I recovered the Glock handgun and handgun ammunition and packaged them in a cardboard handgun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Glock handgun and ammunition were entered into Evidence, under Property #23-003278-3.

Officer Hayner stated he was assigned City of West Allis Rifle #4. Officer Hayner's Rifle, a Smith & Wesson Model M&P-15, with serial number [REDACTED]. The Rifle was outfitted with a Streamlight flashlight on the end and a Vortex SPARCar optic mounted on the top rail. The Rifle had one (1) magazine with the gun and it was labeled 4-3. The magazine had fourteen (14) rounds of WMA 20 5.56mm. Officer Hayner's rifle was cleared on scene and the round in the chamber was loaded back

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

6 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

into the magazine. Officer Hayner stated the magazine had 28 rounds in it when he started his shift. Hayner's rifle round count indicated he fired fourteen (14) rifle rounds during the incident. After photos of the Rifle and Rifle ammunition were captured, I recovered the Rifle and Rifle ammunition and packaged them in a cardboard long gun box. I sealed the box with Evidence tape. I kept the gun box in my possession until I entered it into Evidence at the Wauwatosa Police Department. The Smith and Wesson Rifle and ammunition were entered into Evidence, under Property #23-003278-4.

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

7 of 11

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
Recovered Location: 11301 W Lincoln Av Recovered Date: 09/28/23 08:56 Owner: West Allis Police Department, ,11301 W Lincoln Av West Allis, WI, 53227		

Item#	Type	Reason

23-003278 - 1	Gun	Evidence
Description: Remington 870 Police Magnum 12 gauge shotgun - LLS6 - Officer Stuetzgen - painted orange for Less Lethal - with three Defense Technology FR Drag Stabilized Bean Bag rounds		
Make: Remington		
Caliber: 12		
Serial#: [REDACTED]		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent to the Property Room		

Recovered Location: 11301 W Lincoln Av Recovered Date: 09/28/23 09:53 Owner: West Allis Police Department, ,11301 W Lincoln Av West Allis, WI, 53227		

Item#	Type	Reason

23-003278 - 2	Gun	Evidence
Description: Glock Model 17 9mm handgun - Officer Sergio Santa Cruz Medina w/ 3 magazines and 37 rounds of WIN 9mm Luger+P ammo		
Make: Glock		
Caliber: 9mm		
Serial#: [REDACTED]		
Quan/Value: 1.000 / \$0.00		
Disposition: Sent to the Property Room		

Reporting Officer(s): Cepican, Ryan L.	Payroll Number : 5759	Pages: 8 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Found in possession of: **Hayner, Anthony, 11301 W Lincoln Av West Allis, WI, 53227**

Recovered Location: **11301 W Lincoln Av**

Recovered Date: **09/28/23 10:02**

Owner: **West Allis Police Department, , 11301 W Lincoln Av West Allis, WI, 53227**

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

23-003278 - 3 Gun

Evidence

Description: Glock Model 17 9mm handgun - Officer Anthony Hayner - with 3 magazines and 51 rounds (see narrative for ammo type)

Make: Glock

Caliber: 9mm

Serial#: [REDACTED]

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Found in possession of: **Kaye, , ,**

Recovered Location: **11301 W Lincoln Av**

Recovered Date: **09/28/23 09:16**

Owner: **West Allis Police Department, , 11301 W Lincoln Av West Allis, WI, 53227**

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

23-003278 - 4 Gun

Evidence

Description: Smith & Wesson Model 15 rifle #4, with Vortex optic and flashlight - Officer Anthony Hayner - w/ 1 magazine and 14 rounds ammo

Make: Smith & Wesson

Caliber: 5.56mm

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

9 Of 11

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Serial#:

[REDACTED]

Quan/Value:

1.000 / \$0.00

Disposition:

Sent to the Property Room

Found in possession of: **Kaye, , ,**Recovered Location: **11301 W Lincoln Av**Recovered Date: **09/28/23 09:26**Owner: **West Allis Police Department, ,11301 W Lincoln Av West Allis, WI, 53227****Item#****Type****Reason**

23-003278 - 5 Gun

Evidence

Description: Smith & Wesson Model 15 rifle #6, with Vortex optic and flashlight - Officer Kyle Brockmann - w/1 magazine and 23 rounds ammo**Make:**

Smith & Wesson

Caliber:

5.56mm

Serial#:

[REDACTED]

Quan/Value:

1.000 / \$0.00

Disposition:

Sent to the Property Room

Found in possession of: **Kaye, Jacob, , ,**Recovered Location: **11301 W Lincoln Av**Recovered Date: **09/28/23 09:45**Owner: **West Allis Police Department, ,11301 W Lincoln Av West Allis, WI, 53227****Item#****Type****Reason**

23-003278 - 6 Gun

Evidence

Description: Smith & Wesson Model 15 rifle #1, with Vortex optic and flashlight - Officer Connor Iaquina - w/2 magazines and 48 rounds ammo

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

10 Of 11

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Make: Smith & Wesson
Caliber: 5.56mm
Serial#: XXXXXXXXXX
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

11 Of 11

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE Milwaukee Area Investigative Team Report This report is completed by Detective Stephen F. Kirby of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved death of Justin R. Gonzales (M/W ■■■/■■■/1987) on September 28, 2023. The incident occurred at 14■■■ South 71 Street in the City of West Allis involving officers from West Allis Police Department. The West Allis Police incident number is 23-38085. The City of Wauwatosa Police are the lead investigative agency with assigned case number 23-26254. On September 28, 2023 I was assigned the responsibility of the scene investigation in coordination with the Wisconsin State Crime Lab (WSCL)Crime Scene Response (CSR) team. Crime Lab Staff on Scene The WSCL CSR team was officially requested and arrived on-scene. Chief Chris Johnson was the lead investigator with Julie Avila assisting. Also on scene, as part of the CSR team, was Pamela Taylor (CSR Photographer) and Yolanda Sanchez (CSR Team Member). The WSCL CSR assigned their case number R23-2910. See WSCL CSR reports for details on scene processing specifics. Also assisting on scene with technical and K9 expertise was ATF special Agent Jason Salerno. The scene itself was protected by West Allis Police Officers with assistance of Wauwatosa Police Officers at times. West Allis Police maintained a scene log, see their reports for details. Additional assistance was provided for scene documentation and processing by Wisconsin State Patrol for mapping. See those reports for details. Scene Response Scene Overview The incident occurred in a residential neighborhood. The house 14■■■ South 71st Street is a standalone house like structure with an upstairs apartment and a downstairs unit (two flat). The incident involved only the lower. Other homes and rental units were			
Reporting Officer(s): Kirby, Stephen F.		Payroll Number : 5874	Report Date: 09/28/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

adjacent to the incident location but all the incident related actions and evidence were contained to the area immediately in front of or in the lower unit of 14██ South 71st Street.

The home is on the east side of the street with a main door facing west. To access the door, one has to ascend one concrete step from the sidewalk to a sidewalk to the front porch. Five steps lead to the front porch which is a covered wooden structure with rails. The lower portion of the porch is enclosed in wooden lattice work. The enclosed porch spans the width of the home including three windows, two of which open in a single or double hung style. The south most window was the pint of entry according to a witness. The lower pane of the window was open (pulled up and the screen intact. I lifted the screen and found it was not secure in any way. It could be pushed up to access the window and when released fell right back into place.

The front yard is very small. There are two doors on the porch. The south door leads into the lower unit. The north door leads to steps up to the upper unit. The lower exterior of the building is painted stone.

The yard and porch were cluttered with garbage and miscellaneous items like toys and chairs.

Upon my arrival I met with Sgt. Orlowski and other West Allis Detectives who provided information regarding the known extent of the scene and the securing of it. West Allis Officers placed evidence markers shortly after the incident to try to protect the items they thought could be evidence. All those markers were replaced or removed once I understood what items were likely evidence from the initial investigation including public safety statements and immediate body worn camera review. Some items they marked as evidence were later determined to be uninvolved. CSR numbers were placed near items believed to be evidence by myself and CSR team members.

Certain items were moved from original locations, primarily the officer's squad cars were not in the positions they were in at the time of the incident. Later investigation would show the squad cars were all at least a half a block away and played no role in the use of force incident. All other items were documented in the location they were found upon my and CSR arrival.

Of note, the ballistic shield used in the incident was secured in a responding Sergeant's squad. Once located I inspected the shield and found it contained no significant

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

2 of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

evidence. It did appear possible there were two very small dots of suspected blood on the shield. I requested CSR to photograph the shield but did not collect it as an item of evidence as it held no forensic value. See CSR photographs for details.

During the scene investigation CSR team members worked to document and recover all items of evidence in the scene. Chief Johnson retained the evidence for packaging and documentation and later turned the items over to Wauwatosa Police, see below.

State Patrol Investigator Scot Darin conducted electronic 3D mapping of the scene, see his reports for details.

Milwaukee County Medical Examiner's Office Scene Investigation

Upon our arrival the suspect, Justin Gonzales was still on the porch. He remained there until later removed by Milwaukee County Medical Examiner's Forensic Investigator Cori Manyen and the transport team during their medico-legal investigation.

Time of Death

Investigator Manyen pronounced the time of death as 12:25.

Documentation Received from WSCL

On October 3, 2023 I received materials from WSCL regarding scene digital photography. The photos including PDF sets were saved to the secure Detective Bureau server as well as the MAIT folder for this investigation. The WSCL form "Letter of Introduction" was received, scanned and attached to this case.

Items recovered and entered by Wauwatosa Police

At the request of Wauwatosa Police Investigative Division Command, I recovered the two cell phones Gonzales had on scene for immediate further investigation.

Scene item 48 was a blue Motorola smartphone with a shattered screen in a black leather wallet case. It was located and recovered from a manila envelope on the porch where a West Allis responder placed it. I entered the cell phone with case as item 23-3283-1. The ID card for Justin Gonzales from the wallet was entered separately as item 23-3283-2. The remaining personal papers and transaction cards were entered as item 23-3283-3.

Scene item 76 is a black Koobee smart cell phone from Gonzales pocket. It was recovered from MCME Forensic Investigator Manyan who searched Gonzales as part of

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

3 of 28

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
her investigation. I entered it as item 23-3284-1. Both phones were secured in Wauwatosa Police evidence storage locations. Evidence Transferred from Wisconsin State Crime Lab (WSCL) to Wauwatosa Police On October 12, 2022 I met with Chief Johnson at the Wauwatosa Police Department to receive the remaining items of evidence the Crime Scene Response (CSR) team collected and packaged the day of the incident. I received 80 items of evidence properly sealed and packaged. I signed the "Receipt of Physical Evidence" form and a copy is attached to the case and uploaded to the MAIT folder. Note, the number of items on the form for CSRT shows 85 "Item Designation" numbers but 80 physical items were turned over. Items 3, 4 and 5 were originally marked as possible evidence and later determined to be uninvolved therefore not collected. Additionally, WSCL scene items 48 (a cell phone with wallet case) and 76 (a cell phone from the deceased's pocket) were turned over the morning of the incident for immediate investigation. Property Entry I entered all 80 items received from WSCL CSR on October 12, 2023 into Wauwatosa Property as evidence and secured them into Wauwatosa Police Vaults. The items entered were: *WSCL scene item 1: Fired 12 gauge less lethal shot shell on sidewalk west of residence (Drag Stabilized Bean Bag) entered as Wauwatosa Police item 23-3507-1 *WSCL scene item 2: Fired Cartridge Case head stamped WMA19 5.56 on sidewalk west of residence. entered as Wauwatosa Police item 23-3507-2 <u>*Note, scene items 3, 4 and 5 were not collected as later investigation showed they were uninvolved items.</u> *WSCL scene item 6: Fired Cartridge Case head stamped WMA19 5.56 on concrete at bottom of first step entered as Wauwatosa Police item 23-3507-3 *WSCL scene item 7: Fired Cartridge Case head stamped WIN 9MM Luger +P on walkway north of residence entered as Wauwatosa Police item 23-3507-4 *WSCL scene item 8: Fired Cartridge Case head stamped WIN 9MM Luger +P on mulch directly south of the north walkway entered as Wauwatosa Police item 23-3507-5 *WSCL scene item 9: Fired Cartridge Case head stamped WIN 9MM Luger +P on mulch directly south of the north walkway entered as Wauwatosa Police item 23-3507-6 *WSCL scene item 10: cup from fired 12 Gauge less lethal shot shell under the bush of the property north of residence entered as Wauwatosa Police item 23-3507-7		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 4 Of 28

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
*WSCL scene item 11: Felt insert from fired 12 gauge less lethal shot shell by the tree trunk on property north of residence entered as Wauwatosa Police item 23-3507-8 *WSCL scene item 12: Fired Cartridge Case head stamped WIN 9MM Luger +P on second step leading to front porch of residence entered as Wauwatosa Police item 23-3507-9 *WSCL scene item 13: Fired Cartridge Case head stamped WMA20 5.56 on north railing of steps leading to front porch of residence entered as Wauwatosa Police item 23-3507-10 *WSCL scene item 14: Fired Cartridge Case head stamped WMA 20 5.56 on third step leading to front porch of residence entered as Wauwatosa Police item 23-3507-11 *WSCL scene item 15: Fired Cartridge Case head stamped WMA 20 5.56 on fourth step leading to front porch of residence entered as Wauwatosa Police item 23-3507-12 *WSCL scene item 16: Fired Cartridge Case head stamped WIN 9MM Luger +P on fourth step leading to front porch of residence entered as Wauwatosa Police item 23-3507-13 *WSCL scene item 17: Fired Cartridge Case head stamped WMA 20 5.56 on fifth step leading to front porch of residence entered as Wauwatosa Police item 23-3507-14 *WSCL scene item 18: Fired bean bag from less lethal shot shell on fifth step leading to front porch of residence entered as Wauwatosa Police item 23-3507-15 *WSCL scene item 19: Fired 12 gauge less lethal shot shell (Drag Stabilized Bean Bag) on fifth step leading to front porch of residence entered as Wauwatosa Police item 23-3507-16 *WSCL scene item 20: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-17 *WSCL scene item 21: Fired Cartridge Case head stamped WMA 19 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-18 *WSCL scene item 22: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-19 *WSCL scene item 23: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-20 *WSCL scene item 24: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-21 *WSCL scene item 25: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-22 *WSCL scene item 26: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence entered as Wauwatosa Police item 23-3507-23 *WSCL scene item 27: Fired Cartridge Case head stamped WIN 9MM Luger +P on front		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 5 of 28

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
porch of residence entered as Wauwatosa Police item 23-3507-24 *WSCL scene item 28: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence entered as Wauwatosa Police item 23-3507-25 *WSCL scene item 29: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-26 *WSCL scene item 30: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-27 *WSCL scene item 31: Light blue handled knife (w/ apparent blood stains) from front porch north end entered as Wauwatosa Police item 23-3507-28 *WSCL scene item 32: Fired Cartridge Case head stamped WMA 20 5.56 on front porch north end entered as Wauwatosa Police item 23-3507-29 *WSCL scene item 33: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-30 *WSCL scene item 34: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-31 *WSCL scene item 35: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-32 *WSCL scene item 36: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-33 *WSCL scene item 37: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end entered as Wauwatosa Police item 23-3507-34 *WSCL scene item 38: Green Bay Packers ball cap (w/ apparent defect) on front porch north end entered as Wauwatosa Police item 23-3507-35 *WSCL scene item 39: white ball cap liner (w/ apparent defect) on front porch north end entered as Wauwatosa Police item 23-3507-36 *WSCL scene item 40: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch directly outside entrance door entered as Wauwatosa Police item 23-3507-37 *WSCL scene item 41: Fired bullet front porch by decedent's right hand entered as Wauwatosa Police item 23-3507-38 *WSCL scene item 42: Fired Cartridge Case head stamped WMA 20 5.56 on front porch directly outside entrance door entered as Wauwatosa Police item 23-3507-39 *WSCL scene item 43: Fired bullet on front porch doormat directly outside entrance door entered as Wauwatosa Police item 23-3507-40 <u>*Note, a data entry error created a duplicate of scene item 43 and assigned property number 23-3507-41. That item was deleted but the item sequencing did not change below. There is no actual item 23-3507-41.</u> *WSCL scene item 44: Fired bullet front porch by decedent's right hand entered as		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 6 of 28

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
Wauwatosa Police item 23-3507-42 *WSCL scene item 45: Fired Cartridge Case head stamped WMA 20 5.56 on front porch adjacent to decedent's right side entered as Wauwatosa Police item 23-3507- 43 *WSCL scene item 46: Fired Cartridge Case head stamped WMA 20 5.56 on front porch adjacent to decedent's right side entered as Wauwatosa Police item 23-3507-44 *WSCL scene item 47: Fired bullet on front porch doormat adjacent to decedent's right leg entered as Wauwatosa Police item 23-3507-45 <u>*WSCL scene item 48 previously recovered on the day of the incident as described above. It was a blue Motorola smartphone with a shattered screen in a black leather wallet case. It was located and recovered from a manila envelope on the porch where a West Allis responder placed it. I entered the cell phone with case as item 23-3283-1. The ID card for Justin Gonzales from the wallet was entered separately as item 23-3283-2. The remaining personal papers and transaction cards were entered as item 23-3283-3.</u> *WSCL scene item 49: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-46 *WSCL scene item 50: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-47 *WSCL scene item 51: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-48 *WSCL scene item 52: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-49 *WSCL scene item 53: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-50 *WSCL scene item 54: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door entered as Wauwatosa Police item 23-3507-51 *WSCL scene item 55: fired bullet on ground underneath bushes directly west of front porch entered as Wauwatosa Police item 23-3507-52 *WSCL scene item 56: silver knife (butcher style) w/ apparent bloodstains on foyer floor entered as Wauwatosa Police item 23-3507-53 *WSCL scene item 57: Fired bean bag from 12 gauge less lethal shot shell on foyer floor entered as Wauwatosa Police item 23-3507-54 *WSCL scene item 58: Felt insert from fired 12 gauge less lethal shot shell on foyer floor entered as Wauwatosa Police item 23-3507-55 *WSCL scene item 59: cup from fired 12 Gauge less lethal shot shell in plastic hamper in foyer entered as Wauwatosa Police item 23-3507-56 *WSCL scene item 60: fired bullet on foyer floor entered as Wauwatosa Police item 23-		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 7 of 28

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
3507-57 *WSCL scene item 61: felt insert from fired 12 gauge less lethal shot shell on foyer floor by children's toys entered as Wauwatosa Police item 23-3507-58 *WSCL scene item 62: fired bullet on foyer floor entered as Wauwatosa Police item 23-3507-59 *WSCL scene item 63: fired bullet on living room floor southeast corner entered as Wauwatosa Police item 23-3507-60 *WSCL scene item 64: fired bullet on living room floor east half entered as Wauwatosa Police item 23-3507-61 *WSCL scene item 65: fired bullet on front room floor west half entered as Wauwatosa Police item 23-3507-62 *WSCL scene item 66: fired bullet on ground underneath front porch entered as Wauwatosa Police item 23-3507-63 *WSCL scene item 67: clear plastic bottle containing clear liquid recovered on top of shoe boxes in foyer south of door entered as Wauwatosa Police item 23-3507-64 *WSCL scene item 68: Walgreens medication bottle (empty) with label - Justin Gonzales quetiapine 100mg tablets recovered from kitchen counter north of sink entered as Wauwatosa Police item 23-3507-65 *WSCL scene item 69: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent's left shoulder entered as Wauwatosa Police item 23-3507-66 *WSCL scene item 70: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent entered as Wauwatosa Police item 23-3507-67 *WSCL scene item 71: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent entered as Wauwatosa Police item 23-3507-68 *WSCL scene item 72: Fired bullet on front porch underneath decedent entered as Wauwatosa Police item 23-3507-69 *WSCL scene item 73: Fired bullet on front porch underneath decedent entered as Wauwatosa Police item 23-3507-70 *WSCL scene item 74: Fired bullet on front porch underneath door mat entered as Wauwatosa Police item 23-3507-71 *WSCL scene item 75: Fired bullet on front porch underneath decedent entered as Wauwatosa Police item 23-3507-72 <u>*WSCL scene item 76: previously recovered on the day of the incident as described above. It is a black Koobee smart cell phone from Gonzales pocket. It was recovered from MCME Forensic Investigator Manyan who searched Gonzales as part of her investigation. I entered it as item 23-3284-1.</u> *WSCL scene item 77: miscellaneous items from decedent's shorts pockets to include		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 8 of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

pepper spray, 3 lighters, white plastic trash bag and change entered as Wauwatosa Police item 23-3507-73

*WSCL scene item 78: Fired bullet on foyer floor east wall entered as Wauwatosa Police item 23-3507-74

*WSCL scene item 79: Fired bullet/jacket material on foyer floor east wall entered as Wauwatosa Police item 23-3507-75

*WSCL scene item 80: Fired bullet in east wall of front room south of foyer entered as Wauwatosa Police item 23-3507-76

*WSCL scene item 81: Fired bullet in east wall of front room south of foyer entered as Wauwatosa Police item 23-3507-77

*WSCL scene item 82: Fired bullet in east wall (at base) of foyer entered as Wauwatosa Police item 23-3507-78

*WSCL scene item 83: Fired bullet in east wall of front room - south of foyer entered as Wauwatosa Police item 23-3507-79

*WSCL scene item 84: Fired bullet in bottom left corner of living room TV on south wall entered as Wauwatosa Police item 23-3507-80

*WSCL scene item 85: Fired bullet in front porch underneath doormat entered as Wauwatosa Police item 23-3507-81

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

9 of 28

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

NAMES

Police

Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa, WI, 53226

Phone 1: (414) 471-8430

Deceased

Gonzales, Justin Robby W/M-36 of [REDACTED] [REDACTED] [REDACTED], West Allis, WI, 53227

DOB: [REDACTED]/[REDACTED]/1987

HT: 510 WT: 190 Hair: Black

Eyes: Hazel

Phone 1: ([REDACTED]) [REDACTED]-[REDACTED] Phone 2: ([REDACTED]) [REDACTED]-[REDACTED]

OTHER NAMES

West Allis Police Department B

of 11301 W Lincoln Av

West Allis, WI, 53227

Phone 1: (414) 302-8000 Phone 2: (414) 302-8099

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number :

5874

Pages:

10 Of 28

Wauwatosa Police Department

Continuation

Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
-------------------------------------	--	------------------------------

Item#	Type	Reason
23-003283 - 1	Article	Evidence
Description:	WSCL item 48: blue motorola cell phone with leather wallet case	
Brand:	Motorola	
Colors:	Blue,	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	
Item#	Type	Reason
23-003283 - 2	Article	Evidence
Description:	ID card for Justin Gonzales from WSCL item 48: cell phone wallet case	
Brand:	WISCONSIN	
Serial#:	■■■■-■■■■-■■■■-■■	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	
Item#	Type	Reason
23-003283 - 3	Article	Evidence
Description:	Miscellaneous personal papers and transaction cards for Justin Gonzales from WSCL item 48: leather cell phone wallet case	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	
Item#	Type	Reason
23-003284 - 1	Article	Evidence
Description:	WSCL item 76: Koobee cell phone from deceased pocket	
Brand:	Koobee	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	
Item#	Type	Reason
23-003507 - 1	Article	Evidence
Description:	WSCL scene item 1: Fired 12 gauge less lethal shot shell on sidewalk west of residence (Drag Stabilized Bean Bag)	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	

Reporting Officer(s): Kirby, Stephen F.	Payroll Number : 5874	Pages: 11 Of 28
--	--------------------------	--------------------

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003507 - 2 Article

Evidence

Description: WSCL scene item 2: Fired Cartridge Case head stamped WMA19 5.56 on sidewalk west of residence.**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 3 Article

Evidence

Description: WSCL scene item 6:: Fired Cartridge Case head stamped WMA19 5.56 on concrete at bottom of first step**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 4 Article

Evidence

Description: WSCL scene item 7: Fired Cartridge Case head stamped WIN 9MM Luger +P on walkway north of residence**Brand:** WIN**Model:** 9mm**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 5 Article

Evidence

Description: WSCL scene item 8: Fired Cartridge Case head stamped WIN 9MM Luger +P on mulch directly south of the north walkway**Brand:** WIN**Model:** 9mm**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

12 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

23-003507 - 6 Article

Evidence

Description: WSCL scene item 9: Fired Cartridge Case head stamped WIN 9MM
Luger +P on mulch directly south of the north walkway

Brand: WIN

Model: 9MM

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 7 Article

Evidence

Description: WSCL scene item 10: cup from fired 12 Gauge less lethal shot
shell under the bush of the property north of residence

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 8 Article

Evidence

Description: WSCL scene item 11: Felt insert from fired 12 gauge less
lethal shot shell by the tree trunk on property north of residence

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 9 Article

Evidence

Description: WSCL scene item 12: Fired Cartridge Case head stamped WIN 9MM
Luger +P on second step leading to front porch of residence

Brand: WIN

Model: 9MM

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 10 Article

Evidence

Description: WSCL scene item 13: Fired Cartridge Case head stamped WMA 20
5.56 on north railing of steps leading to front porch of residence

Brand: WMA

Model: 5.56

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

13 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 11 Article Evidence
Description: WSCL scene item 14: Fired Cartridge Case head stamped WMA 20 5.56 on third step leading to front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 12 Article Evidence
Description: WSCL scene item 15: Fired Cartridge Case head stamped WMA 20 5.56 on forth step leading to front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 13 Article Evidence
Description: WSCL scene item 16: Fired Cartridge Case head stamped WIN 9MM Luger +P on fourth step leading to front porch of residence
Brand: WIN
Model: 9MM
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 14 Article Evidence
Description: WSCL scene item 17: Fired Cartridge Case head stamped WMA 20 5.56 on fifth step leading to front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

14 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003507 - 15 Article

Evidence

Description: WSCL scene item 18: Fired bean bag from less lethal shot shell on fifth step leading to front porch of residence**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 16 Article

Evidence

Description: WSCL scene item 19: Fired 12 gauge less lethal shot shell (Drag Stabilized Bean Bag) on fifth step leading to front porch of residence**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 17 Article

Evidence

Description: WSCL scene item 20: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 18 Article

Evidence

Description: WSCL scene item 21: Fired Cartridge Case head stamped WMA 19 5.56 on front porch of residence**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 19 Article

Evidence

Description: WSCL scene item 22: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

15 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 20 Article Evidence
Description: WSCL scene item 23: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 21 Article Evidence
Description: WSCL scene item 24: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 22 Article Evidence
Description: WSCL scene item 25: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 23 Article Evidence
Description: WSCL scene item 26: Fired Cartridge Case head stamped WMA 20 5.56 on front porch of residence
Brand: WMA
Model: 5.56

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

16 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 24 Article Evidence
Description: WSCL scene item 27: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence
Brand: WIN
Model: 9MM
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 25 Article Evidence
Description: WSCL scene item 28: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence
Brand: WIN
Model: 9MM
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 26 Article Evidence
Description: WSCL scene item 29: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence north end
Brand: WIN
Model: 9MM
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 27 Article Evidence
Description: WSCL scene item 30: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence north end
Brand: WIN
Model: 9MM
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

17 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003507 - 28 Article

Evidence

Description: WSCL scene item 31: Light blue handled knife (w/ apparent blood stains) from front porch north end**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 29 Article

Evidence

Description: WSCL scene item 32: Fired Cartridge Case head stamped WMA 20 5.56 on front porch north end**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 30 Article

Evidence

Description: WSCL scene item 33: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end**Brand:** WIN**Model:** 9MM**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 31 Article

Evidence

Description: WSCL scene item 34: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch of residence north end**Brand:** WIN**Model:** 9MM**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 32 Article

Evidence

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

18 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Description: WSCL scene item 35: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence north end

Brand: WIN

Model: 9MM

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 33 Article Evidence

Description: WSCL scene item 36: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence north end

Brand: WIN

Model: 9MM

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 34 Article Evidence

Description: WSCL scene item 37: Fired Cartridge Case head stamped WIN 9MM
Luger +P on front porch of residence north end

Brand: WIN

Model: 9MM

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 35 Article Evidence

Description: WSCL scene item 38: Green Bay Packers ball cap (w/ apparent defect) on front porch north end

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 36 Article Evidence

Description: WSCL scene item 39: white ball cap liner (w/ apparent defect) on front porch north end

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

19 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003507 - 37 Article

Evidence

Description: WSCL scene item 40: Fired Cartridge Case head stamped WIN 9MM Luger +P on front porch directly outside entrance door**Brand:** WIN**Model:** 9MM**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 38 Article

Evidence

Description: WSCL scene item 41: Fired bullet front porch by decedent's right hand**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 39 Article

Evidence

Description: WSCL scene item 42: Fired Cartridge Case head stamped WMA 20 5.56 on front porch directly outside entrance door**Brand:** WMA**Model:** 5.56**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 40 Article

Evidence

Description: WSCL scene item 43: fired bullet on front porch doormat directly outside entrance door**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 42 Article

Evidence

Description: WSCL scene item 44: Fired bullet front porch by decedent's right hand

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

20 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 43 Article Evidence
Description: WSCL scene item 45: Fired Cartridge Case head stamped WMA 20 5.56 on front porch adjacent to decedent's right side.
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 44 Article Evidence
Description: WSCL scene item 46: Fired Cartridge Case head stamped WMA 20 5.56 on front porch adjacent to decedent's right side.
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 45 Article Evidence
Description: WSCL scene item 47: Fired bullet on front porch doormat adjacent to decedent's right leg
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 46 Article Evidence
Description: WSCL scene item 49: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

21 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

23-003507 - 47 Article

Evidence

Description: WSCL scene item 50: Fired Cartridge Case head stamped WMA 20
5.56 on front porch south of entrance door

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 48 Article

Evidence

Description: WSCL scene item 51: Fired Cartridge Case head stamped WMA 20
5.56 on front porch south of entrance door

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 49 Article

Evidence

Description: WSCL scene item 52: Fired Cartridge Case head stamped WMA 20
5.56 on front porch south of entrance door

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 50 Article

Evidence

Description: WSCL scene item 53: Fired Cartridge Case head stamped WMA 20
5.56 on front porch south of entrance door

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 51 Article

Evidence

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

22 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Description: WSCL scene item 54: Fired Cartridge Case head stamped WMA 20 5.56 on front porch south of entrance door

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 52 Article Evidence

Description: WSCL scene item 55: fired bullet on ground underneath bushes directly west of front porch

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 53 Article Evidence

Description: WSCL scene item 56: silver knife (butcher style) w/ apparent bloodstains on foyer floor

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 54 Article Evidence

Description: WSCL scene item 57: Fired bean bag from 12 gauge less lethal shot shell on foyer floor

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 55 Article Evidence

Description: WSCL scene item 58: Felt insert from fired 12 gauge less lethal shot shell on foyer floor

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 56 Article Evidence

Description: WSCL scene item 59: cup from fired 12 Gauge less lethal shot shell in plastic hamper in foyer

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

23 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 57 Article Evidence
Description: WSCL scene item 60: fired bullet on foyer floor
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 58 Article Evidence
Description: WSCL scene item 61: felt insert from fired 12 gauge less lethal shot shell on foyer floor by children's toys
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 59 Article Evidence
Description: WSCL scene item 62: fired bullet on foyer floor
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 60 Article Evidence
Description: WSCL scene item 63: fired bullet on living room floor
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 61 Article Evidence
Description: WSCL scene item 64: fired bullet on living room floor east half
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

24 Of 28

Wauwatosa Police Department

Continuation

Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
-------------------------------------	--	------------------------------

23-003507 - 62 Article Evidence
Description: WSCL scene item 65: fired bullet on front room floor west half
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 63 Article Evidence
Description: WSCL scene item 66: fired bullet on ground underneath front porch
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 64 Article Evidence
Description: WSCL scene item 67: clear plastic bottle containing clear liquid recovered on top of shoe boxes in foyer south of door
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 65 Article Evidence
Description: WSCL scene item 68: Walgreens medication bottle (empty) with label - Justin Gonzales [REDACTED] [REDACTED] tablets recovered from kitchen counter north of sink
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 66 Article Evidence
Description: WSCL scene item 69: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent's left shoulder
Brand: WMA
Model: 5.56
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

Reporting Officer(s): Kirby, Stephen F.	Payroll Number: 5874	Pages: 25 Of 28
--	-------------------------	--------------------

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

23-003507 - 67 Article

Evidence

Description: WSCL scene item 70: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 68 Article

Evidence

Description: WSCL scene item 71: Fired Cartridge Case head stamped WMA 20 5.56 on front porch underneath decedent

Brand: WMA

Model: 5.56

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 69 Article

Evidence

Description: WSCL scene item 72: Fired bullet on front porch underneath decedent

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 70 Article

Evidence

Description: WSCL scene item 73: Fired bullet on front porch underneath decedent

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

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

23-003507 - 71 Article

Evidence

Description: WSCL scene item 74: Fired bullet on front porch underneath door mat

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

26 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003507 - 72 Article

Evidence

Description: WSCL scene item 75: Fired bullet on front porch underneath decedent**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 73 Article

Evidence

Description: WSCL scene item 77: miscellaneous items from decedent's shorts pockets to include pepper spray, 3 lighters, white plastic trash bag and change.**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 74 Article

Evidence

Description: WSCL scene item 78: Fired bullet on foyer floor east wall**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 75 Article

Evidence

Description: WSCL scene item 79: Fired bullet/jacket material on foyer floor east wall**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003507 - 76 Article

Evidence

Description: WSCL scene item 80: Fired bullet in east wall of front room south of foyer**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

27 Of 28

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

23-003507 - 77 Article Evidence
Description: WSCL scene item 81: Fired bullet in east wall of front room south of foyer
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 78 Article Evidence
Description: WSCL scene item 82: Fired bullet in east wall (at base) of foyer
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 79 Article Evidence
Description: WSCL scene item 83: Fired bullet in east wall of front room - south of foyer
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 80 Article Evidence
Description: WSCL scene item 84: Fired bullet in bottom left corner of living room TV on south wall
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003507 - 81 Article Evidence
Description: WSCL scene item 85: Fired bullet in front porch underneath doormat
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

28 Of 28

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE Public Safety Statements On 09/28/23, I (Sgt. James Wood) responded to an officer involved shooting (OIS) which occurred at 14██ S. 71 St. West Allis, WI as part of the Milwaukee Area Investigative Team (MAIT). The OIS involved officers from the West Allis Police Department (WAPD). WAPD Lt. Tim Gold provided me with the original involved officer public safety statements. I scanned and attached a copy of the original statements to this report. I entered the original public safety statements into property at the Wauwatosa Police Department. The following is a summary of each officer's public safety statement: Officer Anthony Hayner 1. No 2. Yes - victim (he) M/H? on porch 14██ 71 St 3. Front porch > Hayner and front porch stairs - other officers 4. No 5. No 5a. M/H, 35yoa, Larger Build 5b. On front porch - into house - came back out in doorway onto porch 5c. N/A 5d. 2 knives big kitchen knives 5e. No 5f. No 6. Yes 7. Yes, people in the house @ East x1 witness Completed on 09/28/23 at 7:31am by WAPD Sgt. Clint Corwin. Officer Connor Iaquina			
Reporting Officer(s): Wood, James L.		Payroll Number : 6505	Report Date: 09/29/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

1. No
2. Yes
3. To the East
4. No
5. No
- 5a. M/H heavy set baseball cap t-shirt and shorts
- 5b. West
- 5c. 30 min
- 5d. Knives
- 5e. No
- 5f. No
6. Yes
7. Yes

Completed on 09/28/23 at 7:52am by WAPD Sgt. Clint Corwin.

Officer Ryan Stuetgen

1. No
2. Yes
3. Less lethal, sidewalk to stairs, N/E on one, East on a second, other officers directly east
4. No
5. No
- 5a. M/H black shirt
- 5b. West
- 5c. Hour
- 5d. x2 Knives
- 5e. No
- 5f. No
6. Yes
7. Yes

Completed on 09/28/23 at 8:05am by WAPD Sgt. Clint Corwin.

Officer Sergio Santa Cruz Medina

1. No

Reporting Officer(s):

Wood, James L.

Payroll Number:

6505

Pages:

2 of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

2. No
3. Facing East, fired East
4. No
5. No
- 5a. M/W, med build baseball cap, black & red shirt
- 5b. Facing, walking west
- 5c. N/A
- 5d. x2 knives
- 5e. No
- 5f. No
6. Yes
7. Yes, guy next door to the south

Completed on 09/28/23 at 8:28am by WAPD Sgt. Clint Corwin.

Officer Kyle Brockmann

1. No
2. No, other than suspect
3. East, from front yard/porch towards front of house
4. No
5. No
- 5a. N/A
- 5b. N/A
- 5c. N/A
- 5d. N/A
- 5e. N/A
- 5f. N/A
6. Two large butcher knives
7. Male outside on the porch of 14███ S. 71 St. pointed officers towards house/North upon arrival

Completed on 09/28/23 (unknown time) by Det. Nick Stachula.

End of report

Reporting Officer(s):

Wood, James L.

Payroll Number:

6505

Pages:

3 Of 5

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
OTHER NAMES West Allis Police Department B of 11301 W Lincoln Av West Allis,WI,53227 Phone 1:(414) 302-8000 Phone 2:(414) 302-8099 -----		
Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Pages: 4 Of 5

Wauwatosa Police Department		Continuation																					
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023																					
----- <table><thead><tr><th>Item#</th><th>Type</th><th>Reason</th></tr></thead><tbody><tr><td colspan="3"> ----- </td></tr><tr><td>23-003286 - 1</td><td>Article</td><td>Evidence</td></tr><tr><td>Description:</td><td colspan="2">WAPD Involved Officer Public Safety Statements</td></tr><tr><td>Quan/Value:</td><td colspan="2">1.000 / \$0.00</td></tr><tr><td>Disposition:</td><td colspan="2">Sent to the Property Room</td></tr><tr><td colspan="3"> ----- </td></tr></tbody></table>			Item#	Type	Reason	-----			23-003286 - 1	Article	Evidence	Description:	WAPD Involved Officer Public Safety Statements		Quan/Value:	1.000 / \$0.00		Disposition:	Sent to the Property Room		-----		
Item#	Type	Reason																					

23-003286 - 1	Article	Evidence																					
Description:	WAPD Involved Officer Public Safety Statements																						
Quan/Value:	1.000 / \$0.00																						
Disposition:	Sent to the Property Room																						

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Pages: 5 Of 5																					

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1:	New CFS Code -1 : New CFS Code - 2:

NARRATIVE**23-26254 Milwaukee Area Investigative Team**

This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting in the City of West Allis (West Allis incident 23-38085). The City of Wauwatosa Police Department is the lead agency with case number of 23-26254.

WITNESS STATEMENT FROM J [REDACTED] K [REDACTED]

On 09-29-23 I spoke to the resident at 14 [REDACTED] S. 71 Street, [REDACTED], West Allis, J [REDACTED] K [REDACTED] M/W, [REDACTED]-[REDACTED]-69 who provided the following statement: he left his residence on 09-28-23 at about 6:30 AM, before any police response to the area. He works at [REDACTED] [REDACTED] in Muskego and usually leaves at 6:30 AM.

Prior to leaving for work, he did hear yelling coming from an open window on the lower unit at 14 [REDACTED] S. 71 Street. He recalled both male and female voices, but could not make out anything specific being said in the yelling. He heard this just as he was leaving for work.

While driving to work, J [REDACTED] K [REDACTED] saw West Allis squads driving eastbound with their emergency lights on in the area of S. 95th Street and W. National Avenue. It wasn't until later that he found out what happened and he believed those squads were responding to 14 [REDACTED] S. 71st Street.

J [REDACTED] K [REDACTED] added that he heard yelling from the lower unit at 14 [REDACTED] S. 71st Street a few weeks ago as well. He stated police responded as he recalled officers speaking with an unknown male on the porch.

J [REDACTED] K [REDACTED] stated he has spoken with the tenants of 14 [REDACTED] S. 71st Street in passing, but does not know them well enough to know their names.

Reporting Officer(s): Romeis, Michael W.	Payroll Number : 5807	Report Date: 09/29/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 of 2

[illegible][illegible]

Incident Report Number
23-026254

Incident Report Number
23-026254

Incident Location:	11301 W Lincoln Av, Wauwatosa, WI, 53226
--------------------	--

Incident Location:	11301 W Lincoln Av, Wauwatosa, WI, 53226
--------------------	--

Incident Date:
09/28/2023

Incident Date:
09/28/2023

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: ██████/██████/1969

Phone 1: (██████) ██████-██████

=====

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: █████/███/1969

Phone 1: (██████) █████-██████

=====

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: █████/███/1969

Phone 1: (██████) █████-██████

=====

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: █████/███/1969

Phone 1: (██████) █████-██████

=====

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: █████/███/1969

Phone 1: (██████) █████-██████

=====

NAMES

Witness

K██████, J██████ ■ W/M-54 of 14██████ S 71 St,██████, West Allis,WI,53214

DOB: █████/███/1969

Phone 1: (██████) █████-██████

=====

Reporting Officer(s): Romeis, Michael W.

Reporting Officer(s): Romeis, Michael W.

Payroll Number :	5807
------------------	------

Payroll Number :	5807
------------------	------

Pages:
2 Of 2

Pages:
2 Of 2

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE**INITIAL CALL**

On Thursday, 09/28/23 at approximately 0715 hrs. I, PO Daniel Mitchell responded to 14██ S. 71 St. to assist the West Allis Police Department with a critical incident.

SCENE SECURITY/LOG

I arrived on scene at approximately 0729 hrs. and remained in front of the residence until cleared from my assignment. At 0829 hrs. Det. Stephen Kirby arrived on scene and requested that I assist the West Allis Officer, PO Ramon Agor, with the scene log. PO Agor had been logging the scene prior to my arrival, while I was on scene and after my departure.

Names were collected from personnel that entered the inner perimeter, which was taped off with red police tape. The inner perimeter's southern border ran from the front porch post at 14██ S. 71 St. to a tree on the west sidewalk in front of 14██ S. 71 St. The western border ran along the west sidewalk between 14██ S. 71 St. and 14██ S. 71 St. The northern border ran from a tree in front of 14██ S. 71 St. to a tree in front of 14██ S. 71 St.

The house was able to be accessed from the rear (east entry) and I was unable to obtain names from personnel that entered via the rear.

DISPOSITION

PO Agor and I exchanged contact information in order to collaborate with the scene log. On Friday, 09/29/23 PO Agor emailed a draft of his report (WAPD IR #23-038085), which included the scene log he compiled. I took the arrival and departure times from his report and completed an Excel spreadsheet to reflect the information. See the attached spreadsheet for further information.

Some of the personnel do not have arrival or departure times. Those personnel appeared to have arrived prior to my arrival and/or departed after my departure.

Reporting Officer(s): Mitchell, Daniel T.	Payroll Number : 6439	Report Date: 10/02/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 of 2

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES		
Police		
Mitchell, PO Daniel T W/M of 1700 N 116 St, Wauwatosa,WI,53226		
Phone 1:(414) 471-8430		
=====		
Reporting Officer(s): Mitchell, Daniel T.	Payroll Number : 6439	Pages: 2 Of 2

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

This report is completed by Sergeant Brian Skornia of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT). This investigation is into the Officer-Involved Shooting of a Justin R. Gonzales (M/W ■■■-■■-87). This incident occurred at 14■■ S. 71 St. in the City of West Allis. The report is filed under Wauwatosa Police Dept. report #23-26254. The investigation is related to West Allis Police Dept. report #23-38085. The Wauwatosa Police Dept. is the Lead Investigative Agency.

On 09-29-23, Sgt. James Wood and myself made contact with R■■■■ ■. H■■■■ (M/W ■■■-■■-64). H■■■■ made the following statement: He is the father of Justin R. Gonzales (M/W ■■■-■■-87). Justin is the oldest of his four (4) children. Justin and C■■■■ ■. G■■■■ (F/W ■■■-■■-86) have been together for about twenty (20) years, they are married, and they have four (4) children together. He describes the relationship between Justin and C■■■■ as volatile.

H■■■■ is aware of Justin's history of drug use and believes Justin uses marijuana, powder cocaine, and pills. He believes Justin has had a significant issue with drug addiction and has had the addiction for at least the past eight (8) years. H■■■■ believes all of Justin's issues (relationship, financial, and employment) are because of his drug use.

H■■■■ describes Justin as a kind-hearted person that has mental health needs, specifically drug addiction. H■■■■ has had many conversations with Justin about getting the drug treatment help he needs.

H■■■■ is aware of Justin living in an apartment at 94■■ W. Greenfield Ave. with roommates M■■ and T■■. Justin has lived there for the past three (3) years because Justin and C■■■■ have had numerous relationship issues.

H■■■■ is aware of C■■■■ living in the lower of a duplex at 14■■ S. 71 St. C■■■■ has lived there with children and her mother for the past 2-3 months.

H■■■■ was aware of the incident involving Justin on the evening of 09-27-23. He was on the phone with C■■■■, while C■■■■ was seated in her vehicle. They were talking about the state of her relationship with Justin, the history and troubles they had, and their children in common. During the conversation, Justin arrived and was arguing with C■■■■. Justin was pounding on the vehicle she was sitting in. H■■■■ could hear what Justin and C■■■■ were saying. He could hear Justin ask C■■■■ who she was on the phone with and C■■■■ replied she was on the phone with her cousin. H■■■■ doesn't know why C■■■■ would tell Justin she was on the phone with her cousin.

Reporting Officer(s): Skornia, Brian T.	Payroll Number : 5615	Report Date: 10/02/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

was telling Justin to leave and the police were coming. H[REDACTED] stayed on the phone with C[REDACTED] and could hear the Police Officers when they arrived. Justin had left prior to police arriving.

H[REDACTED] described his relationship with C[REDACTED] as not close and they do not communicate often. He described the conversation with C[REDACTED] on the evening of 09-27-23 as the longest one he has had. He noted that call was about 1.5 hours in length.

During the morning hours of 09-28-23, H[REDACTED] was also in phone contact with C[REDACTED]. At 6:15AM, C[REDACTED] called him and asked him to call Justin and tell Justin to leave the house and to stop scaring the children. Justin had returned to the house and was threatening to kill himself or to have the police kill him. H[REDACTED] did call Justin and spoke to Justin. H[REDACTED] asked Justin what he was doing and to leave the house. The call was disconnected. H[REDACTED] called back thirteen (13) more times in an attempt to reach Justin. At 6:51AM, C[REDACTED] called H[REDACTED] and told him Justin had been shot by the Police.

H[REDACTED] did respond to the residence at 14[REDACTED] S. 71 St. and did briefly speak with Officers.

H[REDACTED] was provided a copy of the Complaint and Inquest Information Form.

Reporting Officer(s):

Skornia, Brian T.

Payroll Number:

5615

Pages:

2 Of 3

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES		
Police		
Skornia, Sgt Brian W/M of 1700 N 116 St, Wauwatosa,WI,53226		
Phone 1:(414) 471-8430		
=====		
Reporting Officer(s): Skornia, Brian T.		Payroll Number : 5615
		Pages:. 3 Of 3

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE On Friday, 09/29/2023, Detective Joel Kutz and I (Detective Cepican) responded to the Milwaukee County Medical Examiners Office for the autopsy of Justin Robby Gonzales, M/W, [REDACTED]/1987. Milwaukee County Assistant Medical Examiner Lauren Decker, MD conducted the autopsy on Gonzales. Doctor Decker had a previous appointment scheduled in afternoon of 09/29 and therefore the autopsy was suspended on 09/29 and resumed on Monday, 10/02/2023. I will submit a report when I receive the official Milwaukee County Medical Examiner reports. I took custody of the evidence that was recovered during the autopsy. I bagged up the following items and placed them into property at the Wauwatosa Police Department: - black/white/gold Nike shoes - entered into evidence #23-3336-1 - pair of black socks - entered into evidence #23-3336-2 - black tank top undershirt - entered into evidence #23-3336-3 - black t-shirt - entered into evidence #23-3336-4 - brown shorts with belt - entered into evidence #23-3336-5 - gray underwear - entered into evidence #23-3336-6 - pair of black gloves - entered into evidence #23-3336-7 - paper bag from right hand- entered into evidence #23-3336-8 - paper bag from left hand - entered into evidence #23-3336-9 - envelope containing right hand fingernails - entered into evidence #23-3336-10 - envelope containing left hand fingernails - entered into evidence #23-3336-11 - envelope with head hair plucked from Gonzales - entered into evidence #23-3336-12 - envelope with Gonzales DNA Card - entered into evidence #23-3336-13 - tourniquet removed from Gonzales - entered into evidence #23-3336-14 - fired bullet - recovered from Gonzales abdomen - entered into evidence #23-3339-1 - fired bullet fragment - recovered from Gonzales back - entered into evidence #23-3339-2			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 10/02/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- fired bullet fragment - recovered from Gonzales shorts - entered into evidence #23-3339-3
- fired bullet - recovered from Gonzales bowel - entered into evidence #23-3339-4
- fired bullet - recovered from Gonzales left pelvis - entered into evidence #23-3339-5
- fired bullet - recovered from Gonzales right pelvis - entered into evidence #23-3339-6
- thirteen additional fired bullet and fired bullet fragments that were turned over to Detective Romeis and he entered them into evidence #23-3406-1 through #23-3406-13

I attached a copy of the Milwaukee County Medical Examiner Evidence Release Receipt to the Case File.

On Friday, 10/27/2023, I met with Milwaukee County Assistant Medical Examiner Lauren Decker. We met in the conference room at the Milwaukee County Medical Examiner's Office and I showed Dr Decker the five (5) West Allis Police Officer (Officer Brockmann, Officer Santa Cruz Medina, Officer Stuetzgen, Officer Hayner and Officer laquinta) body worn cameras from the incident.

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003336 - 1 Article

Evidence

Description: Black, White and Gold Nike shoes - Recovered from Autopsy**Brand:** Nike**Colors:** Black, White**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003336 - 2 Article

Evidence

Description: Pair of black socks - Recovered from Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003336 - 3 Article

Evidence

Description: Black Tank top undershirt - Recovered from Autopsy**Colors:** Black,**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003336 - 4 Article

Evidence

Description: Black T-Shirt - Recovered from Autopsy**Colors:** Black,**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003336 - 5 Article

Evidence

Description: Brown shorts with belt - Recovered from Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room**Item#****Type****Reason**

23-003336 - 6 Article

Evidence

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number :

5759

Pages:

3 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Description: Gray underwear - Recovered from Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003336 - 7 Article Evidence

Description: Pair of black gloves - Recovered from Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003336 - 8 Article Evidence

Description: Right hand bag from Gonzales - Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003336 - 9 Article Evidence

Description: Left Hand Bag from Gonzales - Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003336 - 10 Article Evidence

Description: Right hand fingernail clippings from Gonzales - Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003336 - 11 Article Evidence

Description: Left Hand fingernail clippings from Gonzales - Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003336 - 12 Article Evidence
Description: Head Hair Plucking from Gonzales - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

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

23-003336 - 13 Article Evidence
Description: DNA Card from Gonzales - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

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

23-003336 - 14 Article Evidence
Description: Tourniquet
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

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

23-003339 - 1 Article Evidence
Description: Fired bullet - recovered from Gonzales Abdomen - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

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

23-003339 - 2 Article Evidence
Description: Fired bullet fragment - recovered from Gonzales back - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

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

23-003339 - 3 Article Evidence
Description: Fired Bullet fragment - recovered from Gonzales shorts - Recovered at Autopsy

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

5 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003339 - 4 Article Evidence
Description: Fired Bullet - recovered from Gonzales bowel - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003339 - 5 Article Evidence
Description: Fired Bullet - recovered from Gonzales left pelvis - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Item#	Type	Reason
-------	------	--------

23-003339 - 6 Article Evidence
Description: Fired bullet - recovered from Gonzales right pelvis - Recovered at Autopsy
Quan/Value: 1.000 / \$0.00
Disposition: Sent to the Property Room

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

6 Of 6

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

On 10/02/23, I (Sgt. James Wood) received reports from the Milwaukee Police Department detailing their involvement in this MAIT investigation.

MPD Detective Alex Klabunde

On 09/28/23, Det. Klabunde assisted with a canvas of the East side of the 1400 block of S. 71 St. He made contact with V■■■■■ ■■ B■■■■■ (F/W, ■■■-88), Y■■■■■ B■■■■■ (F/W, ■■■-69), and A■■■■■ B■■■■■ (M/W, ■■■-89) of 14■■■ S. 71 St. All three subjects were home during the incident and heard the shots. A■■■■■ B■■■■■ heard 2-3 voices outside of the residence yelling "drop the knife" before shots were fired.

The was a Google doorbell at the residence but the resident did not have a subscription to store recorded videos.

MPD Detective Ryan Bergemann

On 09/28/23 Det. Bergemann assisted with the canvas of the East side of S. 71 St. He made contact with W■■■■■ ■■ S■■■■■ (M/W, ■■■-95) and L■■■■■ ■■ C■■■■■ (F/W, ■■■-69) of 14■■■ S. 71 St. S■■■■■ and C■■■■■ were both home during the time of the incident. S■■■■■ heard the shots but did not go outside until 10 minutes later. C■■■■■ stated that she did not never went outside and never heard the gunshots.

Both reports were attached to this case and uploaded to the secure server.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/02/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE

On 09/29/23, I (Sgt. James Wood) received and reviewed reports from the Greenfield Police Department (GFPD) detailing their involvement in this MAIT investigation. GFPD Detectives McCarthy, Lucas, Beal, and Riddle assisted with conducting a canvas of the 1400 block of S. 71 St. Their reports were attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/03/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

On 09/29/23 I (Sgt. James Wood) received a report from the Glendale Police Department detailing their involvement in this MAIT investigation.

GLPD Detective Adam Wall

Det. Wall assisted with a canvas of the West side of the 1400 block of S. 71 St. The following is a summary of his report:

14██ S. 71 St. - No contact at the residence, no exterior cameras.

14██ S. 71 St. - Det. Wall made contact with R███████ █. M███████ (F/W, █-█-66). M███████ heard police giving commands to a subject and then observed the shooting occur. After the shooting, she observed police check on the subject. M███████ stated that she has seen the police at that residence in the past.

14██ S. 71 St. - No contact made at the residence. There appeared to be exterior cameras on the house which pointed toward the porch area.

Det. Wall's report was attached to this case and saved to the secure server.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/03/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original Offense - 1: ASSIST	New Offense - 1:	New Offense - 2:
NARRATIVE This report is written by Detective Nick Stahl of the Wauwatosa Police Department as part of the Milwaukee Area Investigative team (MAIT) and is in regard to the fatal, officer involved shooting of Justin R. Gonzales, m/w, ■■■-■■-87, on Thursday, 09-28-23. The incident occurred at 14■■ S. 71st St., in the City of West Allis. The Wauwatosa Police Department is the lead investigative Agency for this incident. Assignment: As part of this investigation, I was tasked with interviewing responding personnel from the West Allis Fire Department. I was advised that Fire Department Personnel who responded to this incident were from Station 1, located at 7300 W. National Ave. Responding personnel were from Med Unit #1 and also Engine #61. Interviews of West Allis Fire Department Paramedics from Med Unit # 1: <u>Interview of West Allis Paramedic, Andrew H. Crum:</u> On 10-03-23 at approximately 5:00 PM, I conducted a telephone interview with West Allis Paramedic, Andrew Crum. Crum has been employed for approximately 5 and 1/2 years with The City of West Allis Fire Department. He has been working as a Paramedic for approximately the last 4 years. Crum stated the following in regard to his involvement with this incident: On 09-28-23, Crum was on duty, working the "C" shift at Station 1. His shift started the day prior, on 09-27-23, at approximately 8:00 AM. At approximately 6:49 AM, he and his partner (Trevinn Hare) on Med Unit #1, were dispatched to 14■■ S. 71st St. They were dispatched for an EMS response and were requested by West Allis Police for a shots fired incident with unknown injuries. Crum was riding in the passenger seat and Trevinn Hare drove the Med Unit to the scene. On their arrival at approximately 6:53 AM, and per the request of Police, they staged in the 7000 block of W. Orchard St. This is approximately 1/2 block south of where the incident had occurred.			
Reporting Officer(s): Stahl, Nicholas J.		Payroll Number : 6239	Report Date: 10/03/2023
Reviewed by: 6089	Payroll Number : 6089	Copy To:	Page: 1 of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

After a few minutes, they were advised to respond to the residence at 14■■ S. 71st St. As they were arriving, Crum observed Police Officers putting crime scene tape up around the area. Crum obtained a "Med Kit" and he and Hare were directed to the front porch of the residence at 14■■ S. 71st St.

Once at the front porch, Crum observed a male subject, lying in a prone position with his feet toward the door and head toward the steps. Crum observed what he believed to be either entrance or exit wounds on the subject's shoulder and he noticed that the subject had no "motor effort."

Furthermore, the subject did not have a pulse, had no respiratory effort, and there was no pupil activity observed. Without moving or turning the subject's body, Trevinn Hare attached a "Four Lead" EKG Machine to the subject's extremities, which included the outside of his shoulder's / arms, as well as on the subjects lower back. After the leads were attached, the machine showed the subject to be "Asystole." This meant that there was no electrical activity or rhythm to the subject's heart. Given all of the above circumstances, Crum declared that there was nothing else that he could do for any sort of resuscitative effort. The EKG Machine was ultimately disconnected from the stickers which were left on the subject's body.

Crum advised police that there was nothing further they could do, left the immediate crime scene area, and assisted personnel from Engine 61 in gathering some demographic information. After this was complete, Crum and Paramedic Hare cleared the scene, going back into service at approximately 7:27 AM.

Per Paramedic Crum, the medical report in regard to this incident was completed by West Allis Firefighter, from Engine 61.

End of statement from Paramedic Andrew Crum.

Interview of West Allis Paramedic, Trevinn W. Hare:

On 10-03-23 at approximately 6:00 PM, I conducted an telephone interview with West Allis Paramedic, Trevinn Hare. Hare has been employed by The City of West Allis for approximately 5 1/2 years and he has spent the last 4 years as a Paramedic. Hare stated the following in regard to this incident:

On the morning of 09-28-23, he was on duty, working the "C" shift at Station # 1. His shift had started at 8:00 AM on 09-27-23. At approximately 7:00 AM, he and his partner on med Unit #1, Andrew Crum, were dispatched to 14■■ S. 71st St., to assist police with an EMS response for a

Reporting Officer(s):

Stahl, Nicholas J.

Payroll Number:

6239

Pages:

2 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

shots fired call.

Hare was driving the Med Unit and responded to the 7000 block of W. Orchard St., where he and Crum staged until the scene was declared safe. After 2-3 minutes, they were requested to respond to the residence at 14██ S. 71st St.

On their arrival, Hare obtained a trauma and airway kit and responded to the front porch at that location. On his arrival to the porch, he observed what appeared to be a white, or light skinned, Hispanic male subject, lying face down. He performed a quick observation for injuries and saw what he believed were multiple "entry or exit" wounds to the subjects midline spine, as well trauma to the subjects head.

Hare stated that his partner accessed the EKG Monitor and he placed stickers on the patient. Hare stated the stickers were placed on the subject's right and left hip, above the waist line, as well as on his right and left shoulder. The patient was not turned over when these leads were placed on his body. Hare stated upon placing the leads on the subject, they found that there was "no electrical activity" or "no heart activity."

Hare stated that he and his partner also checked for a pulse, motor effort, and respiration. The patient did not have any of these functions. Given these conditions, Hare described the patient as being "non workable" and being "beyond resuscitation." Hare and his partner let officers on scene know their findings, disconnected the EKG from the stickers, and stepped away from the scene.

Hare stated that personnel from Engine 61 were also on scene and they were briefed about he and Crum's efforts. Personnel from Engine 61 then ultimately contacted the Medical Examiner's Office regarding the subject's status.

Hare and Crum cleared the scene and went back into service. End of statement from Paramedic Trevinn Hare.

Interview from West Allis Paramedic / Firefighter, Anthony D. Bilderback:

On 10-23-23 at approximately 3:30 PM, I conducted a telephone interview with West Allis Firefighter / Paramedic, Anthony Bilderback. Bilderback has been employed by the City of West Allis Fire Department since September of 2018 and stated the following in regard to the incident.

The morning of the incident, he was assigned to Engine 61, which is housed in the same building as

Reporting Officer(s):

Stahl, Nicholas J.

Payroll Number:

6239

Pages:

3 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Med Unit #1, located at 7300 W. National Ave.

Upon being dispatched for this call, the Engine was initially advised to stage in the area, but about the time they arrived on scene, they were told the scene was safe and to come to the location.

Bilderback advised that Paramedic's Crum and Hare were on scene first and on their arrival, they advised that the subject was deceased. Bilderback was briefed on Crum and Hare's findings and due to those findings, a resuscitation was not indicated.

Because Bilderback was a Paramedic that happened to be working on the Engine that day, he was the person tasked with writing the "Patient Care Report." Bilderback based what he wrote in this report on the briefing he received from Paramedics Hare and Crum, and also from his own observations from where he stood on the sidewalk. It should be noted that after Crum and Hare left the patient, Bilderback was not allowed back inside the immediate area of the scene.

Bilderback stated that after Hare and Crum found the patient deceased, he is the one who contacted the Milwaukee County Medical Examiner's Office. Bilderback spoke with a female employee of the Medical Examiner's office and advised of the patient's death. He also told the ME's office that the police would be giving them a follow up call with more details.

Due to the fact that no life saving efforts were conducted, Justin Gonzales' time of death was initially determined by West Allis Fire personnel on scene to be 7:01 AM. End of statement.

Patient Care Report - Cad details:

I requested the Patient Care Report and the CAD details from West Allis Fire Department, Assistant Chief Scharfenberg, for this incident.

Assistant Chief Scharfenberg stated he would email those repots to me. Upon receiving them, they will be included with this case file.

Reporting Officer(s):

Stahl, Nicholas J.

Payroll Number:

6239

Pages:

4 Of 5

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES		
Witness-1		
Hare, Paramedic Trevinn W W/M of 7300 W National Av, West Allis,WI,53214		
Phone 1:(414) 302-8900		
Police		
Stahl, Det Nicholas W/M of 1700 N 116 St, Wauwatosa,WI,53226		
Phone 1:(414) 471-8430		
Witness-2		
Crum, Paramedic Andrew H W/M of 7300 W National Av, West Allis,WI,53214		
Phone 1:(414) 302-8900		
Witness-3		
Bilderback, Firefighter Anthony D B/M of 7300 W National Av, West Allis,WI,53214		
Phone 1:(414) 302-8900		
=====		
Reporting Officer(s): Stahl, Nicholas J.	Payroll Number : 6239	Pages: 5 Of 5

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE***Initial Response***

On Thursday, September 29th, 2023, I Detective Kelly Zielinski, responded to the the West Allis Police substation for an Officer Involved shooting, as part of the activation of the Milwaukee Area Investigative Team (MAIT). The shooting occurred at 14■■ S. 71 St., City of West Allis, WI 53214, where Justin R Gonzales (M/W ■■■/■■/87) was pronounced deceased. The Wauwatosa Police Department is the lead investigating agency.

I was tasked with responding to the West Allis Police Department (11301 W. Lincoln Ave.) to coordinate interviews with family members of the deceased who were on scene during the critical incident. Upon arrival, I spoke with West Allis Detective, Allison Cerqua, who was standing by with the family members in their sensitivity room. The family members were identified as: C■■■■■■. G■■■■■■ (F/W ■■■/■■/86), G■■■■■■ H■■■■■■ (F/W ■■■/■■/58), I■■■■■■ G■■■■■■ (M/W ■■■/■■/06), M■■■■■■ G■■■■■■ (F/W ■■■/■■/09), I■■■■■■ G■■■■■■ (M/W ■■■/■■/11), J■■■■■■ G■■■■■■ (M/W ■■■/■■/■■), and F■■■■■■ D■■■■■■ (F/W ■■■/■■/07).

My Wauwatosa body worn camera system was recording during the interactions and later uploaded to the Wauwatosa secure server (Evidence.com).

Consent to Search Forms

I spoke with Justin's wife, C■■■■■■ G■■■■■■ and Justin's mother in law, G■■■■■■ H■■■■■■ regarding consent to search the residence at 14■■ S. 71st St. and any potential cellphones that contained any pertinent information/evidence to the investigation. C■■■■■■ and G■■■■■■ both told me they lived at 14■■ S. 71st St., and both were on the lease. I read C■■■■■■ a Wauwatosa Consent to Search Form to search the the residence at 14■■ S. 71st St. and her cellphone. C■■■■■■ stated she understood the forms and signed the forms to search the residence and her cellphone. I read G■■■■■■ a Wauwatosa Consent to Search form to search the residence at 14■■ S. 71St. G■■■■■■ stated she understood the form and signed the form to search the residence. Detective Keck recovered C■■■■■■s cell phone for the forensic examination (See Det. Keck's supplemental report). Both consent forms were later scanned and attached to this report.

Reporting Officer(s): Zielinski, Kelly M.	Payroll Number : 5722	Report Date: 10/04/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 Of 2

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

NAMES

Police

Zielinski, Det Kelly M W/M of 1700 N 116 St, Wauwatosa, WI, 53226

Phone 1: (414) 471-8430

Witness-1

G [REDACTED], C [REDACTED] W/F-36 of 14 [REDACTED] S 71 St, West Allis, WI, 53214

DOB: [REDACTED]/[REDACTED]/1986

Phone 1: ([REDACTED]) [REDACTED]-[REDACTED]

Witness-2

H [REDACTED], G [REDACTED] W/F-64 of 14 [REDACTED] S 71 St, West Allis, WI, 53214

DOB: [REDACTED]/[REDACTED]/1958

HT: 500 WT: 136 Hair: Black

Eyes: Brown

Phone 1: ([REDACTED]) [REDACTED]-[REDACTED]

=====

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number :

5722

Pages:

2 Of 2

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE***Initial Response***

On Thursday, September 29th, 2023, I Detective Kelly Zielinski, responded to the the West Allis Police substation for an Officer Involved shooting, as part of the activation of the Milwaukee Area Investigative Team (MAIT). The shooting occurred at 14■■ S. 71 St., City of West Allis, WI 53214, where Justin R Gonzales (M/W ■■■/■■/87) was pronounced deceased. The Wauwatosa Police Department is the lead investigating agency.

I was tasked with responding to the West Allis Police Department (11301 W. Lincoln Ave.) to coordinate interviews with family members of the deceased who were on scene during the critical incident. Upon arrival, I spoke with West Allis Detective, Allison Cerqua, who was standing by with the family members in the Police Department's sensitivity room. The family members were identified as: C■■■■■■■■ G■■■■■■■■ (F/W ■■■/■■/86), G■■■■■■■■ H■■■■■■■■ (F/W ■■■/■■/58), I■■■■■■■■ G■■■■■■■■ (M/W ■■■/■■/06), M■■■■■■■■ G■■■■■■■■ (F/W ■■■/■■/09), I■■■■■■■■ G■■■■■■■■ (M/W ■■■/■■/11), J■■■■■■■■ G■■■■■■■■ (M/W ■■■/■■/19), and F■■■■■■■■ D■■■■■■■■ (F/W ■■■/■■/07).

My Wauwatosa body worn camera system was recording during the interview and later uploaded to the Wauwatosa secure server (Evidence.com).

Interview with G■■■■■■■■ H■■■■■■■■

At about 11:00am, I escorted G■■■■■■■■ H■■■■■■■■ from the sensitivity room to an administrative office within the West Allis PD. G■■■■■■■■ requested that her youngest grandchild, J■■■■■■■■, accompany her during the interview. I advised G■■■■■■■■ that she was not under arrest and she was free to leave at any point and were only considering her as a witness. I further advised G■■■■■■■■ that due to the nature of the incident, that I would be recording the interview, G■■■■■■■■ had no objections and agreed to talk to me. The following is a summary of the interview.

G■■■■■■■■ stated she moved into 14■■ S. 71St St in April, 2023 with her daughter, C■■■■■■■■, and her 4 grandchildren, I■■■■■■■■, M■■■■■■■■, I■■■■■■■■ and J■■■■■■■■. G■■■■■■■■ advised C■■■■■■■■ had been having marital problems with her estranged husband, Justin Gonzales. She further advised that Justin and C■■■■■■■■ have been "on and off" for approximately 4 years and that he periodically stays at the house a

Reporting Officer(s): Zielinski, Kelly M.	Payroll Number : 5722	Report Date: 10/04/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

couple nights a week and usually sleeps on the couch. G■■■■■ stated that C■■■■■ and Justin have had a "difficult" relationship as far as far back as she can remember and advised that C■■■■■ has had two restraining orders previously against Justin because of his abusive behavior (Physical and mental) towards her. G■■■■■ told me on one occasion in the past, Justin took C■■■■■ and the children hostage for several hours before letting them go unharmed, but never reported it to Police. More recently, about a week ago, Justin made the comment to her that he was going to kill himself or was going to make the Police shoot and kill him. G■■■■■ further explained that she knew Justin was diagnosed for a Bi-Polar disorder and was supposed to taking taking medications for that.

G■■■■■ told me the night before the incident (September 28th), she arrived home around 10:30pm, and asked her grandchildren where C■■■■■ was. The kids told her C■■■■■ was in the yard talking to someone on the phone and at some point C■■■■■ went and sat down in her van parked in the alley to the rear of the residence. A couple minutes later, G■■■■■ looked out the window and saw Justin had arrived unannounced and was banging on the window of the van and was yelling at C■■■■■ to get out of the van. G■■■■■ stated she called C■■■■■ on the phone to see what was going on and C■■■■■ told her to call the Police, but by the time Police arrived, Justin had already left.

The following morning (September 29th) about 6:30am-7:00am, G■■■■■ stated she was sleeping in her room when she heard loud arguing in the house and heard C■■■■■ shout, "Justin, leave, get out of my house". G■■■■■ stated she jumped out of the bed and confronted Justin standing in the hallway just outside one of the grandchildren's room. G■■■■■ stated Justin was attempting to get into the room and noticed he was holding a knife in his hand and she and C■■■■■ pushed him out of the doorway towards the kitchen area. G■■■■■ described the knife as, "A little knife, long and skinny". and used her hands to show me the knife was approximately 6"-8" in length.

G■■■■■ advised that Justin walked into the kitchen area and grabbed his medication bottles (Unknown medications) off the counter and and appeared to swallow the contents of the bottles (Unknown amount) and told C■■■■■, "See I'm gonna kill myself". Justin turned back towards C■■■■■ and started arguing with her, then walked back to the kitchen and grabbed a large butcher knife from the knife block on the counter. Justin then walked out into the living room area with both knives, and started to slash his neck with the butcher knife. Justin then looked at C■■■■■ and said, "Come on over here and give me a hug, don't you want to say goodbye to me?" then looked at G■■■■■ and asked her, "Aln't you gonna give me a hug". G■■■■■ stated she and C■■■■■ attempted to talk to Justin and told him "Justin you don't have to do this, put the knives down" and Justin told them, "Nope, I'm going to die tonight".

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

2 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

G■■■■■ stated at this point, Justin looked out the window and saw the Police were approaching the house and he ran outside. G■■■■■ stated she could here the Police shouting, "Drop the knives, drop the knives", then all of a sudden, she heard a lot of gunshots. G■■■■■ explained that there were several seconds between hearing the Police say "Drop the knives" and hearing the gunshots. She further explained that she did not actually see the Police shooting but assumed that Justin had charged them with the knives because Justin told her earlier that he was going to make the Police shoot him.

I asked G■■■■■ why she thought Justin wanted to die, she told me that they (C■■■■■ nd Justin) had split up she was probably going to leave him for good. I ended the interview at 11:30am.

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

3 Of 3

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE 23-026254 MILWAUKEE AREA INVESTIGATIVE TEAM INVESTIGATION: This report is completed as part of the Milwaukee Area Investigative Team (MAIT) investigation into an officer involved shooting by members of the West Allis Police Department at 14■■ S. 71 St. in the city of West Allis (West Allis PD Case #23-38085). The Wauwatosa Police Department is the lead agency in this investigation, pursuant to §175.47, Wisconsin statutes, with Wauwatosa PD Case #23-026254. CANVASS ASSIGNMENTS: Detective Sergeant Brian Skornia assigned me to coordinate other MAIT agencies conducting a canvass of residences on S. 71 St. between W. Greenfield Ave. and W. Orchard St. Detectives with the City of Brookfield Police Department and Milwaukee Police Department conducted the canvass on the east side of S. 71 St., with the exception of the incident address 14■■ S. 71 St., 14■■ S. 71 St. (West Allis PD), 14■■ S. 71 St. (Wauwatosa PD) and 14■■ S. 71 St. (Waukesha PD). Detectives with Milwaukee County Sheriff's Office, Glendale Police Department and Greenfield Police Department conducted the canvass on the west side of S. 71 St., with the exception of 14■■ S. 71 St. (Wauwatosa PD - no one answered the door) and 14■■ S. 71 St. (no one answered the door). See Detective Sergeant James Wood's reports related to the reports shared with Wauwatosa PD related to the canvass for the details of those reports. OTHER AGENCIES' CASE NUMBERS RELATED TO CANVASS: Waukesha PD Case #23-37525 City of Brookfield PD Case #B23022351 Milwaukee PD - No case number generated per MPD practice (reports written and sent to Wauwatosa PD on memorandum)			
Reporting Officer(s): Kutz, Joel R.		Payroll Number : 6064	Report Date: 10/04/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Greenfield PD Case #23-23628**Glendale PD Case #23-012659****Milwaukee County Sheriff's Office Case #23-192595****CANVASS FOLLOW-UP:**

I learned that contact had not been made by the other assisting MAIT agencies at 3 addresses: 14■■ S. 71 St., 14■■ S. 71 St. and 14■■ S. 71 St. On 10-04-2023 just before 9:40 AM, Detective Kelly Zielinski and I went to those addresses to attempt to interview residents as to whether they had seen anything on the morning of the incident (09-28-2023). My department issued body-worn camera was operational during this incident. The video footage was uploaded to the secure digital evidence management system under this report number. The following is a synopsis of the canvass follow up. See the video for details.

14■■ S. 71 St. - No one answered the door. I left a business card with a note requesting that the resident(s) call me.

14■■ S. 71 St. - No one answered the door. I left a business card with a note requesting that the resident(s) call me.

14■■ S. 71 St. - Initially, no one came to the door, but the female resident eventually came outside on the upper porch of the residence. She identified herself as a resident of 14■■ S. 71 St. and said she would come down to speak with me. I was met at the front door by the two residents of 14■■ and then spoke with them separately of each other outside. I first spoke with the male resident, who identified himself as S■■■■■■. S■■■■■■ (M/W ■■■/1982). Next, I met with K■■■■. W■■■■■■ (F/W ■■■/1984).

S■■■■■■ said he was home, watching videos at about 6:30 AM on 09-28-2023. He heard a loud sound that, at first, he thought was the garbage truck putting a dumpster down. A short time later, he heard the unmistakable (he and W■■■■■■ were both previously in the military) sound of multiple gunshots. He rolled off of his couch and onto the floor. A short time later, he observed police officers around a male subject on the porch of the house to the south of his (14■■ S. 71 St.). S■■■■■■ went back into his house and did not observe anything further.

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

2 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

W[REDACTED] said that she was laying in bed watching a show when she heard gunfire, but did not hear any yelling beforehand. She heard "a bunch of shots". She did not indicate seeing anything outside. She said that she has interacted with the people at 14[REDACTED] S. 71 St. When they moved in, she bought them a plant and after the incident, she bought them a bottle of wine. She met the older lady (determined to be G[REDACTED] H[REDACTED]), C[REDACTED] (determined to be C[REDACTED] [REDACTED] G[REDACTED]) and the children, but she doesn't know who the head of the house is as there have been different men there, whom she hadn't met. W[REDACTED] said they (the residents at 14[REDACTED] S. 71 St.) like to party more than she and S[REDACTED] do. The residents at 14[REDACTED] have only been living there a few months. W[REDACTED] said she was shocked that something had happened at the lower (14[REDACTED]) as there tends to be more negative interactions with the residents in the upper unit (14[REDACTED]).

I gave W[REDACTED] my business card and said that she and/or S[REDACTED] should feel free to contact me with questions or more information should they recall something else.

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

3 Of 4

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

NAMES

Witness-1

S [REDACTED], S [REDACTED] ■ W/M-41 of 14 [REDACTED] S 71 St, West Allis, WI, 53214

DOB: [REDACTED]/[REDACTED]/1982

HT: 508 WT: 180 Hair: Blonde

Eyes: Blue

Phone 1: ([REDACTED]) [REDACTED]-[REDACTED] Phone 2: ([REDACTED]) [REDACTED]-[REDACTED]

Witness-2

W [REDACTED], K [REDACTED] ■ W/F-39 of 14 [REDACTED] S 71 St, West Allis, WI, 53214

DOB: [REDACTED]/[REDACTED]/1984

Phone 1: ([REDACTED]) [REDACTED]-[REDACTED]

=====

Reporting Officer(s):

Kutz, Joel R.

Payroll Number :

6064

Pages:

4 Of 4

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed a report from the Franklin Police Department detailing their involvement in this MAIT investigation. On 09/28/23, Franklin PD Detective Melissa Tromp interviewed C■■■■■■■■■■ G■■■■■■■■■■ (F/W, ■■■■■-86) who is the wife of Justin Gonzales and occupant of 14■■■■ S. 71 St. Det. Tromp's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/04/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 :	New CFS Code - 2:
NARRATIVE This report is completed by Detective Joel Kutz of the Wauwatosa Police Department. It is part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved death of Justin R. Gonzales (M/W [REDACTED]/1987) that occurred on 09-28-2023. The incident occurred after a call for service to the West Allis Police Department at 14[REDACTED] S. 71 St in the city of West Allis. The West Allis Police Department incident number is 23-38085. The Wauwatosa Police Department is the lead investigative agency and the assigned Wauwatosa Police incident number is 23-026254. SURVEILLANCE VIDEO RETRIEVED FROM CREAM CITY CLAY, 7105 W. GREENFIELD AVE.: On the afternoon of 10-04-2023, I was informed by Detective Sergeant Brian Skornia that Captain Brian Saftig of the West Allis Police Department was made aware of surveillance video that may be pertinent to this investigation from Cream City Clay (7105 W. Greenfield Ave.), which is just north of 14[REDACTED] S. 71 St. I made phone contact with the business owner, C[REDACTED] V[REDACTED] (F/W [REDACTED]/1975), who told me that I should feel free to come to her business the next day in order to access and download surveillance video. On 10-05-2023 at about 8:30 AM, I went to Cream City Clay and was given access to their surveillance video system. It should be noted that I discovered the system's internal clock was 3 hours and 4 minutes behind the actual time. The system, as of 10-05-2023, had multiple cameras recording, but at the time of the incident on the morning of 09-28-2023, only 2 cameras (channel 1 and channel 2) were connected and recording. Channel 1 is a camera on the southeast corner of the building and it points northeast, showing S. 71 St. and W. Greenfield Ave. Channel 2 is a camera on the southeast corner of the building and it points southwest, showing a very small portion of the southbound lane of S. 71 St., the parking lot to the rear of 7105 W. Greenfield Ave. and the alley just south of the parking lot (which is west of S. 71 St.). The video footage was uploaded to the Wauwatosa Police Department's secure digital evidence management system. Following is a summary description of what I observed, but is not an all encompassing description of the video footage. The description is a combination of what is viewed on both camera channels. It should be noted that video that appears before daylight is in grayscale			
Reporting Officer(s): Kutz, Joel R.		Payroll Number : 6064	Report Date: 10/05/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 of 2

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

and the color or tone of objects appear distorted. The full color daylight video appears at timestamp 03:24 on 09-28-2023 (actual time of 6:28 AM on 09-28-2023).

At the timestamp of 20:03:25 on 09-27-2023 (actual time was 11:07 PM on 09-27-2023), a man can be seen riding west on a bicycle from east of S. 71 St. along the south sidewalk of W. Greenfield Ave. He turns south along the west side of S. 71 St., turns west into the parking lot of 7105 W. Greenfield Ave., turns into the alley to the south of the parking lot and stops along a fence for the back yard of 14██ S. 71 St., parking the bike and then walking on foot east and crossing S. 71 St., walking out of view. Based on my viewing of Justin Gonzales at the scene of the officer involved death on the morning of 09-28-2023, I believe the subject on video was Gonzales. The subject is wearing a baseball cap, shirt (unable to describe), shorts and dark colored tennis shoes with white around the bottom.

At the timestamp of 20:19:19 on 09-27-2023 (actual time was 11:23 PM on 09-27-2023, a man, who appears to be the same man described in the paragraph above can be seen running into the left side of the frame, crossing west on S. 71 St. and into the alley to the rear of 7105 W. Greenfield Ave.

The man gets onto the bicycle and rides east in the alley, north on S. 71 St., east on W. Greenfield Ave. and out of the view of the cameras.

At the timestamp of 20:30 on 09-27-2023 (actual time was 11:34 PM on 09-27-2023), a West Allis Police Department squad SUV is seen driving on S. 71 St.

At the timestamp of 03:34:42 on 09-28-2023 (actual time was 6:38 AM on 09-28-2023), a man, who appears to be Justin Gonzales can be seen walking into the left frame (channel 1) east along the south sidewalk of W. Greenfield Ave., across S. 71 St. and south on the east sidewalk of S. 71 St. and out of the view of the cameras. The subject is wearing a baseball cap, black t-shirt, tan shorts and black tennis shoes with white around the bottom. With the exception of the baseball cap, the subject is wearing what appears to be the same clothing as that which I saw Gonzales wearing later in the morning after the officer involved death.

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

2 Of 2

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

On 10-06-23 I assisted Detective Cepican enter the following items into evidence. I located all items in sealed plastic evidence autopsy bags in locker #18:

- 23-003406-1:** Fired bullet - recovered from Gonzales L. back - Recovered at Autopsy
- 23-003406-2:** Fired bullet fragment- recovered from Gonzales chest- Recovered at Autopsy
- 23-003406-3:** Fired bullet - recovered from Gonzales left elbow - Recovered at Autopsy
- 23-003406-4:** Fired bullet- recovered from Gonzales stomach- Recovered at Autopsy
- 23-003406-5:** Fired bullet fragment- recovered from Gonzales right hip- Recovered at Autopsy
- 23-003406-6:** Fired bullet- recovered from Gonzales thoracic spine- Recovered at Autopsy
- 23-003406-7:** Fired bullet- recovered from Gonzales right scapula- Recovered at Autopsy
- 23-003406-8:** Fired bullet- recovered from Gonzales left abdomen- Recovered at Autopsy
- 23-003406-9:** Fired bullet- recovered from Gonzales right chest- Recovered at Autopsy
- 23-003406-10:** Fired bullet- recovered from Gonzales left chest- Recovered at Autopsy
- 23-003406-11:** Fired bullet- recovered from Gonzales right pelvis- Recovered at Autopsy
- 23-003406-12:** Fired bullet- recovered from Gonzales left chest 2- Recovered at Autopsy
- 23-003406-13:** Fired bullet fragment- recovered from Gonzales skull- Recovered at Autopsy.

All items were stored into evidence after entry.

Reporting Officer(s): Romeis, Michael W.	Payroll Number : 5807	Report Date: 10/06/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 6

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
Recovered Location: 1700 N 116 St Recovered Date: 10/06/23 19:28 -----		
Item#	Type	Reason

23-003406 - 1	Article	Evidence
Description:	Fired bullet - recovered from Gonzales L. back - Recovered at Autopsy	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	

Recovered Location: 1700 N 116 St Recovered Date: 10/06/23 19:30 -----		
Item#	Type	Reason

23-003406 - 2	Article	Evidence
Description:	Fired bullet fragment- recovered from Gonzales chest- Recovered at Autopsy	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	

Recovered Location: 1700 N 116 St Recovered Date: 10/06/23 19:31 -----		
Item#	Type	Reason

23-003406 - 3	Article	Evidence
Description:	Fired bullet - recovered from Gonzales left elbow - Recovered at Autopsy	
Quan/Value:	1.000 / \$0.00	
Disposition:	Sent to the Property Room	

Reporting Officer(s): Romeis, Michael W.	Payroll Number : 5807	Pages: 2 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Recovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:32****Item#****Type****Reason**

23-003406 - 4 Article

Evidence

Description: Fired bullet- recovered from Gonzales stomach- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:34****Item#****Type****Reason**

23-003406 - 5 Article

Evidence

Description: Fired bullet fragment- recovered from Gonzales right hip- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:36****Item#****Type****Reason**

23-003406 - 6 Article

Evidence

Description: Fired bullet- recovered from Gonzales thoracic spine-

Reporting Officer(s):

Romeis, Michael W.

Payroll Number:

5807

Pages:

3 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Recovered at Autopsy

Quan/Value: 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:37****Item#****Type****Reason**

23-003406 - 7 Article

Evidence

Description: Fired bullet- recovered from Gonzales right scapula- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:39****Item#****Type****Reason**

23-003406 - 8 Article

Evidence

Description: Fired bullet- recovered from Gonzales left abdomen- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:40****Item#****Type****Reason**

Reporting Officer(s):

Romeis, Michael W.

Payroll Number:

5807

Pages:

4 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

23-003406 - 9 Article

Evidence

Description: Fired bullet- recovered from Gonzales right chest- Recovered at Autopsy

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Recovered Location: **1700 N 116 St**

Recovered Date: **10/06/23 19:42**

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

23-003406 - 10 Article

Evidence

Description: Fired bullet- recovered from Gonzales left chest- Recovered at Autopsy

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Recovered Location: **1700 N 116 St**

Recovered Date: **10/06/23 19:43**

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

23-003406 - 11 Article

Evidence

Description: Fired bullet- recovered from Gonzales right pelvis- Recovered at Autopsy

Quan/Value: 1.000 / \$0.00

Disposition: Sent to the Property Room

Recovered Location: **1700 N 116 St**

Recovered Date:

Reporting Officer(s):

Romeis, Michael W.

Payroll Number:

5807

Pages:

5 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

10/06/23 19:44**Item#****Type****Reason**

23-003406 - 12 Article Evidence

Description: Fired bullet- recovered from Gonzales left chest 2- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property RoomRecovered Location: **1700 N 116 St**Recovered Date: **10/06/23 19:46****Item#****Type****Reason**

23-003406 - 13 Article Evidence

Description: Fired bullet fragment- recovered from Gonzales skull- Recovered at Autopsy**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Reporting Officer(s):

Romeis, Michael W.

Payroll Number:

5807

Pages:

6 Of 6

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

This report is written by Wauwatosa Police Det. Martin Keck. I am currently assigned as an investigator on the Milwaukee Area Investigative Team (MAIT).

RESPONSE

On Thursday, 09/29/23 I responded to the West Allis Police Substation, located at 6900 W. National Ave., to assist with the investigation of an officer involved shooting which resulted in the death of Justin R. Gonzales (M/W ■■■/■■/87). Upon arrival at the substation, Det. Kelly Zielinski and I were tasked with meeting with the residents of 14■■ S. 71st St., where the incident occurred.

CONSENT TO SEARCH

Det. Zielinski and I then responded to the West Allis Police Department, located at 11301 W. Lincoln Ave. There, we met with C■■■■■■ G■■■■■■ (F/W ■■■/■■/86), G■■■■■■ H■■■■■■ (F/W ■■■/■■/58), I■■■■■■ G■■■■■■ (M/W ■■■/■■/06), M■■■■■■ G■■■■■■ (F/W ■■■/■■/09), I■■■■■■ G■■■■■■ (M/W ■■■/■■/11), J■■■■■■ G■■■■■■ (M/W ■■■/■■/19) and F■■■■■■ D■■■■■■ (F/W ■■■/■■/07).

Consent to search the residence was provided by H■■■■■■ and C■■■■■■ G■■■■■■. The two signed a Consent to Search Form which was retained by Det. Zielinski. Additionally, C■■■■■■ G■■■■■■ gave signed written consent to have her phone examined. The purpose of this search was to see prior communications between her and J■■■■■■ G■■■■■■ and any communications pertaining to what led up to the incident.

I also spoke with all present and asked if they had any text communications on their cell phones with Justin Gonzales. Both I■■■■■■ G■■■■■■ and I■■■■■■ G■■■■■■ stated they had received text messages from Justin during the morning hours of this incident from Justin Gonzales. I requested they screen shot these text messages and send them to my department issued cell phone. Both of them agreed, took screenshots of the text communications and sent them to my phone.

I uploaded these text communications to the MAIT folder under this case number.

Reporting Officer(s): Keck, Martin N.	Payroll Number : 6295	Report Date: 10/08/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

FORENSIC EXAMINATION OF C [REDACTED] G [REDACTED] CELL PHONE

I then took possession of C [REDACTED] G [REDACTED] cell phone. I responded to the Wauwatosa Police Department with it. There, I conducted a forensic examination of her cell phone. The extraction reports were later saved to a disc and entered into property as evidence (Item 23-003419-001). Once the device was examined, I brought it back to the West Allis Police Department where it was turned back over to her.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

2 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

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

23-003419 - 1 Article

Evidence

Description: Disc containing cell phone extraction reports related to C■■■■■ G■■■■■' cell phone.**Quan/Value:** 1.000 / \$0.00**Disposition:** Sent to the Property Room

Reporting Officer(s):

Keck, Martin N.

Payroll Number :

6295

Pages:

3 Of 3

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

This report is written by Det. Martin Keck. On Thursday, 09/28/23 at 10:35am, I conducted an interview of I█████ G█████ inside of an office at the West Allis Police Department. The interview was recorded using by department issued body camera. The footage was later uploaded to evidence.com.

BACKGROUND INFORMATION

Name - I█████ ██████ G█████
DOB - ███/██/06
14████ S. 71st St., West Allis, WI 53214
Cell - █████-████
School - █████ █████ - █████

FAMILY BACKGROUND

I█████ explained the following people were present for the incident at 14████ S. 71st St:

Mother - C█████ G█████
Father - Justin Gonzales
Sister - M█████ G█████
Brother - I█████ G█████
Brother - J█████ G█████
Grandmother - G█████ H█████

(█████s female cousin was also present for the incident but we did not talk about her specifically).

I█████ explained that his parents had been married for over twenty years and their relationship began in high school. He said since he was little he remembered them having conflict and that they could never get along. I█████ stated his mom feels bad about the situation. I█████ explained his dad would change for a little bit, but then would go back to his old ways. I█████s mom wanted what is best for her kids, always let the kids see their dad, but could not live with him because of the constant conflict.

Reporting Officer(s): Keck, Martin N.	Payroll Number : 6295	Report Date: 10/08/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

█████ stated they fight and argue over anything. He said his dad lost a lot of friends and described him as being "lost". He said his dad takes everything to the heart and is overprotective of the kids. He said his parents would try not to fight in front of the kids but he believed they would fight a lot when the kids are not home. He said his grandmother told him about two weeks ago that his mother got a restraining order against his dad. Justin told █████ not to believe everything he hears.

█████ did not know why his mother got a restraining order and that his grandmother would not tell him why. He stated his mother had previously gotten a restraining order against Justin.

█████ stated when he was younger he did witness physical fighting between the two. He said he was so violent and had a lot of anxiety which is what caused his mom to have Justin leave. █████ explained Justin would get a lot of anxiety with the young kid in the house. He said he would yell at the kids, but was not physical with the children in the house.

█████ said he did not witness anything physical that occurred the night before, but heard them arguing. █████ said he did not witness what happened leading up to the restraining order. He explained he was at school when that happened.

EVENTS OF 09/29/23

█████ said Justin was trying to see all of the kids which led up to the incident on 09/28/23. He kept telling the kids he wanted to talk with them about what was going on, but did not have the chance to. asked █████ to come over to Justin's house, but █████ was busy and could not make it. █████ explained Justin lives with a friend in West Allis near a Walgreen's (believed it was near 90th / National).

█████ said the night of 09/27/23 Justin came over around 10:30pm. Justin never came into the house. C█████ was in her car and Justin randomly showed up. Justin knocked on the car window and C█████ was on the phone with the Police. Justin was asking why she got a restraining order against him and told her he wanted to get back together with her. █████ believed the Police arrived and took Justin away but did not see what happened. █████ explained he had fallen asleep shortly after this incident because he had school in the morning.

█████ stated Justin was texting him before he fell asleep. Justin advised he was checking up on █████. Justin began asking about C█████ and █████ told her she was at a party with █████'s aunt. █████ stated he called him five times and called his siblings in the house. █████ did not answer the calls. █████ did not think Justin was jealous, but stated he was controlling. █████ said Justin told

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

2 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

█████ that █████ was lying to him. Justin wanted to know where C████ was because Justin wanted C████ to call him.

█████'s mom woke him up around 6:00am on 09/29/23. C████ told █████ to go in his sister's room with his sisters. C████ told █████ Justin was there with knives and was threatening to kill himself. Justin was trying to open windows because he wanted to say goodbye to everyone. He explained he eventually got into the house, was armed with two knives and hugged everyone to say goodbye. █████'s mom and grandmother were begging him not to. After Justin left the room, within a minute, █████ heard a lot of gun shots.

█████ said he did not know what specifically happened and did not witness the encounter with the Police. █████ did not think Justin would do what he did and thought he was just trying to get his mom back.

█████ stated Justin had made suicidal statements in the past. When the first restraining order was filed he had an incident with a random man. During this incident, Justin was stabbed multiple times. █████ explained Justin is a boxer and knows how to fight. He was able to fight the man off but was stabbed numerous times. █████ did not know why C████ got a restraining order. █████ stated Justin tried to hang himself but was stopped by someone. He did get to a facility after that incident to get help.

█████ did not know what window Justin came through. He said he was opening the windows and telling everyone he loved them. █████ said he came in through the front of the house. C████'s mom was on the phone with the Police the whole time. █████ believed C████ and his grandmother went outside to keep Justin outside. When this happened, Justin was able to come in through the front door.

█████ explained the back bedroom is towards the middle of the house. █████ saw Justin armed with two big steak knives. He believed he took the knives from the kitchen as he recognized them as being knives from the house.

When C████ woke █████ up, she told him that Justin wanted to kill himself. █████ believed he did have the knives when C████ told him this. █████ explained Justin was holding the knives when he hugged all of the kids goodbye. When Justin left the room, he went towards the front of the house. Shortly thereafter, Justin heard a lot of gun shots - approximately fifteen shots and believed they were fired by more than one person.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

3 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

█████ said when they heard the shots, everyone was crying and they hunkered down in the room for cover. He did not witness the shooting. █████ heard C█████ yelling, "No, Justin, No!".

After the shots were fired, Police officers came into the room and checked on everyone. Eventually, they were escorted from the house. Everyone inside of the house was brought to the West Allis Police Department.

Justin told the kids that he loved them, that he was sorry and that he wished he could be with them when he came into the room to say goodbye.

The interview ended at 11: am. █████ was escorted to family members in the parking lot of the West Allis Police Department.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

4 Of 4

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) reviewed West Allis Police Department body worn cameras from this incident. It was determined that P.O. Anthony Hayner's pistol was not discharged. It was cleared through the Milwaukee County District Attorney's Office that the pistol could be returned to the West Allis Police Department. On 10/11/23, I turned the pistol (WUPD Property #23-3278-3) over to WAPD Det. Christine Ondricka. The property release form was scanned and attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/11/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <i>This report is completed by Detective Kelly Zielinski of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Justin Gonzales (M/W █████/87) at 14██ S 71st St, in the City of West Allis. The City of Wauwatosa Police Department is the primary investigative agency (#23-26254); this report will be attached to West Allis Police Department incident number #23-38085.</i> Interview of Involved Officer: West Allis Police Officer Kyle Brockmann On Monday, October 9th, 2023 at 9:00am, I, Detective Kelly Zielinski, interviewed Officer Kyle Brockmann, who was accompanied by his attorney, Sean Lees. Wauwatosa Police Sergeant James Wood, Wauwatosa Detective Ryan Cepican, and Wauwatosa Detective Beth Itnyre were also present during the interview. The interview was conducted in a conference room at MacGillis Wiemer Law, located at 11040 W. Blue Mound Rd., Wauwatosa WI. Attorney Lees declined my request to record the interview. I confirmed with Officer Brockmann that this was a voluntary interview and that he was free to go at any time. Officer Brockmann said that he had not reviewed any evidence, photographic, video (including his body camera footage) or otherwise before speaking with us. Background Officer Brockmann (West Allis Employee #2863, Badge #116) graduated from the Milwaukee Area Technical College with an Associates Degree in Criminal Justice in 2016 and was appointed to the West Allis Police Department (WAPD) in January of 2018. Prior to working for WAPD, Officer Brockmann worked for UPS for two years. Officer Brockmann attended the Wisconsin Basic Police Academy at MATC. Activities Prior to Critical Incident (OIS) On Wednesday September 27th, 2023, Officer Brockmann had a normal off day prior to his shift. Officer Brockmann slept a usual amount, ate as normal and nothing of any emotional or personal significance occurred. Officer Brockmann spent the day grocery shopping, working out before			
Reporting Officer(s): Zielinski, Kelly M.		Payroll Number : 5722	Report Date: 10/18/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

starting to prepare for his workday. Officer Brockmann felt normal physically and emotionally.

Assignment on Wednesday, September 27th, 2023

Officer Brockmann works the late shift (10:45pm to 6:45am) on a rotating schedule (On 4 days/ off 2 days) and was starting his first day of work on Wednesday, September 27th, 2023 (Continuing into Thursday, September 28th).

On September 27th, Officer Brockmann arrived to WAPD at 10:15pm, dressed in the locker room and attended the Department rollcall at 10:45pm. Officer Brockmann was assigned to squad #314 (Solo patrol) and took out a fully marked WAPD SUV squad (Squad #18) with 360-degree emergency lighting. Officer Brockmann assigned himself rifle #6. Officer Brockmann had on his usual department issued uniform and equipment, including department issued handgun/magazine, triple magazine pouch with three (3) magazines, 2 pairs of handcuffs, Taser, OC spray, baton, radio with lapel mic, and his exterior ballistic vest.

Following rollcall, Officer Brockmann advised he was just leaving the station when he heard over the radio squads being dispatched to 14██ S 71st St, for a violation of a restraining order. The f/W caller advised the male subject arrived at the residence unannounced and was threatening the caller with a weapon. Officer Brockmann stated he started to respond to the male subject's listed address in the area of S 94th St/W Greenfield Ave in case the male subject was heading in that direction. The suspect was described as a M/H, wearing a hat with a dark colored t-shirt. Officer Brockmann advised before getting into the area, squads on scene advised the male half had fled prior to Police arrival and he cleared the call and went back into service.

At about 100am, Officer Brockmann conducted a traffic stop which resulted in two (2) arrests, for possession of drugs and carrying a concealed weapon. Following the TS and subsequent arrests, Officer Brockmann assisted other squads with calls for service. Officer Brockmann returned to the station at about 4:30am to finish paperwork and enter property from his earlier arrest.

Critical Incident Call

At about 6:45am, Officer Brockmann stated he was just finishing up his paperwork when he heard dispatch advise over the radio that the male subject was back at 14██ S 71st St., and was armed with a knife. While responding to the call, Officer Brockmann heard dispatch say the female caller stated the male subject was going to charge the Police upon arrival and were going to make the Police shoot him. Officer Brockmann responded to the area in emergency lights and siren mode, east on Lincoln Ave, then northeast on National Ave to 71st St, north on 71st St and parked his squad on S. 71st St., just south of Orchard Ave.

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

2 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Brockmann advised he exited his squad car and grabbed the squad rifle which he had already unsecured from the rack and charged with a round while in route. Officer Brockmann stated he saw other squads arriving and gathered on the east sidewalk, of S. 71st St., south of the residence to formulate a quick plan with other squads. Officer Brockmann stated Officer Stuetzgen had a less lethal shotgun, Officer Santa Cruz had a shield and Officers Hayner and Iaquinta had rifles. They walked north in a stack formation with Officer Santa Cruz in the front with the shield, and Officer Stuetzgen on the right of the shield with less lethal. Officer Brockmann stated he was on the right side of the shield and did not know for certain where Officers Hayner and Iaquinta positioned themselves.

As they walked along the sidewalk, an unknown male civilian came out on the porch two (2) houses south of 14th S. 71st St. Officer Brockmann stated they briefly confronted the civilian, but they quickly realized the target residence was two (2) houses north and continued walking north.

Suspect Located

Officers Brockmann stated as they approached the south side of 14th S 71st St., he could hear woman and children screaming from inside the residence. As they continued north towards the front porch, he saw the front door of 14th swing open and a male subject exited the residence armed with a large knife in each hand. He immediately started to give commands of, "drop the knife, drop the knife". Officer Brockmann stated he then heard the armed suspect say, "No, you will have to shoot me".

Shots Fired

At that moment Officer Brockmann stated Officer Stuetzgen fired the less lethal shotgun and appeared to hit the suspect causing the suspect to recoil for a moment, then suddenly he sprinted back into the house and shut the door.

Officer Brockmann stated he immediately became concerned for the welfare of the people inside the residence and believed the way that the suspect rushed into the house, he was going to hurt or kill the people inside. Officer Brockmann stated they moved in unison up the stairs in order to close the distance towards the suspect. Officer Brockmann stated he recollected being on the right side of the Officer Santa Cruz (Shield) and that Officer Stuetzgen (Less Lethal) was on the left side of Santa Cruz and was not sure if Officer Hayner (Rifle) or Iaquinta (Rifle) had made it up the stairs or not.

Once they reached the top of the stairs, the door to 14th swung open and the suspect was standing just inside the threshold of the doorway with the two knives raised up about shoulder height. The

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

3 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

suspect appeared to be in an athletic, boxer type stance. Officer Brockman described the suspect had a "1000-yard stare", furthering describing it as, "starring right through them ". Officer Brockmann could hear the other officers shouting commands of "drop the knives, drop the knives", but the suspect refused to obey any lawful orders. Officer Brockman recollected shouting to the suspect several time, "get on the ground", just before hearing Officer Stuetgen fire a second less lethal round. The less lethal round appeared to have no effect on the suspect.

Officer Brockmann stated the suspect was only 10-12 feet away from the officers on the porch. The suspect then, without warning, charged towards the doorway with both hands raised in the air, knife blades pointing towards the officers. Officer Brockmann stated at this point he attempted to back up but did not enough space on the porch to retreat down the stairs, and at this point the suspect had closed the distance to about 5-6 feet away from Officers on the porch. Officer Brockmann stated he feared for his life and the lives of the other officers, and knew that all other intervention options (OC, Baton, Taser) would be unsuccessful. Officer Brockmann made the decision to use deadly force and discharged his weapon until the suspect stopped moving towards them. Officer Brockmann stated the suspect's forward momentum carried the suspect through the threshold of the doorway and out onto the porch where they had been standing seconds and landed facedown on the porch with his right arm tucked underneath him. Officer Brockmann stated he recalled firing his weapon 4-5 times before the suspect fell to the ground and was no longer a threat.

Residence Cleared

Officer Brockmann stated after the threat had been stopped, he could still hear yelling and screaming coming from inside the house. Officer Brockmann paired up with Officer Santa Cruz in an effort to clear the residence and to check the welfare of the other residents.

Removal from the Scene

After clearing the residence, Officer Brockmann stated he spoke with a Supervisor (Unable to recall who) and secured his rifle (#6) on the front seat of that supervisors' front passenger seat by unseating the magazine and ejecting the round from the chamber. Officer Brockmann stated after a short period, Detective Stachula arrived on scene and provided his Officer Safety Statement to Detective Stachula.

Officer Brockmann then told us he was conveyed to WAPD by Sgt. Olliden.. Officer Brockmann turned over his bodycam to Sgt. Stikle and was assigned to Detective Siad at the station until photos and round counts were recovered by Wauwatosa PD. **END OF STATEMENT**

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

4 Of 6

Wauwatosa Police Department

Continuation

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Reporting Officer(s):

Zielinski, Kelly M.

Payroll Number:

5722

Pages:

5 Of 6

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES Police - Other Agency Brockmann, Kyle of 11301 W Lincoln Ave, West Allis,WI,53227 =====		
Reporting Officer(s): Zielinski, Kelly M.	Payroll Number : 5722	Pages: 6 Of 6

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVEOVERVIEW

This report is written by Det. Martin Keck. On Friday, 10/05/23 at 9:05am, I conducted an interview of West Allis Police Officer Sergio D. Santa Cruz Medina. The interview took place inside of a conference room at MacGillis Wiemer, 11040 W. Bluemound Rd., in the City of Wauwatosa. Also present for the interview was Attorney Sean Lees (representing Officer Medina), Sgt. James Wood, Det. Joel Kutz and Det. Steve Kirby.

I introduced myself to Officer Medina. I explained to him that I wanted to obtain a statement pertaining to the incident which occurred on 09/28/23 at 14███ S. 71st St., in the City of West Allis. Attorney Lees advised they did not want the interview recorded and the interview was not recorded.

OFFICER BACKGROUND

Officer Medina advised he has been employed by the West Allis Police Department for five years and eight months. He stated he went to recruit school at the Milwaukee Area Technical College in Oak Creek. He stated he received instruction on the use of a ballistic shield at In-Service Training provided by the West Allis Police Department. Officer Medina has an Associate's Degree from MATC.

Earlier in Medina's career, he received recognition for his role in the arrest of an Armed Robbery suspect. Additionally, he received recognition for OWI arrests he made during his career.

On 09/27/23 Officer Medina went home at the end of his shift. He had a typical day with a typical amount of sleep and felt fine going in for his shift the night of 09/27/23. Officer Medina explained the shift he is on begins at 10:45pm in Roll Call. He said around 6:45am, the officers on his shift typically come into the police station to unpack their squads at the end of their shift.

SHIFT ASSIGNMENT

Officer Medina explained he was working Squad 315 on 09/27/23 through 09/28/23. He explained this is a squad assigned to the east end of the city. He stated they had eight officers working and one sergeant. One of the eight officers is an acting sergeant and assigned to the road, while the

Reporting Officer(s): Keck, Martin N.	Payroll Number : 6295	Report Date: 10/19/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

other sergeant remains at the station.

Officer Medina described the night as a typical night of work leading up to the call at 14██ S. 71st St.

Officer Medina recalled responding to a Check the Welfare and a Noise Complaint. He stated he assisted with an OWI investigation which brought him back to the police department.

RESPONSE TO 14██ S. 71ST ST.

Around 6:30am, Officer Medina was dispatched to 14██ S. 71st St. He stated there was a Violation of a Restraining Order call at this same address earlier in the night and officers were now responding a second time because the offender had returned. Dispatch informed officers that the offender had made his way into the residence and wanted to say goodbye to his kids.

Officer Medina was inside of the West Allis Police Department when the call was dispatched. He went out to his squad car and responded to the call. He traveled east on W. Lincoln Ave. to east on W. National Ave. He turned north on S. 71st St. and then parked in the 1500 block of S. 71st St.

While responding, Officer Medina heard from dispatch the suspect was armed and it was reported the suspect was going to charge at officers. Officer Medina knew there was already probable cause to arrest the offender for violating the restraining order earlier in the night. Officer Sandvick was the officer that had responded to this house earlier in the shift. Officer Medina knew dispatch advised the subject was armed, but did not recall what he was armed with.

Officer Medina did not recall having any prior contacts with the suspect, Justin Gonzales, or the address 14██ S. 71st St. during his career.

Officer Medina explained he, Officer Iaquinta, Officer Brockmann, Officer Hayner and Officer Stuetgen (acting sergeant) all arrived at approximately the same time. Upon arrival, the officers began getting equipment ready before making their approach to the residence. Officer Medina explained the five have worked extensively together and they knew what to do and what each other would do upon arrival.

Officer Medina got a ballistic shield from the back of the supervisor's car. Officers Brockmann, Iaquinta and Hayner each got a rifle and Officer Stuetgen brought a less lethal gun. Officer Medina explained a ballistic shield provides some cover for officers when dealing with an armed subject. He explained a less lethal gun is a lower level of force designed to stop a threat without having to use lethal force. Lastly, the rifles are to provide the highest level of lethal cover when dealing with an armed subject.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:.

2 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Medina explained less lethal guns are brought to calls with armed subjects in an attempt to defuse the situation. He explained that they tried less lethal in this situation but it was ineffective. They have a 40mm less lethal and a less lethal shotgun. He believed the 40mm less lethal was used in this situation.

CONTACT WITH SUSPECT

All five officers approached 14██ S. 71st St. from the south on foot. They walked on the sidewalk as they made their approach. Officer Medina told Officer Brockman that he was the one to communicate with the suspect when they made contact. Officer Medina recalled saying to the other officers that he did not think they needed three rifles in case someone needed to go hands on. As they were approaching the residence, they made contact with a neighbor who was outside. The neighbor told the officers that the suspect went into 14██ through a window. The officers told the neighbor to get back into his house and continued their approach. Upon hearing the neighbor say that the suspect had gone into the house through a window, this escalated the situation in Officer Medina's mind.

Officer Medina then observed the suspect on the porch of 14██ S. 71st St. The suspect appeared disgruntled and was holding two large kitchen knives. Officer Brockman ordered the suspect to "Drop the knives!" The suspect did not drop the knives but stayed on the porch and angled himself towards the officers. Officer Medina did not know who the officer was, but an officer deployed a less lethal round at the suspect. Officer Medina did not know if the less lethal round hit the suspect, but the less lethal round did not have the desired effect.

Officer Medina recalled the suspect flinched and took a step back after the less lethal round was deployed. The suspect then ran from the porch into the front door of the residence. Officer Medina knew there were people inside of the house from the information he received from dispatch. He knew there were kids inside of the house based on the information received from dispatch. Officer Medina thought to himself, "Is this going to be a hostage situation?" He was concerned the suspect was going to hurt the kids and other people inside of the residence. Again, Officer Medina recognized the suspect's actions had escalated the situation before him.

Once the suspect ran back into the house, Officer Medina and the other officers had to do something. The officers ran up onto the porch and were standing just outside of the doorway. Officer Medina's focus was to get up to the house and establish communication with the subject. He knew there were other people inside of the house, that the suspect had a restraining order preventing him from being at the house and Officer Medina feared for the lives of everyone inside of the house.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

3 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Medina recalled the door had been closed by the suspect preventing them from seeing inside of the residence. He stated the door did not latch, but was ajar. Officer Medina believed he either kicked the door open or pushed it open.

Upon the door being opened, Officer Medina explained the suspect was right there in front of him, less than ten feet away. The suspect was still armed with both knives. Officer Medina explained the suspect was holding his arms up with the sharp edge of the knives out in a very threatening manner. Officers established communication with the suspect and ordered him to drop the knives. The suspect disregarded these commands and "stared at us." Officer Medina described the stare as the "1,000 yard stare" and was not responding to any of the commands given by the officers.

An officer (unknown who) deployed another less lethal round. Again, Officer Medina was unsure if this round struck the suspect but the suspect did flinch and did react to the round. Shortly thereafter, the suspect charged at the officers armed with the knives. As the subject charged, Officer Medina saw the suspect was closing the gap quickly.

Officer Medina recalled the suspect getting within arms reach of him as he was charging. Officer Medina took a step back as the suspect closed the gap. Officer Medina stated, "I thought he was going to stab me so I shot him." Officer Medina stated he feared for his safety and the safety of the other officers when he used deadly force.

Officer Medina described the environment the officers were in as a "bad" environment. He said they were on a porch that was elevated four to five feet off of the ground. The stairs of the porch were directly behind the officers and Officer Medina feared the officers may fall down the stairs. He said there were railings around the porch which limited the officers' movements. The five officers were standing shoulder to shoulder. Officer Medina did not know what officer was positioned where in the group of officers.

Officer Medina stated he did not know exactly how many rounds he fired until he saw how many rounds were counted by investigators later on. Officer Medina also realized after the fact that other officers had fired but did not recall any of the specifics while in the moment. Officer Medina explained he fired one rapid succession of fire and stopped firing when he saw the threat was stopped. Officer Medina knew the threat was stopped when the suspect had fallen to the ground with his face down.

After the rounds were fired, Officer Medina said he took a moment to gather himself. The officers checked on each other and took a breath. They then moved up to the house and checked on the people inside of the house. Once in the doorway of the house, Officer Medina explained he did an

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

4 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

"in-battery reload". He holstered his firearm and replaced the magazine in his firearm with a magazine he carries on his ballistic vest. He put the magazine that was in his firearm in the magazine pouch of his ballistic vest where he previously had the replacement magazine stored. Officer Medina carries two spare magazines on his ballistic vest.

Officer Medina advised he is issued a 9mm Glock 17. He loads each magazine with seventeen rounds each and carries his firearm with one round chambered.

Officer Medina advised they checked on all the people inside of the house and found no one to be injured.

The way he was photographed during the round count is the way he appeared during the incident. After the incident was over, he put the shield in the back of Sgt. Orlowski's squad car. Officer Medina retained possession of his firearm during the entire incident up until the round count was conducted. Officer Medina advised his ammo count was accurate and he started the shift with his standard amount of ammunition.

Officer Medina never heard the suspect say anything to the officers during the entire incident but stared blankly at the officers.

DEADLY FORCE CRITERIA

Officer Medina stated the threat from Gonzales was imminent. He was armed with two knives and holding them in a threatening manner. Medina threatened the officers by charging towards them and not abiding by the commands to drop the knives. Gonzales was in very close proximity to the officers, caused by his refusal to not abide by the commands given to him.

PRECLUSION

Officer Medina stated he used deadly force as a last resort and no other force would have been a viable option when deadly force was deployed.

TARGET REQUIREMENTS

Officer Medina stated he did not see anyone behind Gonzales when he fired his weapon and obviously knew Gonzales was the target.

REACT

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

5 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Medina stated the officers on scene responded to the incident prompted by Gonzales. He went over the REACT acronym from the DAAT manual. He stated officers requested cooperation from Gonzales and he clearly showed no signs of cooperating. He stated their reason for being in contact with Gonzales was obvious. The officers allowed Gonzales to make a choice and he chose to not cooperate. They checked his decision by given multiple commands and tried to defuse the situation, yet Gonzales escalated the situation. Officer Medina stated they took action when they had to and their actions were forced by Gonzales' actions.

The interview ended at approximately 10:05am.

Reporting Officer(s):

Keck, Martin N.

Payroll Number:

6295

Pages:

6 Of 6

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE This report is completed by Detective Joel Kutz of the Wauwatosa Police Department. It is part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved death of Justin R. Gonzales (M/W [REDACTED]/1987) that occurred on 09-28-2023. The incident occurred after a call for service to the West Allis Police Department at 14[REDACTED] S. 71 St in the city of West Allis. The West Allis Police Department incident number is 23-38085. The Wauwatosa Police Department is the lead investigative agency and the assigned Wauwatosa Police incident number is 23-026254. Interview of Involved Officer, Ryan M. Stuetzgen (M/W [REDACTED]/1981) On 10-06-2023 between 2:04 PM and 3:15 PM, I took the statement of West Allis Police Officer Ryan Stuetzgen. Also interviewed on 10-06-2023 were other involved officers of the West Allis Police Department: Sergio D. Santa Cruz Medina and Connor R. Iaquina. Present at the interview was Officer Stuetzgen's Attorney, Sean E. Lee of the law firm of MacGillis Wiemer. Also present were Wauwatosa Detective Technician Stephen Kirby and Wauwatosa Sergeant of Detectives James Wood. The interview took place in a conference room at the offices of MacGillis Wiemer, 11040 W. Bluemound Road, Suite 100 in the City of Wauwatosa. Officer Stuetzgen's Background Officer Stuetzgen said that he has been a police officer with the West Allis Police Department for approximately 10 years. Prior to that time, Officer Stuetzgen was a police officer for the City of Watertown Police Department for approximately 7 years. He attended the police academy at Milwaukee Area Technical College in Oak Creek in 2004 and was out of the academy for about 8-10 months before being hired by the Watertown Police Department. Prior to the academy, Officer Stuetzgen attended and graduated from the University of Wisconsin – Oshkosh with a bachelor's degree in criminal justice. He has had no other law enforcement or related jobs. Officer Stuetzgen has been a Field Training Officer since 2010. On 09-26-2023 into 09-27-2023, Officer Stuetzgen slept all night as he was not working that day. He			
Reporting Officer(s): Kutz, Joel R.		Payroll Number : 6064	Report Date: 10/19/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

also took a nap on 09-27-2023 from 7:30-9:30 PM, which is normal for him on his first night back after off days. On 09-27-2023, Officer Stuetgen was feeling normal, with no illness or unusual stresses.

On 09-27-2023, Officer Stuetgen arrived at work at 10:35 PM and the beginning of third shift assembly took place at 10:45 PM. Officer Stuetgen recalled that working that night were 7 third shift officers, 1 second shift officer staying over to work third shift, the CO (commanding officer for the shift) and Officer Stuetgen who was the Acting Sergeant for third shift. Officer Stuetgen is one of the most senior officers on third shift and he is often the Acting Shift Seargent. The CO for the shift was Sergeant Dobschuetz.

After assembly, Officer Stuetgen went to prepare Squad #63 for the shift. His assigned squad number was 320 for the shift (which is a number indicative of a sergeant). In preparing the squad, Officer Stuetgen made sure everything was in working order. Included in the squad's equipment, in a locked vault inside the back tailgate, were a less lethal shotgun with a zippered bag containing less lethal beanbag rounds and a 40 millimeter launcher with rubber impact rounds. Also in the squad, in a locked holder was a patrol rifle with magazine and a "go-bag" that contains to additional magazines. Each of the magazines contains 28 rounds of 5.56 ammunition.

After finishing his squad preparation, Officer Stuetgen went on patrol.

Calls for Service Prior to Officer Involved Death Incident

Between 11:30 PM on 09-27-2023 and 12:00 AM on 09-28-2023, Officer Stuetgen heard officers dispatched to 14██ S. 71 St., which would be the location of the officer involved death later in the shift, for a report of a violation of a temporary restraining order. Officer Sandvick responded to the address and determined that the suspect was Justin R. Gonzales (M/W ███/██/1987), that he had fled the address prior to police arrival and that probable cause existed to arrest him for violation of the temporary restraining order.

Officer Stuetgen said that he was familiar with Gonzales based on a prior interaction with him at his listed address of 94██ W. Greenfield Avenue in West Allis. Officer Stuetgen believes that call was within the past few weeks in September. During that call, officers found that Gonzales and one of his roommates had been intoxicated and got into a verbal altercation. Both Gonzales and his roommate were cooperative with police during that interaction and no one was arrested. Officer Stuetgen said he had no recollection of ever having been to a call for service at 14██ S. 71 St.

During the call regarding the violation of temporary restraining order, Officer Stuetgen went with

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

2 Of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officers Iaquina and Lamm to 94███ W. Greenfield Ave. in an attempt to locate Gonzales and take him into custody. Contact was made with Gonzales' roommates, who were cooperative with police. They told police that Gonzales was not there and they allowed police to search the residence for him. Once police were sure Gonzales was not at the residence, Officer Iaquina left one of his business cards with Gonzales' roommates and asked them to call police if Gonzales were to return home. Police then left.

Officer Stuetgen recalled the shift being a "slower night".

Later in the shift, Officer Iaquina arrested a subject on W. Greenfield Ave. near S. 70 St. for OWI. That subject was uncooperative and resulted in a use of force (deployment of Electronic Control Device – Taser). Officer Sandvick sustained a minor injury as a result of that incident. Officer Stuetgen did go to the scene of that arrest, but arrived after the use of force had already occurred.

Call for Service at 14███ S. 71 St.

At about 6:40 AM, while in the West Allis Police Station Report Room, dispatch sent officers to 14███ S. 71 St. for a report that Justin Gonzales had returned to the residence and was inside. Officers Stuetgen, Iaquina, Hayner, Brockmann, Santa Cruz Medina and Luedke all began responding from the station.

Officer Stuetgen recalled that while he was en route to 14███ S. 71 St., dispatch advised officers that Gonzales had armed himself with knives according to the caller and he was saying that he would charge at officers when they arrived.

Officer Stuetgen responded with his squad's emergency red and blue lights and siren activated. His route was: east on Lincoln Avenue from the West Allis Police Station, east on National Avenue, north on 71 Street. Officer Stuetgen stopped just north of National Ave. on 71 St. and realized he was too far south, so he moved farther north and parked his squad just south of Orchard Street. All of the other officers arrived at the same time.

There was a discussion between officers about the correct address for the call, which officers confirmed with dispatch to be 14███ S. 71 St. As he responded and once parked on 71 St., Officer Stuetgen was thinking that this was a call related to an armed subject and also about officer assignments at the call and which equipment was needed.

Once parked, Officer Santa Cruz Medina met Officer Stuetgen at Squad #63 and Officer Santa Cruz

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

3 of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Medina got a ballistic shield from the back of the vehicle. Officer Stuetzgen retrieved the less lethal shotgun, which is identifiable by its orange color. He also removed 5 less lethal beanbag rounds from the zippered pouch, inspected them to ensure they were, in fact, less lethal and not lethal shotgun rounds. Officer Stuetzgen loaded the 5 rounds into the less lethal shotgun.

Officers Stuetzgen and Santa Cruz Medina then began walking north on the east side of S. 71 St. Near W. Orchard St., they were met by other officers, who were carrying rifles. Officer Stuetzgen is not sure who those officers were. There was no discussion by officers as to who would fill what role in approaching the address to which they had been dispatched.

Officer Stuetzgen said they had a shield for protection from edged weapons. He brought the less lethal shotgun so that officers would have an alternate means to use non-lethal force from a distance since it was reported that Gonzales had knives. He believes that Officers Hayner, Iaquina and Brockmann approached the residence with him and Officer Santa Cruz Medina. He believes that there were at least 2 officers equipped with rifles.

Officer Santa Cruz Medina led the way with the shield, with the other officers following behind him. Officer Stuetzgen was in the rear, taking up a supervisor overwatch position and because he had a less lethal option and Gonzales was reportedly armed with lethal weapons.

Officers identified the house as they approached, walking north from south of 14th S. 71 St.

When they were at about the south property line for 14th S. 71 St., the front door of the residence opened. A male subject appeared. The male was holding what appeared to be a butcher knife in his right hand and what appeared to be a steak knife in his left hand. He was Hispanic and was wearing a dark t-shirt. He was holding the knives up with the blades above the handles in a vertical position.

Several officers yelled "Drop the knife!" at the subject, who Officer Stuetzgen recognized as Justin Gonzales. Officer Stuetzgen believed that Officer Iaquina said he should deploy less lethal, but Officer Stuetzgen could not acquire a target location on Gonzales due to the slats on the porch.

Officer Stuetzgen recalled that Gonzales walked off the top of the porch, toward the middle step. Gonzales turned and "squared" his body toward officers with the knives still in his hands. He was about 20 feet from officers and not complying with police orders to drop the knives. Due to his continued resistance by not complying, Officer Stuetzgen stepped up and deployed one less lethal beanbag round at Gonzales. Officer Stuetzgen's aim point was Gonzales' right thigh, which is where it appears the round impacted Gonzales. Gonzales reacted stunned, but stayed on his feet and did

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

4 Of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

not drop the knives. He seemed to recover and then turned and ran back into the house, closing the door behind him.

Officer Stuetgen feared that Gonzales went into the house to hurt or kill the family that had been reported to be inside, that he knew included at least 2 women and several children. Because of this, Officer Stuetgen said, "Go! Go! Go!" to the other officers and they quickly moved onto the porch, knowing that they needed to intervene by entering the house to prevent Gonzales from hurting or killing the people inside.

When the officers got to the top step of the porch, the front door opened. Officer Stuetgen assumed Gonzales had opened the door. Gonzales was standing just inside the door, with a knife still in each hand, both vertical with the blades up. He was within 10 feet of officers.

Officer Stuetgen deployed another less lethal beanbag round at Gonzales while officers were continually yelling, "Drop the knife!" Officer Stuetgen's point of aim was Gonzales' thigh, but he does not know whether the beanbag round impacted Gonzales. There was no reaction from Gonzales and he was facing the porch. Officer Stuetgen said he delivered the beanbag round because it was an alternative to lethal force. He described Gonzales as an "imminent threat", fearing that he would charge at and stab officers.

Gonzales turned toward officers and crossed the threshold quickly from the house, onto the porch. Officer Stuetgen and officers were in close proximity to Gonzales. Officer Stuetgen thought Gonzales was going to stab and kill officers as he still had both knives in his hands as he started to charge at officers. Officer Stuetgen thought Gonzales was lunging at officers because it was his intent to kill police officers. Because he couldn't transition to his handgun quickly enough, Officer Stuetgen moved behind Officer Santa Cruz Medina. He could no longer see Gonzales. Several shots were fired by the other officers, but Officer Stuetgen is not sure which officers fired their weapons. Officers moved up to where Gonzales fell face down on the front porch.

When officers moved up to Gonzales, Officer Stuetgen could see that a knife was still in his left hand. Officer Stuetgen stepped on Gonzales' left hand to prevent Gonzales from using the knife. His hand was limp. Officer Stuetgen kicked the knife away in order to render aid to Gonzales and the knife went northwest from Gonzales on the porch. Gonzales' right hand was underneath him, so Officer Stuetgen could not see if anything was in his right hand.

Officer Stuetgen tried to grab onto Gonzales' left hand in order to roll him over. He could not, so Officer Stuetgen grabbed onto Gonzales' belt, rolled him enough to get his right hand out from under him and observed significant trauma to Gonzales' right arm.

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

5 of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Stuetngen removed a tourniquet from his right cargo pants pocket and secured the tourniquet on Gonzales' right upper arm. The tourniquet was his department issued CAT brand tourniquet. Officer Hayner came to assist Officer Stuetngen as he had been trained as a combat medic. Hayner cut Gonzales' shirt off to assess him and he pointed to wounds on Gonzales' back. Officer Stuetngen saw holes on the back of Gonzales' head, his back and chest and he believed Gonzales to be deceased.

While Officers Stuetngen and Hayner were assessing and attempting to provide medical care to Gonzales, the other officers went into the house to clear the residence. Day shift officers began to arrive and took over for the involved officers in securing the residence.

While they were on the porch, Officer Stuetngen confirmed that Officer Hayner had fired at Gonzales.

Upon hearing that Officer Hayner had fired, Officer Stuetngen called a day shift officer over and asked that officer (he did not remember specifically which officer) to escort Officer Hayner off the porch and to stay with him. Officer Stuetngen remained on the porch with Gonzales.

A short time later, West Allis Fire Department personnel arrived. He remembered there being 6 fire department personnel, so he told them to just bring 2 onto the porch as it was a crime scene. The 2 paramedics hooked Gonzales up to a machine, determined that he was deceased and did not render any aid.

Officer Agor took Officer Stuetngen's place on the porch. Officer Stuetngen moved to the sidewalk and stood there to assist in maintaining scene security. Corporal Kaye arrived and took photos of Officer Stuetngen's hands as they were covered in Gonzales' blood and he wanted to wash them. After his hands were photographed, Officer Stuetngen did wash them. Corporal Kaye stayed with Officer Stuetngen and they stayed on scene in Corporal Kaye's vehicle for a while.

Sergeant Corwin asked Officer Stuetngen his public safety statement.

Corporal Kaye collected the rifles from the involved officers as well as Officer Stuetngen's less lethal shotgun. Corporal Kaye maintained possession of them in his vehicle, eventually transporting them and Officer Stuetngen to the West Allis Police Station.

Once they were at the West Allis Police Station, detectives from the Wauwatosa Police Department took involved officer photographs and conducted round counts.

Officer Stuetngen said he was in full West Allis Police Department patrol officer uniform at the time of the incident and that the photo taken of him after the incident at the station was a true representation

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

6 Of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

of his appearance at the time of the incident. Officer Stuetngen was also equipped with a body worn camera (BWC), which was operational at the time of the incident. After the incident occurred and when the fire department arrived on the porch, Officer Stuetngen muted his camera, but the video continued to record until he turned it off once he was paired up with Corporal Kaye. Officer Stuetngen turned his BWC over to West Allis Police Lieutenant Gold once he was back at the West Allis Police Station.

Officer Stuetngen believed that the caller, her daughter and children were in the house based on information given to responding officers prior to his arrival on scene.

Officer Stuetngen did not remember Justin Gonzales ever making any statements nor saying anything to police during their interaction with him.

Handcuffs were never secured on Gonzales due to his injuries.

After the shots were fired and while officers were attempting to assess Gonzales' injuries, Officer Stuetngen did eventually see the second knife just inside the threshold of the house. He does not know if any officers moved it there after the shots were fired.

Officer Stuetngen said he fired the first less lethal beanbag round at Gonzales' thigh from about 20 or more feet away because he recognized Gonzales to be an armed subject at a distance from officers and because he was hoping that by striking Gonzales with the beanbag round, he would comply with officers' orders to drop the knives. Officer Stuetngen said he fired the second less lethal beanbag round from about 10 feet away from Gonzales while officers were on the porch and Gonzales was just inside the threshold of the house because it was an alternative to lethal force and he again was hoping that Gonzales would comply with officers' orders and drop the knives.

Officer Stuetngen said he was sure that Gonzales knew police officers were outside and the people who had been ordering him to drop the knives. Gonzales appeared to have a one thousand yard stare, meaning that he seemed to be staring right through officers and was not complying with officers.

Before shots were fired at Gonzales, Officer Stuetngen was standing at the left shoulder of another officer. After firing the second less lethal beanbag round, Officer Stuetngen observed Gonzales begin to charge at officers with the knives still in his hands, so Officer Stuetngen ducked behind Officer Santa Cruz Medina.

Officer Stuetngen said that he had never deployed rounds from the less lethal shotgun, nor from the 40 millimeter launcher while on duty, but he had previously seen other officers deploy less lethal

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

7 of 8

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

munitions from a 40 millimeter launcher. In previous incidents during which either he or other officers had deployed any less lethal force such as beanbag rounds, Electronic Control Device (Taser) or 40 mm impact rounds, the less lethal force was always effective in gaining compliance from subjects. Gonzales is the first person Officer Stuetzgen had ever seen not comply after being struck by less lethal munitions. This lack of effectiveness, along with Gonzales' noncompliance with officers and charging at officers with knives, led Officer Stuetzgen to believe that he and/or other officers would be seriously injured or killed and that the only option was for officers to use deadly force to stop Gonzales.

I asked Officer Stuetzgen if, when he saw Gonzales, he recognized him as Gonzales based on previous interactions with him. He said he did not realize the subjects with the knives was the same person.

Officer Stuetzgen said he received less lethal shotgun/beanbag round training through Watertown Police Department and West Allis Police Department.

Officer Stuetzgen said that he did not see any citizens in the area as he and other officers approached 14th S. 71 St.

Officer Stuetzgen said that he believed I had an accurate understanding of his statement.

-The interview concluded at 3:15 PM-

Additional Information, Corrections and Accuracy Review

On October 19, 2023, I met with Officer Stuetzgen and Attorney Sean Lees at the law offices of MacGillis Weimer. After reviewing the statement for accuracy and completeness with Officer Stuetzgen, minor changes regarding grammar or word choice were made. No factual information was changed.

Officer Stuetzgen said that his statement as I had typed it was a factually accurate representation of what he had told me on 10-06-2023.

Reporting Officer(s):

Kutz, Joel R.

Payroll Number:

6064

Pages:

8 Of 8

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 :	New CFS Code - 2:
NARRATIVE Milwaukee Area Investigative Team Report This report is completed by Detective Stephen F. Kirby of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved death of Justin R. Gonzales (M/W ■■■/■■■/1987) on September 28, 2023. The incident occurred at 14■■■ South 71 Street in the City of West Allis involving officers from West Allis Police Department. The West Allis Police incident number is 23-38085. The City of Wauwatosa Police are the lead investigative agency with assigned case number 23-26254. Involved Officer Interview: Connor R. Iaquina (M/W ■■■/■■■/1995) West Allis Police On October 6, 2023 I along with Detectives Keck and Kutz, and Sgt. Wood conducted Officer involved interviews of three officers. Officers Sergio D. Santa Cruz Medina, Connor R. Iaquina, and Officer Ryan M. Stuetgen were interviewed on that date at the law offices of MacGillis Wiemer, LLC in Wauwatosa. Present for all interviews was attorney Sean E. Lees. This report will document the statement of Officer Iaquina. Attorney Lees declined to have the interview recorded. The following information comes from that interview and is a summary, not a transcript. The interview began at approximately 11:05AM and concluded at approximately 12:15PM. Officer Iaquina's Background Officer Iaquina is a Patrol Officer with West Allis Police and has been since 2021 (approximately two years). He was employed by the City of Brookfield Police for two years (2019 to 2021) prior joining West Allis Police. He attended Waukesha County Technical College Basic Recruit Academy in 2019. He completed FTO programs at both agencies. He is currently assigned to late/third shift patrol and has been assigned to the shift since finishing his FTO program in July of 2022. On the day of the incident Officer Iaquina had a normal day before coming in for the first shift of his workweek. He was feeling normal having slept and eaten as usual and had an uneventful routine day. After roll call, Officer Iaquina was assigned to an east end patrol area which is his regular area since June 2023. His squad designation was 316 for that shift as usual. He was in patrol car 31 which is not his usual car. He was in full uniform to include badge, patches and full duty gear with personally assigned duty handgun. He wore his assigned body worn camera which appeared fully			
Reporting Officer(s): Kirby, Stephen F.		Payroll Number : 5874	Report Date: 10/19/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 Of 9

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

functional. Squad 31 is also equipped with an in-car camera which was also functional.

Officer Iaquina selected his usual rifle from the armory, rifle 1, due to it being set up for left hand shooters. He obtained a pool "go bag" which would contain the magazines for the rifle and other items. He prepared rifle 1 with a magazine from the go bag. He explained he believed the magazine to contain 28 cartridges of ammunition because he checked the capacity by pushing down on the top cartridge in the magazine which did depress a normal amount for a 28 round magazine load. He also confirmed the top cartridge of ammunition was on the right side which indicates to him an even number of cartridges loaded in the magazine.

After preparing his squad Officer Iaquina went on patrol.

Prior Violation of Restraining Order Incident that Night

The first call of note handled by Officer Iaquina during the shift occurred early, he estimated around midnight. Officers were dispatched to 14██ South 71st Street (the eventual incident location) for a violation of restraining order. Officer Sandvick handled the call and spoke with the caller at that location. Officer Iaquina assisted in the call by checking the area for the suspect who was identified as Justin Gonzales. Officers Lamm and Stuetgen also assisted.

The caller indicated Gonzales left the residence so Officer Iaquina checked the area for him. Officer Iaquina checked Gonzales' DOT information and reviewed a photo of him as a function of the investigation to locate him. He confirmed there was an active restraining order for Gonzales which was domestic violence related. The three officers checked Gonzales' listed address of 94██ West Greenfield Ave. for Gonzales. There they spoke with the roommates but Officer Iaquina did not know their identities. Other Officers identified or were familiar with the roommates who consented to the police searching the apartment for Gonzales. He was not located there as they claimed he left fifteen to 30 minutes prior to police arrival.

Officer Iaquina explained he had no known prior contact with Gonzales, the caller, or the addresses involved.

Since there was now probable cause to arrest Gonzales for violation of a restraining order but Gonzales was not located, there were no leads to his whereabouts, and there were no threats reported by the complainant, the officers cleared the call and returned to service.

Other Calls for Service

The only other call of note was at approximately 3:30AM. Officer Iaquina was dispatched to a driver passed out behind the wheel of a car at South 70th and Greenfield Ave. Officer Iaquina contacted

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

2 Of 9

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

the driver and force had to be used to arrest the driver for operating while intoxicated. A Taser electronic control device was deployed on the driver who was taken into custody with no further problems. Officer Santa Cruz Medina assisted in the processing and they worked at the West Allis Police Station to process the OWI arrest until approximately 6:00AM. After the call was resolved both went to the report writing room in the station to begin paperwork.

Response to Incident

The incident resulting in the death of Gonzales began when dispatch began sending squads for the report of Gonzales at the residence 14■■ South 71st Street again. Officer Iaquinta was the primary officer assigned. Dispatch reported information Gonzales was armed with knives this time. Officer Iaquinta at that time only knew that Officer Hayner was also going with him as they left the station together and drove separately but in close proximity. Officer Iaquinta responded in emergency mode with lights and sirens following the path of Lincoln Ave to National Ave to 72nd Street. Once he arrived he parked in the 7100 block of Orchard, which is the next cross street south of the residence. He then was aware Officers Brockman, Santa Cruz Medina, and Stuetzgen parked near the same intersection but on South 71st Street. He believed his squad and body cameras were both recording during the response.

En route to the call, dispatch relayed to officers incoming information such as: the suspect was inside the residence, he was armed with knives, he intended to commit suicide, was saying goodbye to his children, and he intended to charge the police with the knives. Officer Iaquinta understood the nature of this call was significantly more dangerous and was a significantly elevated risk compared to the earlier violation of restraining order. In his word he thought they were about to have a "bad day".

On scene, Officer Iaquinta grabbed rifle 1 from his squad as well as a spare magazine which he stored in a pocket. He also looked again at Gonzales' DOT photo for reference. The officers converged at the intersection south of the residence while other officers deployed equipment including Officers Hayner and Brockman with rifles, Officer Stuetzgen deploying with a less lethal shotgun (readily identifiable by its orange color) and Officer Santa Cruz Medina deploying a shield from the acting Sergeants' vehicle driven by Officer Stuetzgen. The officers frequently work together and have for some time. They know each other well and filled in roles with minimal planning or discussion. Officer Brockman was assigned as the primary command giver as they began approaching the house.

Around this time Officer Iaquinta was aware from dispatch the caller was inside the house with the suspect. Dispatch was no longer able to communicate with the caller. They only heard screaming on

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

3 Of 9

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

the other side of the call. He recalled dispatch relaying there were seven people in the residence including children. He was also aware the officers on scene were likely the only ones currently available meaning no more backup was coming soon. He also understood based on the description of the incident from the caller to dispatch the officers had very little time to act to resolve the situation.

Approach of Residence at 14██ South 71st Street

The officers started approaching the residence from the south on the side walk. When they got closer they observed a witness a house or two south that other officers briefly identified and engaged with. Officer Iaquina was focused on the victim residence and recalled little details about the witness to the south.

As the officers approached the south property border of 14██ South 71st Street, Officer Iaquina saw Gonzales at the door to the residence with only his head poking out. While Officer Iaquina could not say he had complete facial recognition of Gonzales, he understood based on the totality of the circumstances the male in the doorway was the suspect. Gonzales then moved from the doorway towards the front of the covered porch.

As Gonzales moved to the front of the porch Officer Iaquina could see he was holding two knives. He described them as six to eight inches and unmistakable as knives. The officers continued to maneuver their position for advantage and were now approximately twenty feet from Gonzales in Officer Iaquina's estimation. Gonzales was elevated on the somewhat enclosed porch with the officers to the south (Gonzales' left side).

The officers were giving Gonzales commands to drop the knife but he did not do so. Officer Iaquina recalled hearing Gonzales say something to the effect of "I ain't dropping shit". Due to the lack of compliance from Gonzales with the information from dispatch on what happened so far, Officer Iaquina was very concerned that Gonzales was going to come at the police in an attack or go into the residence again and harm the people inside. Officer Iaquina explained it was very clear Gonzales was not in a stable mental condition. He described Gonzales as flexing and tensing his shoulders. Gonzales had a very tight grip on the knives and was clearly showing no intent to cooperate.

Less Lethal Round Deployed

At that point a less lethal round was deployed on Gonzales by Officer Stuetgen according to Officer Iaquina. The sound of the less lethal round is significantly different to Officer Iaquina and he was clear from that sound the fired shot was a less lethal impact round. Officer Iaquina explained the round was clearly ineffective. Gonzales appeared to Officer Iaquina to be unphased by the impact

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

4 Of 9

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

round. We discussed what an effective round would mean to Officer Iaquinta. He explained in his experience and expectation the subject would possibly take a knee or drop the knives. Gonzales did neither. Gonzales was yelling and appeared to get angrier in Officer Iaquinta's evaluation.

Suspect Flees into Residence

At that point Gonzales "sprinted" into the residence while still holding both knives. Officer Iaquinta believed Gonzales was going into the house to kill his estranged wife and kids. The officers took immediate action based on the belief the people in the house were in danger and rushed onto the porch to the front door of the lower apartment.

At the front door Officer Iaquinta could see the front door was ajar. It was mostly closed but not latched or secured. He explained the officers were all on the porch with Officer Santa Cruz Medina with the shield right in front of the door and the other officers to the sides of him facing the door. The door opened and it was Officer Iaquinta's belief Officer Santa Cruz Medina pushed it open. Officer Iaquinta was focused on Gonzales though and he could not say for sure that is how the door opened, he just thought that is how it occurred.

Contact with Suspect

Once the door opened Officer Iaquinta saw Gonzales just inside the door. He estimated Gonzales was around ten feet and certainly no more than 15 feet from the officers. Officer Iaquinta heard crying in the room and believed the wife was in the room and not visible to him. He could not make out any details but had a strong sense of being aware the female was in the room. Gonzales was still clutching the two knives in his hands holding them in front of him in a threatening manner. Officer Iaquinta described Gonzales' positioning as similar to a boxers stance but holding knives.

Officer Iaquinta described Gonzales as having a "thousand-yard stare" and continuing to flex and show a high level of tension in his body. We discussed certain Wisconsin Defense And Arrest Tactics (DAAT) principles and training. Officer Iaquinta identified the flexing, the shoulder rolling and the strong clutching of the knives as early warning signs.

Officer Iaquinta recognized the thousand-yard stare, the posturing of Gonzales' body, and the focused stare of Gonzales as what DAAT identifies as "pre-attack postures". It was Officer Iaquinta's experience with "tons of people" the posturing and way Gonzales was moving was indicative of an imminent attack.

Certain DAAT defined factors were described by Officer Iaquinta. The fact Gonzales still continued to grip the knives made him an armed subject. The DAAT defined special circumstances Officer

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

5 Of 9

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Iaquinta recognized were the subject's ability to rapidly escalate the situation. Potential victims were within a short distance of the armed subject. He could also suddenly assault the officers who were forced to position themselves at the door on an elevated porch making retreat difficult. Officer Iaquinta was aware the officers had limited options if the subject was to turn and flee deeper into the house or attack the people in the room the officers would be unlikely to stop him before he could seriously hurt or kill someone.

Second Less Lethal Round Deployed

A second less lethal round was deployed on Gonzales through the open door. Officer Iaquinta heard it and recognized it as such. He again described it as ineffective.

Lethal Force Used

We discussed the moment lethal force was used. Officer Iaquinta explained at this point everything was happening so fast the exact sequence was unclear to him. He believed Gonzales was now preparing to charge the officers. Gonzales turned toward them still clutching the knives. Officer Iaquinta was sure Gonzales was about to charge and was coming to kill the officers. He believed there was no other option to stop Gonzales except lethal force. The less lethal rounds failed to have any desirable effect to stop Gonzales so far. They had no other reasonable force options left to try if he tried to kill the officers.

We discussed the DAAT principles of imminence. He identified the weapon as the knives in Gonzales' hands. The intent of Gonzales was clear to Officer Iaquinta from his continued refusal to disarm and his threat indicating behaviors. The delivery system for an edged weapon was identified by Officer Iaquinta as the factor the officers and other potential victims were clearly very close in distance to Gonzales. In Officer Iaquinta's training the Officers were well within the danger range of the knives.

DAAT principles recognize certain target requirements. Officer Iaquinta stated they had clear target identification as Gonzales was the armed threat immediately in front of them and in clear view. Officer Iaquinta had a clear line of aim with clear target acquisition. As far as target isolation concerns, Officer Iaquinta could see there was no one behind Gonzales in the room. He felt it was the best target isolation the officers could hope for given the circumstances.

And as discussed above, the DAAT principle of preclusion was explained by Officer Iaquinta as no other option available to the officers except lethal force was reasonably likely to stop Gonzales' attack when it came. The main force option for a subject with a knife in Officer Iaquinta's experience and training was in fact less lethal impact rounds which so far failed to produce an effect in this incident. Gonzales was clearly given multiple warnings and could not have mistaken the

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

6 Of 9

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

officers as anyone other than law enforcement.

The above factors led Officer Iaquina to believe Gonzales was an imminent threat of great bodily harm or death to the officers. Officer Iaquina did fire his rifle at Gonzales to stop the threat. Officer Iaquina explained he was not sure exactly the sequence due to the speed of things occurring but he knew he fired either as Gonzales was preparing (in Officer Iaquina's evaluation) to charge officers or as he began his charge. Suddenly Gonzales did charge at officers who responded with gun fire. He continued to advance through the gunfire and officers were forced to retreat backwards while firing. He was surprised at how rapidly he closed the distance and how close Gonzales came to the officers. Officer Iaquina was forced to move backwards to the stairs. Officer Iaquina fired to stop Gonzales from killing him or his partners and believes he had no other option.

Lethal Force Stopped

Officer Iaquina fired his rifle until he recognized Gonzales was down on the porch and no longer moving. He believed the threat was then stopped. The officers re-approached Gonzales and began to try to take him into custody. Officer Iaquina recalled seeing at least one knife near Gonzales. He knew other officers attempted to cuff Gonzales and then render medical aid.

After Actions

The officers split up and Officer Iaquina went into the house to check on the residents and ensure there were no other threats. Officer Hayner and Stuetgen remained with Gonzales since Officer Hayner is medically trained and experienced. Other officers were arriving including Officer Schweitzer who assisted in clearing the residence. Inside the apartment Officer Iaquina recalled finding everyone was ok and there were several children and two women in the home.

After clearing the residence Officer Iaquina met with Sgt. Dobschutez and Officer Foy. Officer Foy took rifle one from Officer Iaquina. Sgt. Dobschutez told Officer Iaquina to stop his body worn camera at that time. He was then assigned partner Officer Foy as support and eventually passed to Sgt. Corwin for a public safety statement. Later his body camera would be recovered by Sgt. Stickl and Officer Otto would be his support officer.

Officer Iaquina was aware from the round count procedure that he fired 7 rounds using rifle one. He confirmed photos taken of him that morning were accurate and reflected the way he appeared during the incident with the exception of having the rifle and body camera which are not present in the photos. He explained he did not change any evidence at the scene and did not leave any item in the scene except fired cartridge cases and fired bullets.

Additional Information and Corrections

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

7 of 9

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

On October 19, 2023, I met with Officer Iaquina and Attorney Sean Lees at the law offices of MacGillis Weimer. After reviewing the statement for accuracy and completeness with Officer Iaquina minor corrections regarding grammar and street name were made. Roles of which officer or supervisor took what action regarding Officer Iaquina were also clarified.

He also requested to add detail and expand on two issues. The first was during the incident until the house was cleared after the shooting he did not know the status of the occupants of the house. Whether anyone was already injured in the house and needed immediate care was a contributing factor to Officer Iaquina's understanding for the need for immediate action he asked to be included.

The second was clearer and expanded details regarding how Gonzales was holding the knives when the door opened while the officers were on the porch.

No factual information was changed or contradicted from the first interview.

Conclusion and Validity Review

At the conclusion of the interview, Officer Iaquina stated he felt all relevant information was covered and discussed. Officer Iaquina agrees the information reflected in this report is an accurate and fair representation of his statement reflecting what he saw, heard, and did during the officer involved shooting at 14██ South 71st Street on September 28, 2023.

Reporting Officer(s):

Kirby, Stephen F.

Payroll Number:

5874

Pages:

8 Of 9

Wauwatosa Police Department		Continuation
Incident Report Number 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
NAMES Police Kirby, Det Stephen W/M of 1700 N 116 St, Wauwatosa,WI,53226 Phone 1:(414) 471-8430 Police - Other Agency Iaquinta, Connor of 11301 W Lincoln Ave, West Allis,WI,53227 =====		
Reporting Officer(s): Kirby, Stephen F.	Payroll Number : 5874	Pages: 9 Of 9

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE This report is completed by Detective Ryan Cepican of the Wauwatosa Police Department as part of the Milwaukee Area Investigative Team (MAIT) investigation into the officer involved shooting of Justin R Gonzales (M/W ■■■/■■■/1987) at the residence, 14■■■ S 71st St., in the City of West Allis, County of Milwaukee, State of Wisconsin. The City of Wauwatosa Police Department is the primary investigative agency (#23-026254); this report will be attached to West Allis Police Department incident number #23-038085. Interview of Involved Officer: West Allis Police Officer Anthony D Hayner On Monday, October 9th, 2023 at 11:00am, I, Detective Ryan Cepican interviewed Officer Anthony Hayner. Officer Hayner's attorney, Sean Lees, accompanied Officer Hayner. Wauwatosa Police Sergeant James Wood and Wauwatosa Detective's Kelly Zielinski and Beth Itnyre were also present during the interview. The interview was conducted in a conference room at MacGillis Wiemer, LLC Law Office located at 11040 W. Blue Mound Rd., Wauwatosa, WI. Attorney Sean Lees declined my request to record the interview. I confirmed with Officer Hayner that this was a voluntary interview and that he was free to go at any time. Officer Hayner said that he had not reviewed any evidence, photographic, video (including his body camera footage) or otherwise before speaking with me. Background Officer Hayner (West Allis Employee Number 3174, Badge Number 159) was appointed to the West Allis Police Department (WAPD) in August of 2021 and attended the basic Police Academy at the Milwaukee Area Technical College. Prior to working for WAPD, Hayner enlisted in the United States Army in 2007 and was honorably discharged in 2011. While in the United States Army, Officer Hayner was assigned to the Tenth Mountain Division as a Line Medic. While in the United States Army, Officer Hayner attended Medic training, Combat Medic and Paramedic School. Officer Hayner was hired by WAPD, and they sponsored him at the MATC Police Academy. Officer Hayner graduated from the MATC Police Academy and has been in the Patrol Division since December 2021. Officer Hayner spent time on all three (3) shifts during the Field Training Program and is now working third (3rd) shift. Officer Hayner is also a Medic for the West Allis Police Department SWAT Team. Officer Hayner attended the Tactical Emergency Medical Service (TEMS) class at the			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 10/19/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To:	Page: 1 of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Waukesha County Technical College in 2023.

Activities Prior to Critical Incident (OIS)

On Wednesday, September 27th, 2023, it was Officer Hayner's first day back after two (2) regular off days (September 25th and 26th). Officer Hayner was scheduled to work 10:45pm-6:45am on September 27th into the 28th. Officer Hayner had a normal day prior to his shift. Officer Hayner slept a usual amount, ate as normal and nothing of any emotional or personal significance occurred. Hayner felt normal physically and emotionally. Officer Hayner woke up at approximately 7:00am on September 27th. Officer Hayner hung around the house during the morning and laid down for a nap in the afternoon. Officer Hayner was able to get a few hours of sleep and got up when his sons got home from school. Officer Hayner went to church with his family at 6:30pm. Officer Hayner and his family stopped at a food truck after church and picked up dinner. Officer Hayner returned home with his family and they ate dinner. Officer Hayner laid back down at approximately 8:15 and took a nap for a little over an hour. Officer Hayner got up and drove to work, where he arrived around 10:15pm.

Assignment on September 27th, 2023

Officer Hayner works the Late shift (10:45pm to 6:45am) on a rotating schedule (On 4/off 2) and was on his first (1st) day in the 4/2 rotation at the time of the incident on September 28th.

On September 27th, 2023 Officer Hayner arrived at the West Allis Police Department at approximately 10:15pm and started his day at 10:45pm in Roll Call. Officer Hayner stated there was nothing significant during Roll Call. Officer Hayner was assigned squad number 333 and was using squad car #6, which is a fully marked WAPD SUV squad with 360 degree emergency lighting. Officer Hayner was alone in his Patrol vehicle.

Officer Hayner was dispatched to a check the welfare call on S 102nd St. Officer Hayner made a traffic stop and made a Milwaukee County Justice Facility (CJF) run during the night. While Officer Hayner was downtown (CJF), there was an Operating While Intoxicated (OWI) arrest where the suspect was Resisting West Allis Police Officers. Officer Hayner stopped at West Allis Memorial Hospital (WAM) to check on the Officers. Officer Hayner cleared the Hospital and went to the West Allis Police Department.

Officer Hayner and Officer Brockmann were the only squads available at that point. Officer Hayner went to an alarm call and stopped to buy a cup of coffee around 6:00am. Officer Hayner was preparing to teach an In House In Service class at the West Allis Police Department from 8-11am. Officer Hayner was dispatched to a check the welfare and then went back to the West Allis Police

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Department. Officer Hayner was at the Police Department with Officer Iaquinta and Officer Sandvik.

Officers were dispatched to 14██ S 71st St for the Restraining Order violation. Officer Hayner knew about the earlier call, although he was not on that call. Officer Hayner knew there was Probable Cause to make an arrest of the suspect, from the earlier call. Dispatch advised the suspect was armed with several knives and threatened suicide. Officer Hayner drove from the West Allis Police Department, e/b on Lincoln Ave, east on National from Lincoln to 72nd St and right on Orchard. Officer Hayner parked in the 7100 blk W Orchard St, behind Officer Iaquinta.

Officer Hayner was advised by Dispatch that the subject will charge the Police. Officer Hayner charged his rifle, at some point prior to arrival at the scene. Officer Hayner exited his marked Patrol vehicle and removed his rifle (rifle #4). Officer Hayner and Officer Iaquinta were parked on Orchard St and walked e/b towards 71st St. Officer Hayner and Officer Iaquinta met up with Officer Stuetgen, Officer Brockmann and Officer Santa Cruz Medina on Orchard St at S 71st St.

Officer Hayner stated all the Officers on scene had a plan, as they have trained for this type of call. Officer Santa Cruz Medina secured a shield, Officer Stuetgen secured a Less Lethal gun, Officer Brockmann had a rifle, Officer Iaquinta had a rifle and they walked n/b on S 71st St towards the residence of 14██ S 71st St.

Dispatch advised a partial clothing description of the suspect and the suspect had a hat on. Officers were approaching and he knew the house was on the east side of the street, with the front door facing west. Officer Hayner stated as they were moving n/b on S 71st St, they observed a subject in an outside doorway. Officers moved past that subject, as it was not the target residence.

Officer Hayner stated he saw the suspect present himself on the porch at 14██ S 71st St. Officer Hayner could see the suspect was armed with two (2) knives. Officer Hayner stated it was clear the suspect was highly agitated and irritated. Officer Hayner stated the suspect was acting aggressive and his facial features appeared clenched and aggressive. Officer Hayner stated the suspect was clenching the knives, one in each hand. Officers stopped and Officer Hayner was on the left.

Officer Hayner heard one of the Officers giving commands to the suspect, but Officer Hayner was not sure who was giving the commands. Officer Hayner did yell out "Drop the Knives" and the suspect was not cooperating with the Officers.

Officer Hayner knew there was at least one female and an unknown number of children in the residence. Officer Hayner could hear screams from at least one woman inside the residence at 14██ S 71st St.

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Hayner stated the Officers were getting no compliance from the suspect. Officer Hayner stated Officer Stuetgen delivered a Less Lethal round into the suspects right leg. Officer Hayner stated based on his training and experience, the suspect did not react as someone normally would when struck by a Less Lethal round. Officer Hayner observed the suspect recoil slightly, but did not drop the knives. Officer Hayner observed the suspect run into the residence at 14███ S 71st St and close the door. Officer Hayner was immediately concerned about the woman and children in the residence and that the suspect would hurt or kill the people inside the residence. Officer Hayner could hear a woman scream inside the residence at 14███ S 71st St. Officers closed the distance and went up the stairs onto the porch. Officer Hayner stated there were five (5) Officers, which comprised of one (1) Officer with a shield, one (1) Officer with a Less Lethal gun and three (3) Officers armed with rifles. Officer Hayner was on the far left and he is not sure who was where on the porch along side him. Officer Hayner stated the exterior door of the residence opened into the residence and the door handle was on the right and the door opened to the left.

As Officers got onto the porch, the door opened (that the suspect had run into and closed). Officer Hayner stated the suspect presented himself in the doorway. Officer Hayner estimates the suspect was only a couple feet inside the doorway and had both knives still in his hands. Officer Hayner stated the suspect was still acting aggressive and had the knives held up in the air, not down by his side. Officer Hayner described the suspect was holding the knives so tight, the suspect had a "white knuckle grip on the blades". Officer Hayner was able to describe the knives, describing the knife in the suspect's right hand as a kitchen knife and the left knife as a large knife. Officers were giving the suspect verbal commands and Officer Stuetgen fired a second Less Lethal round at the suspect. Officer Hayner stated he does not know where Officer Stuetgen was in the line of Officers on the porch. Officer Hayner observed the suspect retreat slightly, from the Less Lethal impact. Officer Hayner observed the suspect then charge the Officers. Officer Hayner stated the suspect had a weapon (knives), had the intent (ignored commands to drop) and had a delivery system (charging Officers). Officer Hayner stated he felt the suspect was going to kill him as he charged the Officers. Officer Hayner estimates that the suspect was ten to twelve (10-12) feet away when he began to charge Officers.

Officer Hayner is aware that a subject can close distance very quickly. Officer Hayner stated it was imminent that the suspect "was going to kill or hurt me or one of my partners." Officer Hayner engaged the suspect with his rifle to stop the threat. Officer Hayner stated the suspect then fell to Officer Hayner's feet. Officer Hayner believes he stayed on the porch after the shooting. Officer Hayner stated he felt he fired eight to ten (8-10) rounds from his rifle.

Medical Aid to Suspect

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer Hayner stated after the suspect went down onto the ground and Officers retreated down the stairs from the porch, Officer Hayner and Officer Stuetgen went to render aid to the suspect. Officer Hayner attempted to get the suspects right arm from out under his body. Officer Hayner stated he used his right foot to try and move the suspect's right arm. Officer Hayner then handed his rifle over to Officer Dan Foy of the West Allis Police Department. Officer Hayner asked Officer Schweitzer to get Officer Hayner's Aid bag from Hayner's Police vehicle. Officer Hayner cut off the suspect's shirt and saw an exit wound in the back of the suspect's head. Officer Hayner checked for a pulse and he could not feel a pulse in the suspect. Officer Hayner also observed that the suspect was not breathing. Officer Hayner knew, based on his extensive medical training that there was no medical interventions that could help the suspect. Officer Hayner stated Officer Stuetgen placed a tourniquet on the suspect. Officer Hayner stated he came down off the porch, retrieved his rifle from Officer Foy and walked back to his Police vehicle. Officer Hayner put his rifle in his Police vehicle. Officer Hayner then walked back to the scene. Officer Hayner was then paired with Officer Schweitzer. Officer Hayner stood with Officer Foy and Officer Iaquina.

Removal from the Scene

Officer Hayner was then separated from the group. Sgt Corwin came to the scene and did a safety statement with Officer Hayner. Officer Hayner estimates he was on scene for an additional fifteen to twenty (15-20) minutes after the incident. Officer Schweitzer brought the Aid bag back and took Officer Hayner to the West Allis Police Department. Officer Hayner turned his rifle over to Corporal Jacob Kaye. Officer Hayner's body camera was collected at the West Allis Police Department. Officer Schweitzer stayed with Officer Hayner until Sgt Fletcher took over. Officer Hayner turned over his Body Worn Camera (BWC) to Sgt Stikl.

Officer Hayner stated he had no recollection of being at 14██ S 71st St before and he did not have recollection of dealing with the suspect before this incident.

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

5 Of 5

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed a report from the Oak Creek Police Department (OCPD) detailing their involvement in this MAIT investigation. On 09/28/23, OCPD Sgt. Tanner Wolff interviewed Justin Gonzales' roommate M███ █. M███ (M/W, █-██-70). Sgt. Wolff's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/25/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed reports from the St. Francis Police Department (SFPD) detailing their involvement in this MAIT investigation. On 09/28/23, SFPD Detective Zachary Gilden and Holly McManus assisted with this investigation. Det. Gilden interviewed Justin Gonzales' roommate, T■■■■■ ■ S■■■■■ (M/W, ■■■-75). Det. McManus obtained consent to search the apartment. Det. McManus took photos and conducted a search of Justin Gonzales' belongings. Their reports were attached to this case. The photos were uploaded to evidence.com.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/25/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed a report from the Waukesha Police Department detailing their involvement in this MAIT investigation. On 09/28/23, Waukesha PD Detective Kenneth Stucker interviewed witness J [REDACTED] S [REDACTED] (M/W, [REDACTED]-[REDACTED]-54) of 14 [REDACTED] S. 71 St. Det. Stucker obtained photos that S [REDACTED] had taken. Those photos were uploaded to evidence.com. Det. Stucker's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/25/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed reports from the Brookfield Police Department detailing their involvement in this MAIT investigation. On 09/28/23, Brookfield PD Detective Adam Behnke, Jennifer Toepfer, and Chris Foster assisted with the canvas of the 1400 block of S. 71 St. Det. Foster obtained Ring door bell video from 1400 S. 71 St. which was saved to evidence.com. Brookfield PD reports were attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/25/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed a report from the Hales Corners Police Department detailing their involvement in this MAIT investigation. On 09/28/23, Hales Corners PD Detective Chris Heckman interviewed Justin Gonzales' daughter, M■■■■■ ■. G■■■■■ (F/W, ■■■■-09). Det. Heckman's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/25/2023
Reviewed by: 6299	Payroll Number : 6299	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed reports from the Milwaukee County Sheriff's Office (MCSO) detailing their involvement in this MAIT investigation. On 09/28/23, MCSO Detective Joann Donner assisted with the canvas of the 1400 block of S. 71 St. Det. Donner's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/27/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed reports from the South Milwaukee Police Department (SMPD) detailing their involvement in this MAIT investigation. On 09/28/23, SMPD Lt. David Hoepfner conducted an interview of Justin Gonzales' niece, F█████ D█████ (F/H, █████-07). Lt. Hoepfner's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/27/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) received and reviewed reports from the West Milwaukee Police Department (WMPD) detailing their involvement in this MAIT investigation. On 09/28/23, WMPD Detective Brian Chic interviewed Justin Gonzales' son, [REDACTED] G [REDACTED] (M/W, [REDACTED]-11). Det. Chic's report was attached to this case.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 10/27/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <u>Officer Connor Iaquina Body Worn Camera Review</u> Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing Officer Connor Iaquina's Body Worn Camera. I located a file that was recorded on 09/28/2023 and starts at 06:44:08 and is thirteen (13) minutes and one second (1) in length. The recording was on Axon Body 3 camera with the identifier X60A8382L. The following times and actions were identified: - 00:00 – camera turns on and Officer Iaquina is putting seat belt on - 00:04 – leaving Police Department parking lot – making a right turn - 00:34 – Dispatch – "7 in house 8 total" - 01:42 – An Officer asks – "what's he look like?" - 02:00 – An Officer asks – "what's he look like?" - 02:46 – An Officer says – "squads coming – kill your sirens – let's head to 72/Orchard" - 03:06 – An Officer says – "Description?" - 03:17 – An Officer says – "10-04 we're 10-60" - 03:32 – An Officer says – "No vehicle" - 03:37 – Dispatch – "Correct – No vehicle" - 03:39 – Officer Iaquina stops his squad - 03:40 – Officer Iaquina takes his seat belt off - 03:48 – Officer Iaquina starts exiting his squad with rifle - 03:54 – Officer Iaquina charges the rifle - 04:02 – Officer Iaquina slings the rifle - 04:14 – Officer Hayner walks up – Officers talking up on the left - 04:17 - Officer Iaquina closes squad driver door and stands by squad driver door. Officer Hayner starts walking away – towards 71st St - 04:18 – "Where the heck is everybody?" - 04:20 – Officer Iaquina opens the squad driver door back up - 04:22 – "Justin Gonzales – I'll look"			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 11/29/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 04:29 – "what's the address again?" "14██ S 71st St"

- 04:50 – 71 (on radio)

- 05:19 – Officer laquinta exits and closes squad driver door starts running towards 71st St

- 05:34 – Officer laquinta gets to 71st St – see at least two (2) other Officers

- 05:38 – Dodge Ram 1500 stops at stop sign and Officers wave the Dodge through the intersection and says "go go go" – is then walking n/b on 71st St behind three (3) Officers

- 05:55 – three (3) Officers stop walking are in verbal contact with someone on a porch (not the residence or suspect) and keep walking n/b on 71st St

- 05:58 – "Let's go Let's go"

- 06:04 – Officer Stuetngen walks past Officer laquinta

- 06:07 – "We have Less Lethal coming up"

- 06:10 – "14██"

- 06:14 – "contact at the door"

- 06:18 – three (3) Officers move up and stop

- 06:21 – observe Justin Gonzales in the doorway

- 06:22 – Officer Stuetngen goes behind three (3) Officers with lethal cover and is on the end

- 06:24 – Officer comes up alongside Officer Stuetngen and says you got lethal right here with you

- 06:30 – "Put the knife down bro"

- 06:33 – "Drop it""Hit him" – Less lethal round shot and appears to strike the right thigh

- 06:34 – Justin Gonzales holds knives up in his hands and has both arms raised with a knife in each hand

- 06:38 – Justin Gonzales goes back into residence – Officers run to porch – can hear screams

- 06:42 – Officers on porch – camera is covered by the rifle

- 06:44 – Officers on porch – Officer Hayner on the left

- 06:45 – Justin Gonzales standing in residence with knives up – door is ajar – can not see anyone else

- 06:46 – Justin Gonzales standing in residence – shots fired

- 06:47 – Justin Gonzales goes back and hear him scream – others screaming in the back ground

- 06:49 – Justin Gonzales lowers shoulder comes towards Officers – hops towards the door

- 06:50 – Justin Gonzales goes down in the doorway – appears to be lunging towards Officers

- 06:51 – Justin Gonzales' hat comes off as Justin Gonzales is falling towards Officers and Officers are firing shots. The Officer on the right has a shield and Officer Hayner is on the left of Officer laquinta

- 06:53 – Officers are retreating down the stairs

- 06:56 – Officers are on the ground – off the porch. Officers were yelling "Drop the knife, Drop the knife"

- 07:00 – "Shield up, Shield up"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 07:02 – Officers go back up the stairs onto the porch
- 07:08 – Officer Stuetgen is tending to Justin Gonzales
- 07:40 – Officer Santa Cruz Medina in the residence doorway talking to residents in the residence
- 08:23 – Officer laquinta provides latex gloves to Officer Hayner
- 08:33 – Officer laquinta enters the residence
- 09:13 – Officer laquinta is behind Officer Santa Cruz Medina and Officer Brockmann – checking on the kids in the residence
- 10:11 – Officer laquinta says "Gotta make sure they are ok upstairs"
- 10:18 – Officers are checking on the upstairs unit
- 10:50 – Officer comes to Officer laquinta
- 11:01 – An Officer takes Officer laquinta's rifle
- 11:16 – Officer exits the residence
- 11:39 – upstairs tenant was out on the upstairs porch
- 11:46 – Sgt Dobschuetz looking at Officer laquinta and makes a "shooting" motion with his fingers and says who shot?
- 11:49 – Officer laquinta responds "A lot of us"
- 11:50 – Sgt Dobschuetz says "Who? I need to know"
- 11:51 – Officer laquinta responds "I did.I imagine Sergio did, Brockmann, Hayner – probably all four of us"
- 12:06 - Officer laquinta says "I'm pretty sure it was us four."
- 12:56 – Officer Foy says to Officer laquinta "You can go off for now, we are done for this – well we're going to meet with people later"

BODY CAMERA TURNS OFF.

I renamed the file "Officer laquinta BWC"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 3

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <u>Officer Hayner Body Worn Camera (BWC) Review</u> Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing Officer Anthony Hayner's Body Worn Camera. I located a file that was recorded on 09/28/2023 and starts at 06:44:09 and is eighteen (18) minutes and nine seconds (9) in length. The recording was on Axon Body 3 camera with the identifier X60A8026P. The following times and actions were identified: - 00:04 – Officer Hayner is leaving Police Department parking lot – making a right turn - 00:09 – Officer Hayner puts seat belt on - 00:31 – Dispatch – 7 in house plus offender - 8 total - 01:24 – Dispatch – "He's telling the caller he will charge past the Police with the knives in his hands" - 02:21 –Officer Hayner takes seat belt off - 02:23 – Officer Hayner charges the rifle - 02:30 – Officer Hayner puts his seat belt back on - 02:32 – Officer Hayner says "shut it down Connor" - 03:26 – Officer Hayner says "Tell me that's not his car" - 03:40 – Officer Hayner parks and opens driver's door - 03:45 – Officer Hayner exits and starts walking towards Officer Iaquinta - 03:55 – Officer Hayner adjusts the optic on the rifle - 04:09 – Officer Hayner says "up here on the right" to Officer Iaquinta and Officer Iaquinta says "on the left" - 04:16 – Officer Hayner says "What's the guys name?" - 04:28 – Officer Hayner says "What's address again?" - 04:50 – Officer Hayner starts walking eastbound - 05:06 – Officer Hayner says "Brockmann – is it 14[REDACTED]?" - 05:11 – Officer Hayner starts jogging to meet up with two other Officers at 71st and Orchard - 05:19 – Officer Hayner is walking northbound			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 11/29/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 05:48 – Officer Hayner says "ok, right here"
- 05:52 – Officer Hayner says "Hey bro, come out onto porch"
- 05:55 – Officer Brockmann says "That's not that's not it. Wrong address. Go back inside"
- 06:03 – Officer Hayner says "I thought you said 14██"
- 06:10 – An Officer says "Less Lethal"
- 06:11 – An Officer says "Contact"
- 06:15 – Officer Hayner says "Stay back" to other Officers
- 06:17 – Officer Hayner says "Hey come down here right now bro"
- 06:19 – Can see the suspect in the doorway
- 06:24 – Officer Hayner says "come down bro – stop"
- 06:25 – Suspect walks out of doorway onto the porch
- 06:26 – Officer Hayner says "Stop – put it down"
- 06:28 – Officer Hayner says "Put the knives down bro"
- 06:30 – Officer Hayner says "Put the knife down, you don't want to go this way"
- 06:33 – Less Lethal round goes off
- 06:34 – Officer Hayner says "Put It down"
- 06:35 – Officer Hayner says "Put it down bro"
- 06:36 – Suspect runs back into the residence. Officers run up onto the porch
- 06:40 – Officer Hayner says "hammer the fucking door"
- 06:41 – residence door opens
- 06:42 – suspect inside the residence – can see just the suspect standing in residence with both arms raised up and the knives up
- 06:43 – suspect is standing inside residence – appears to be 12-18" from threshold – door opens all the way up
- 06:44 – first shot is fired
- 06:47 – suspect lowers shoulder comes towards Officers – hops towards the door
- 06:47 – rounds are fired
- 06:51 – rounds stop being fired
- 06:56 – Officers are on the ground – off the porch
- 06:58 – "Shield up, Shield up"
- 06:59 – Officers move up onto the porch
- 07:10 – Officers medically treat suspect
- 07:13 – Officer Hayner tell Officer to roll suspect over
- 07:56 – Officer Hayner says "Hey Connor – Let's switch – you go with them"
- 08:23 – Officer Hayner puts gloves on
- 08:36 – Officer Hayner is checking suspect for a pulse
- 08:47 – Officer Hayner says "Hey Schweitzer, he's probably fucking gone"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 08:53 – Officer Hayner says "grab my aid bag from front seat"
- 09:03 – Officer Hayner turns his rifle over to Officer Foy
- 09:13 – Officer Hayner checks suspect for pulse
- 09:16 – Officer Hayner says "He's got no pulse"
- 09:21 – Officer Hayner says "Just give me shears – going to cut it off"
- 09:26 – Officer Hayner uses his shears to cut off suspect's shirt
- 09:55 – Officer Hayner checks for a pulse on the suspect
- 10:19 – Officer Hayner responds to Sgt Dobschuetz "I think – ahh – lethal – me, Brockmann and laquinta"
- 10:25 – Officer Hayner gets his aid bag
- 11:01 – Officer Hayner removes his latex gloves
- 11:06 – Officer Hayner retrieves his rifle from Officer Foy
- 11:07 – Officer Hayner says to Officer Foy – "and my mag"
- 11:08 – Officer Foy hands a rifle magazine to Officer Hayner
- 11:10 – Officer Foy has the extracted round from Officer Hayner's rifle chamber
- 11:13 – Officer Foy hands Officer Hayner the round from the chamber of Officer Hayner's rifle
- 11:14 – Officer Hayner walks down the stairs of the porch
- 11:15 – Officer Hayner asks Sgt Dobschuetz to put the extra round on top of rifle magazine
- 11:22 – Sgt Dobschuetz puts the round into the magazine
- 11:25 – Officer Hayner walks away from the residence
- 11:30 – Officer Hayner says to a man in a gold van across the street "hey – shut it down man – please – respect the family – all right bro"Officer Hayner walks down 71st St.
- 11:51 – Officer Hayner has a phone in his hand
- 12:14 – Officer Hayner is walking w/b on Orchard from 71st St
- 12:34 – Officer Hayner says "Fuck"
- 12:42 – Officer Hayner is almost at his squad
- 12:43 – Officer Hayner's hand comes up in front of BWC
- 12:46 – Officer Hayner's BWC goes silent
- 12:49 – Officer Hayner is at his squad
- 13:05 – Officer Hayner has his key in his hand
- 13:06 – Officer Hayner opens his squad door
- 13:09 – Officer Hayner reaches in and places his rifle in the squad
- 13:11 – Officer Hayner puts the rifle in the long gun rack in the squad
- 13:14 – Officer Hayner places his aid bag in the squad
- 13:17 – Officer Hayner starts going around behind the squad to the passenger side of the squad
- 13:23 – Officer Hayner opens the passenger side front door of his squad
- 13:25 – Officer Hayner opens his glove box and removes something from the glove box

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 13:28 – Officer Hayner closed the front passenger door
- 13:30 – Officer Hayner walks between the squads and eastbound on Orchard
- 13:35 – Officer Hayner has his cell phone in his hand and makes a call
- 13:58 – Officer Hayner gets to 71st and Orchard and there are numerous firefighters around
- 13:59 – Officer Hayner walks northbound on 71st St from Orchard
- 14:14 – Officer Hayner ends the phone call
- 14:21 – Officer Hayner passes Officer Iaquinta on the sidewalk
- 14:28 – Officer Hayner's hand comes up and the sound comes back on
- 14:41 – Officer Hayner gets back to the residence – there is one firefighter on the porch and one firefighter on the porch stairs
- 14:43 – Officer Hayner says "Hey guys – do me a favor – head inside for now (apparently to the upstairs tenants – that were on the upstairs exterior porch)
- 14:52 – Officer Hayner walks up the stairs to the porch
- 14:58 – Officer Hayner enters the residence
- 15:00 – Officer Hayner calls out to Officer Brockmann
- 15:05 – Officer Hayner calls out to Officer Brockmann
- 15:06 – Officer Hayner turns around and walks back towards the front door
- 15:12 – Officer Hayner is back at the front door – Officer Stuetzgen and two firefighters are on the porch
- 15:13 – Officer Hayner exits the residence
- 15:14 – Officer Hayner asks Officer Stuetzgen "Hey, where is Brockmann at?"
- 15:16 – Response "Brockmann's out with somebody right now
- 15:19 – Officer Hayner says "Umm, I'm good."
- 15:20 – Officer Hayner's hand comes up and the BWC is silenced
- 15:24 – Officer Hayner starts walking towards the stairs
- 15:30 – Officer Hayner is on the sidewalk – there are four firefighters on the sidewalk
- 15:34 – Officer Hayner walks into the street
- 15:45 – Officer Hayner meets with Officer Foy and Sgt Orlowski in the street
- 15:46 – Officer Hayner walks with Officer Foy southbound on 71st St
- 16:06 – Officer Hayner and Officer Foy are at a West Allis Police squad – Officer Foy opens the drivers door
- 16:09 – Officer Hayner is walking southbound on 71st St
- 16:22 – Officer Hayner stops walking – is in the street
- 16:58 – Officer Hayner brings his phone down from his ear
- 17:04 – Officer Hayner walks around the rear of a squad
- 17:11 – Officer Hayner opens the front passenger door of a squad and Officer Iaquinta is sitting in the front passenger seat

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 5

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 17:28 – Officer Hayner lights a cigarette
- 17:35 – Officer Foy is on the sidewalk talking on a cell phone. Officer Hayner is standing next to passenger side front door. Officer Iaquina is sitting in the front passenger seat
- 17:45 – Officer Iaquina exits the squad
- 17:50 – Officer Iaquina closes the front passenger door
- 17:57 – Officer Foy hangs up the phone
- 18:06 – Officer Hayner's hand comes up and the BWC is turned off

BODY CAMERA TURNS OFF

I renamed the file "Officer Hayner BWC".

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

5 Of 5

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <u>Officer Brockmann Body Worn Camera Review</u> Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing Officer Kyle Brockmann's Body Worn Camera. I located a file that was recorded on 09/28/2023 and starts at 06:44:35 and is twelve (12) minutes and fifty-nine (59) seconds in length. The recording was on Axon Body 3 camera with the identifier X60A8830N. The following times and actions were identified: - 00:00 – Officer Brockmann is driving eastbound on Lincoln Ave past the West Allis Police Department - 00:30 – Officer Brockmann pulls up to red traffic control signal on Lincoln Ave at Hwy 100 – turns on his emergency lights and siren - 00:58 – Dispatch advised over the radio "He's telling the caller he will charge past the Police with the knives in his hands" - 01:26 – Officer Brockmann pulls up to red traffic control signal at National Ave – behind another marked West Allis Police squad – and Officer Brockmann says "Let's go" - 02:10 – Officer Brockmann says "Let's fucking go Stuetgen. Fuck" - 02:31 – Officer Brockmann reaches over to the rifle - 02:35 – Officer Brockmann has the rifle in his right hand - 02:38 – Officer Brockmann brings the rifle over into his lap - 02:47 – Officer Brockmann charges the rifle and has it on his lap for the remainder of the drive - 03:20 – Officer Brockmann turns his emergency lights off - 03:30 – Officer Brockmann comes to a stop and puts the vehicle in park - 03:34 – Officer Brockmann exits the squad and says "70" and he is parked behind Officer Stuetgen - 03:41 – Officer Brockmann re-enters his squad and moves northbound on 71st St - 04:05 – Officer Brockmann exits his squad and says "70" - 04:19 – can see rifle 6 is slung over Officer Brockmann - 04:30 – Officer Brockmann walks west on Orchard			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 11/30/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 04:40 – Officer Brockmann walks east on Orchard
- 04:50 – Officer Brockmann meets up with Officer Santa Cruz Medina, who is holding a shield with his left hand and has a handgun in his right hand – and they are walking n/b on 71st St
- 05:41 – "It's the next one"
- 05:43 – "Next one, right there"
- 05:45 – "Contact at the door"
- 05:48 – Officer Brockmann starts to jog – yelling "Stop Stop"
- 05:50 – "Hold on Hold on"
- 05:51 – "Hands up – show us your hands.Drop it"
- 05:53 – "14 – we got him in doorway – two knives in his hands"
- 05:59 – "Don't do it"
- 06:03 - "Don't do it"
- 06:05 – Less Lethal round goes off
- 06:08 – "Drop them"
- 06:10 – "We gotta go we gotta go"Officer Brockmann is moving towards the residence
- 06:14 – Officer Brockmann is third Officer – behind Officer Santa Cruz Medina and Officer Hayner – going up the stairs of the porch. Someone is saying "Make Entry Make Entry"
- 06:15 – "Drop the knife" – body camera shows side porch and street
- 06:16 – "Put em down" – body camera shows side porch and street
- 06:17 – First shot is heard
- 06:21 – shots are being fired
- 06:22 – Officer Brockmann moves down the stairs
- 06:25 – Officer Brockmann off the porch – on the ground
- 06:27 – "14 – Shots fired, shots fired" "Fuck"
- 06:32 – Officer Brockmann moves back up the stairs
- 06:44 – Officer Brockmann moves up to the doorway of the residence
- 07:16 – Officer Brockmann yells "Police" in to the residence
- 07:48 – Officer Brockmann is clearing the front room of the residence
- 08:39 – Officers come to a room with children in it and ask "You guys ok?"
- 09:02 – Officer Brockmann is standing with Officer laquinta – on the stairs that lead to the upstairs residence
- 09:25 – Officer Brockmann says "Dude, fuck man, come on"
- 09:34 – Officer laquinta says "There is an upper, we gotta make sure everyone's ok, let's go"
- 09:45 – Officer Brockmann (second), Officer laquinta (third) and Officer Santa Cruz Medina (first) start moving upstairs towards the upper residence
- 09:58 – Officers knocking on the upper residence door – announce "Police"
- 10:14 – Officers knocking on the upper residence door

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 3

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 10:44 – Officer knocking on the upper residence door – announce "Police"
- 11:05 – Officer Brockmann are going back down the stairs towards the main level
- 11:15 – Officer Brockmann walks down the stairs to the basement
- 11:41 – Someone on the Police radio asks "Squads on scene – someone confirm the number of victims"
- 11:48 – Someone on the Police radio asks "How many victims?"
- 11:50 – Officer Brockmann responds "One"
- 12:16 – Officer Brockmann is moving up the stairs after checking the basement
- 12:25 – Officer Brockmann is back on the main floor
- 12:28 – Officer Santa Cruz Medina comes upon a female West Allis Police Officer and she asks Officer Santa Cruz Medina to take her rifle and place it in her Police vehicle
- 12:50 – Officer Brockmann exits the residence behind Officer Santa Cruz Medina. Officer Stuetgen is still standing on the porch
- 12:52 – Officer Brockmann walks down the stairs of the porch onto the ground
- 12:57 – Sgt Dobschuetz was standing on the sidewalk and tells Officer Brockmann and Officer Santa Cruz Medina to turn off their Body Worn Cameras (BWC)

BWC IS OFF

I renamed the file "Officer Brockmann BWC".

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 3

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <u>Officer Santa Cruz Medina Body Worn Camera Review</u> Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing Officer Sergio Santa Cruz Medina's Body Worn Camera. I located a file that was recorded on 09/28/2023 and starts at 06:47:53 and is nine (9) minutes and forty-two seconds (42) in length. The recording was on Axon Body 3 camera with the identifier X60A8133P. The following times and actions were identified: - 00:20 – Officer Santa Cruz Medina stops behind Officer Brockmann and Officer Stuetngen - 00:22 – Officer Santa Cruz Medina points down the road - 00:30 – Officer Santa Cruz Medina accelerates his Police vehicle down the road - 00:44 – Officer Santa Cruz Medina stops his Police vehicle - 00:47 – Officer Santa Cruz Medina exits his Police vehicle - 00:58 – Officer Santa Cruz Medina walks to the rear of Officer Stuetngen's Police vehicle - 01:02 – Officer Stuetngen opens the rear hatch of his Police vehicle - 01:08 – Officer Santa Cruz Medina removes a shield from the bag - 01:13 – Officer Santa Cruz Medina has the shield and walks northbound on 71st St - 01:20 – Officer Santa Cruz Medina crosses Orchard on 71st St - 01:43 – Officer Santa Cruz Medina has shield up – cannot see anything but back of shield - 01:48 – "Brockmann you give command if this dude's right there" - 02:27 – contact at the door - 02:46 – Less Lethal round is fired - 02:52 – "we gotta go" and Officer Santa Cruz Medina is running - 02:59 – shots are fired - 03:03 – shots are fired till 03:07 - 03:14 – "shield up" - 03:28 – Officer Santa Cruz Medina is in the doorway - 03:54 – "315 – shots fired by Officers, multiple Officers shot, suspect is down, we're all ok, clear the house"			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 11/30/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 2

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 03:58 – "Police"
- 04:02 – "Is everybody ok?"
- 04:04 – "How many people in house?"
- 04:10 – "Ok"
- 04:14 – "Do me a favor, have everybody walk to the back"
- 04:30 – Officers move into the residence
- 04:36 – Officers clearing the residence
- 04:55 – "Just gotta make sure kids are ok"
- 05:55 – Officers at the base of stairs to upper residence
- 06:26 – Officers move upstairs
- 06:36 – Officers are at the door to the upper residence
- 06:40 – Officers knock on the upper residence door and announce "Police"
- 06:55-06:59 – Officers are knocking on the upper residence door
- 07:10 – "315, for info, still clearing the house, making our way to upper"
- 07:18 – An Officer says to Officer Santa Cruz Medina "You have, uh, flesh on your chin" and Officer Santa Cruz Medina responds "Are you kidding me?"
- 07:26 – Officers knocking on the upper residence door and announce "Police"
- 07:45 – Officers move downstairs
- 07:59 – Officers move down to the basement
- 08:06 – Officers announce "Police"
- 08:57 – Officers go back up to the main level
- 09:09 – female West Allis Police Officer hands Officer Santa Cruz Medina her rifle
- 09:27 – Officer Santa Cruz Medina exits the residence through the front door
- 09:33 – Officer Santa Cruz Medina walks down the stairs from the porch
- 09:37 – Sgt Dobschuetz tells Officer Santa Cruz Medina to turn off his body worn camera

BWC IS OFF

I renamed the file "Officer Santa Cruz Medina BWC"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 2

Wauwatosa Police Department		Supplemental Report	
Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023	
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 :	New CFS Code - 2:
NARRATIVE <u>Officer Stuetzgen Body Worn Camera Review</u> Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing Officer Ryan Stuetzgen's Body Worn Camera. I located a file that was recorded on 09/28/2023 and starts at 06:44:37 and is thirty-six (36) minutes and fifty-five seconds (55) in length. The recording was on Axon Body 3 camera with the identifier X60A8254N. The following times and actions were identified: - 00:30 – Emergency lights and siren are turned on when Officer Stuetzgen is on Lincoln Ave and Hwy 100 – eastbound at a red traffic control signal - 01:01 – Dispatch advises "He's telling the caller he will charge past Police with knives in hands" - 03:31 – Officer Stuetzgen stops his Police vehicle - 03:34 – Officer Stuetzgen exits his Police vehicle - 03:37 – "Hey, it's 1400 blk 14" - 03:39 – Officer Stuetzgen re-enters his Police vehicle - 03:42 – Officer Stuetzgen drives northbound on 71st St - 04:00 – Officer Stuetzgen stops his Police vehicle - 04:03 – Officer Stuetzgen exits his Police vehicle and goes to the rear of his Police vehicle - 04:08 – Officer Stuetzgen opens the rear hatch of his Police vehicle - 04:19 – Officer is manipulating a soft sided case (might be Officer Santa Cruz Medina) - 04:21 – Officer is opening a locked sliding drawer in the rear of the Police vehicle - 04:27 – Officer Stuetzgen removes a Less Lethal shotgun from the rear drawer that was opened - 04:28 – Officer Santa Cruz Medina removes a shield from the soft sided case - 04:35 – Officer Stuetzgen opens the action on the Less Lethal shotgun - 04:36 – Officer Stuetzgen opens a clear plastic bag - 04:44 – Officer Stuetzgen removes Less Lethal rounds from the pouch and places them on the read drawer in Police vehicle - 04:48 – Officer Stuetzgen puts the clear plastic bag back into the drawer - 04:50 – Officer Stuetzgen closes the rear sliding drawer in the Police vehicle			
Reporting Officer(s): Cepican, Ryan L.		Payroll Number : 5759	Report Date: 12/01/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To:	Page: 1 of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 04:53 – Officer Stuetzgen closes the rear hatch on his Police vehicle
- 04:57 – Officer Stuetzgen starts to load the Less Lethal shotgun
- 05:00 – Officer Stuetzgen closes the action on the Less Lethal shotgun
- 05:06 – Officer Stuetzgen loads a second round into the Less Lethal shotgun
- 05:08 – Officer Stuetzgen loads a third round into the Less Lethal shotgun
- 05:11 – Officer Stuetzgen loads a fourth round into the Less Lethal shotgun
- 05:12 – Officer asks "Is anyone in the alley"
- 05:15 – Officer Stuetzgen loads a fifth round into the Less Lethal shotgun
- 05:18 – Officer Stuetzgen slings the Less Lethal shotgun
- 05:23 – Officer asks "Do we have anyone on the back side?"
- 05:42 – Officer says "Less Lethal behind you" (video shows Officer Santa Cruz Medina with shield in middle, Officer Brockmann on right and Officer Hayner on the left)
- 05:46 – Officer says "Contact at door"
- 05:48 – Officer Stuetzgen says "Here I got Less Lethal""Stop, Stop, Do Not charge"
- 05:52 – Officer Stuetzgen raises the Less Lethal shotgun and an Officer says "Hands up, show your hands, Drop It"
- 05:53 – Officer Stuetzgen lowers the Less Lethal shotgun and starts moving around to the left of Officer Hayner
- 05:55 – Officer Stuetzgen says "I don't have a shot, I can't"
- 05:58 – Officer Stuetzgen raises the Less Lethal shotgun again, not Officer Stuetzgen is on the left side of Officer Hayner
- 06:04 – Officer Stuetzgen says "Drop It"
- 06:06 – Officer Stuetzgen fires one (1) Less Lethal round from the Less Lethal shotgun. The Less Lethal round appears to strike the suspect in the upper right leg. Officer Stuetzgen cycles the Less Lethal shotgun and the empty Less Lethal shotgun round falls to the ground
- 06:10 – suspect runs into the residence and all Officers run towards the stairs and up the stairs to the porch
- 06:15 – Officer says "Make entry, Make entry"
- 06:18 – Officer Stuetzgen is on the stairs of the porch and the Less Lethal shotgun is between Officer Santa Cruz Medina and Officer Brockmann
- 06:19 – Rounds are fired by Officers, including Officer Stuetzgen fired a second round from the Less Lethal shotgun.
- 06:20 – Officer Stuetzgen lowers the Less Lethal shotgun
- 06:21 – rounds are fired and Officers retreat down the stairs off the porch onto the concrete sidewalk with Officer Brockmann to Officer Stuetzgen's right and Officer Santa Cruz Medina on the stairs
- 06:34 – Officer Santa Cruz Medina moves back up the stairs

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 06:39 – Officer Stuetzgen leans down and lifts suspects left hand up, which causes a knife to fall out of his hand and to the ground
- 06:45 – an Officer uses his foot to kick the knife back away from the suspect
- 07:18 – an Officer uses his foot to move suspects right arm and hand out from under the suspect
- 07:45 – Officer Stuetzgen acquires a tourniquet
- 07:59 – Officer Stuetzgen places the tourniquet on suspects right arm and shoulder
- 08:34 – Officer pulls suspects shirt up
- 09:22 – Sgt Dobschuetz is on scene
- 09:49 – Sgt Dobschuetz says "who did"
- 09:50 – Officer Stuetzgen says "I think everybody. I had just Less Lethal at him twice, first, I think it was everybody else."
- 10:14 – Officer says "Oh there was the other knife. I didn't see it, I was looking for the second one. I'm just going to kick that out of the way"
- 10:48 – Officer Hayner walks down the stairs
- 10:56 - Officer Iaquinta and other Officer walk down the stairs
- 11:24 - Sgt Dobschuetz asking Officer Iaquinta questions and Officer responds "I think it was you, Brockmann, Hayner. I don't know about Sergio (Officer Santa Cruz Medina)"
- 11:28 – Officer Stuetzgen says "Sergio, I think might have been back. I was Less Lethal. I hit him twice or three (3) times."
- 11:35 – Sgt Orlowski walks up saying "I need to know, cause they have to get out of this"
- 12:36 – Officer Stuetzgen raises his arms and hands up, blood all over.
- 12:50 – Officer Brockmann and Officer Santa Cruz Medina exit the residence
- 12:57 – Officer Brockmann and Officer Santa Cruz Medina are told by Sgt Dobschuetz to turn off their BWC
- 12:58 – Officer Stuetzgen asks Sgt Dobschuetz "Do you want me off?" and Sgt Dobschuetz replies "Yeah, just mute for now"
- 13:01 – Officer Stuetzgen says "mute, ok" and says "muting per Sgt Dobschuetz"
- 13:05 – Officer Stuetzgen's BWC is silenced
- 13:07 – West Allis Fire Department is rolling up on scene
- 13:17 – West Allis Fire Department on scene
- 13:21 – West Allis Fire Department is parked across the street
- 13:46 – first West Allis Fire Department member puts gear bag down and walks up the stairs to the porch
- 13:51 – first West Allis Fire Department member on the porch
- 13:55 – second West Allis Fire Department member on porch
- 14:03 – second West Allis Fire Department member puts gear down and walks down the stairs

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 14:35 – third West Allis Fire Department member brings different gear up onto the porch
- 15:03 – a West Allis Fire Department member (third firefighter) acquires the probes from the gear
- 15:11 – a West Allis Fire Department member (third firefighter) leans down and applies probes to suspect till 15:54
- 16:16 – a West Allis Fire Department member (third firefighter) unhooks the probes from the suspect
- 16:27 – a West Allis Fire Department member (third firefighter) picks up their gear and walks down the stairs
- 16:44 – a West Allis Fire Department member (first firefighter) steps down onto top step
- 17:05 – a West Allis Fire Department member (first firefighter) goes down the stairs
- 17:46 – Officer Stuetgen walks down the stairs and is standing on sidewalk near the West Allis Fire Department personnel
- 20:33 – Sgt Orlowski walks up to Officer Stuetgen
- 20:37 – Sgt Orlowski is holding a laminated card up to Officer Stuetgen
- 20:47 – Sgt Orlowski walks away from Officer Stuetgen
- 21:01 – Officer Stuetgen holds his hands up and there is blood on his hands
- 23:11 – West Allis Fire Department personnel walk away
- 24:16 – Officer walks up and Officer Stuetgen unslings the Less Lethal shotgun
- 24:19 – the Officer takes the Less Lethal shotgun and walks away
- 35:46 – Corporal Kaye walks up to Officer Stuetgen
- 35:56 – Officer Stuetgen and Corporal Kaye walk away from the residence
- 36:06 – Officer Stuetgen raises his hands and there is blood on his hands
- 36:55 – Officer Stuetgen's body worn camera is turned off

BWC IS OFF

I renamed the file "Officer Stuetgen BWC"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 4

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE**Review of 911 calls**

Wauwatosa Police Department Sgt James Wood assigned me the task of reviewing 911 calls.

I located a file that was entitled P23-675 911 call (2).wav

The file is eleven (11) minutes and fifty-three (53) seconds in length.

The following times and actions were identified:

- 00:00 - West Allis 911 – Milwaukee County with a caller - 14██ S 71st – Restraining Order against husband – he's at her door
- 00:10 - Dispatch - Caller what is address you are calling from? Response - "14██ S 71st St"
- 00:14 – Dispatch - What is the phone number you are calling from? Response – "██-██-██"
- 00:19 - Dispatch - Tell me exactly what happened
- 00:21 – Caller - "umm I have a restraining order on my husband, he's ringing door bell, he keeps calling my son and calling my phone, telling my son – that he has bad thoughts, wants to commit suicide, my son put him on speaker, and he wants me to go speak to him if I don't speak to him he's gonna commit suicide. He's telling my kids to say good bye to him – can someone please come"
- 00:44 - Dispatch - Ok he's outside right now?
- 01:00 – Caller - "he's freaking out my kids saying this"
- 01:07 – Dispatch - what is his name?
- 01:09 - Caller - "Justin Gonzales. He said if I call the cops (unintelligible)"
- 01:19 – Dispatch - and do you have a date of birth for him?
- 01:23 - Caller - "██/██/87" – dispatch ███/1987?
- 01:27 - Caller - "██/██/87"
- 01:32 – Dispatch - and did he arrive in a vehicle
- 01:35 - Caller - "I don't know ma'am – he doesn't have a vehicle – I don't know how he got here"
- 01:45 - Caller screams - "GET OUT OF MY HOUSE"
- 01:46 – hear a male in the background – I want to die – tell em
- 01:17 - Caller screams - "GET OUT OF MY HOUSE"
- 01:49 – hear a male in the background – I want to die

Reporting Officer(s): Cepican, Ryan L.	Payroll Number : 5759	Report Date: 12/04/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 01:50 – Dispatch – "is he in your house"

- 01:52 – Caller - "Justin get out"

- 01:53 – Caller - "Hello – he's in my house – please get someone here"

- 01:58 – Caller - "Justin"

- 01:59 – hear male say I want to die

- 02:00 – Caller - "he has ____ in his hands – Justin – go back"

- 02:02 – male says "sit down sit down – I want to say bye to my kids. Bye"

- 02:05 – Caller - "Justin get out of here I didn't do nothing get out of here Justin stop"

- 02:13 – Caller - "Justin – you need to get out"

- 02:15 – hear male say – "no, call him - I want to die, im gonna die, im not going anywhere call them im going to die"

- 02:20/02:24/02:26 – Caller "mom move back"

- 02:27 – Caller "Justin STOP!"

- 02:30 – male say "say good bye to me I love you guys I love you guys"

- 02:35 – male says "its gonna to happen, I promise you, im so tired of life, you didn't want to talk to me didn't want to do that shit"

- 02:39/02:42 – a female (caller's mother?) says "put the knives down Justin – don't do it Justin"

- 02:55 – Caller is crying "Please"

- 03:01 – Dispatch says "caller I have a few questions for you" – Caller screams "he's in my house get someone here what questions do you want"

- 03:09 – female in background says "put down the knife Justin"

- 03:14 - male in background says "i'm gonna be outside – i'm waiting for them"

- 03:23 - Dispatch - "Caller does he have any weapons"

- 03:26 - Caller - "Yes He just grabbed he gots 2 knives and he's going outside he said he's ready for the cops he's gonna die mom get away from him, get back"

- 03:52 – Dispatch - "caller u said he went outside with 2 knives – is that correct?"

- 03:55 - Caller - "By my front door my door is open he came in to my window – mom move back"

- 04:02 - Dispatch - "caller u said he went outside with 2 knives – is that correct?"

- 04:04 - Caller - "Yeah he's standing by my door the front door is open , just standing here – he said he waiting for them"

- 04:12 - Dispatch - "Did he mention what he was going to do with the knives"

- 04:15 - Caller - "He's waiting for the cops, he's gonna die, he keeps saying he's gonna die"

- 04:32 – Caller crying says "mom just move back"

- 04:45 – Dispatch - "caller what is he doing now?"

- 04:47 – Caller - "he's just standing there talking to mom saying that I did this cuz I wont talk to him"

- 04:51 – Dispatch - "how many people are inside the house"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 04:54 – Caller - "its me, my 4 kids, my mom and my niece – so 4,5,6,7"

- 05:21 – Caller - "he's standing inside the house by the front door"

- 05:57 – Caller - "why is it taking so long to get here"

- 06:01 – Caller yelling "I don't want them to kill you"

- 06:06 – Caller - "he said he will charge at them with the knives"

- 06:31 – Dispatch - "you said he was gonna charge the cops with the knives – the knives?" Caller response – "yeah"

- 06:42 – Dispatch - "what is he doing or saying now"

- 06:46 - Caller - "he said if Im gonna go – say goodbye to him and give him a hug"

- 07:05 - Dispatch - "can you give a description of what he looks like – is he white, black, Hispanic"

- 07:11 – Caller - "he's Hispanic 509-510"

- 07:18 – Dispatch - "what color clothing"

- 07:20 – Caller - "go Justin – he's freaking my kids – he's back in the house – he's freaking my kids out – yes he keeps going in the damn room – he gots two knives in his hands – what are you guys doing – what else do you want from me"

- 07:41 – Dispatch - "can you give a description color hair facial hair"

- 07:45 – Caller - "he's got black hair, he gots a baseball cap on, he gots a black shirt, he gots some brown shorts on, he gots black nike shoes on , what do you want me to say, he gots some gloves on his hands and hes freaking my kids out please!"

- 08:23 – Dispatch - "looks like they are pulling up now – do you see them"

- 08:26 – Caller - "I cant - He's in my house – I cant even go outside"

- 08:31 - Dispatch - "Is he still inside the front door or is he somewhere else"

- 08:34 – Dispatch - "he's in my house now"

- 08:42 – Dispatch "where inside the house is he?" Caller – "he's like in the house in the front door open right here in the main entrance"

- 08:48 – Dispatch - "ok – is he by the front door or is he in one of the bedrooms"

- 08:51 – Caller - "No he's By the door he's right in the main entrance – he got something in his hand I don't know if they see him coming out he broke something – he just broke something – he grabbed one of my glasses with a rose in it and he threw it outside – it was glass – it broke"

- 09:12 – hear male in the background talking (can't understand what he is saying)

- 09:17 - Dispatch - "is he speaking with the officers yet?"

- 09:19 – Caller - "no he not speaking – I don't see no officers – and i'm not going outside - right in front of door – are they at the right house 14█ s 71st st."

- 09:51 – Dispatch - "14█ s 71 – is that correct"

- 09:54 – Caller - "yes 14█ s 71st st"

- 10:05 – Dispatch - "what is he doing or saying right now"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

3 Of 4

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

- 10:07 – Caller - "he's drinking some alcohol thats in a water bottle"
- 10:15 – Caller - "he still gots the knives in his hands – he said he's waiting for them – he saying I want him to die – cause I called the cops"
- 11:00 – Caller - "Justin – get away from me" (other woman says no no)
- 11:09 – Caller - "oh my gosh"
- 11:12 – Caller - "Justin stop – he's trying to fucking stab himself – where are they"
- 11:22 – Caller - "move mom – get back, get back, get back, mom just get back"
- 11:34 – sounds like a shot in background followed by loud screaming
- 11:35 – Caller - "oh my god" – screaming till line goes dead

I located a file named P23-676 Phone call – shots heard.wav.

The file is three (3) minutes and eight (8) seconds in length.

No one on phone – hear screaming and shots fired – can hear all the dispatch transmissions

- 01:25 – Caller whispers - "I saw the whole fucking thing happen"
- 01:30 – Dispatch - "alright i'm still on the line here with ya"
- 01:34 – Caller - "yeah, I just was a witness to all this stuff, I was sitting on my porch. I saw the guy go, I saw the guy go in his windshi, in the window, but I cant believe this all happened this fast. But Ill let you go. My name is j■■ s■■■■ (sp?) 14■■ s 71 ■■/■/54."
- 01:57 - Dispatch - "Is anybody hurt? They are kind of busy right now and not responding to me."
- 02:02 – Caller - "well it looks like the guy is on the porch, i'm on the porch two doors away and uh looks like he's on the porch, well they blew off at least a dozen shots"
- 02:30 – Dispatch - "what's a phone number if I gotta call you back?"
- 02:32 – Caller - "yeah it's a ■■■-■■■-■■■"

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

4 Of 4

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code -1 : New CFS Code - 2:

NARRATIVE**Review of Dispatch Radio Transmissions**

On 12/05/23, I, (Detective Kirk Will) was assigned to review the dispatch audio regarding this incident. It should be noted I am not able to tell the exact time stamps or what officer is doing the transmission based off the information provided. The following is a transcription of the audio:

Dispatch-16

Officer-Go ahead

Dispatch- Trouble call, 14■■ South 71, 1-4-■■ South 71. We were out here earlier tonight. Justin Gonzalez has a temporary restraining order. He's in the house now, yelling at people and wants to say goodbye to his kids, threatening suicide

Officer- 10-4

Dispatch- Trying to get more but the caller is not really answering, just yelling in the background. Two knives...he's got two knives on him

Officer- 320 you can add me to this call

Dispatch- 10-4

Officer- (unintelligible squad number)

Dispatch- 10-4

Dispatch- He's currently outside, standing by the front door

Officer- 16, I am out

Reporting Officer(s): Will, Kirk U.	Payroll Number : 6504	Report Date: 12/05/2023
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Dispatch- 10-4, total of seven people in the house plus the offender, so eight

Officer- (unintelligible) Is he still outside?

Dispatch- Just inside the front door

Dispatch- He's telling the caller he will charge at the police with the knives in his hands

Dispatch- Several at once....100 squad go

Officer- 108 I am sending you a couple less than lethal as well

Dispatch- 10-4, other squads go

Officer- What's he look like?

Dispatch- Standby

Dispatch- 5'09", 210, hazel eyes, black hair. I'll try to run a picture quick.

Officer- Squads coming, kill your sirens. (unintelligible) 72/orchard

Dispatch- Black shirt, brown shorts, black shoes and a baseball cap on

Officer- 10-4, we're 10-60

Officer- No vehicle?

Dispatch- Correct, no vehicle

Dispatch- Subject is attached in NCIC

Officer- 7-0 or 7-1?

Officer- 71

Officer- No entry has been made to the residence though

Reporting Officer(s):

Will, Kirk U.

Payroll Number:

6504

Pages:

2 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer- 308 on 2

Dispatch- On 2

Officer- Put me on 7-0

Officer- 115 on 2

Officer- 14 any update

Dispatch- Squad calling on 2

Officer- 115 can you log us into squad 2-6 please?

Officer- 14, we got him in the doorway...two knives in his hands

Officer- (unintelligible yelling)

Officer- shots fired

Officer- (unintelligible yelling)

Officer- 14, shots fired, shots fired

Officer- Is everyone OK?

Officer- 315, shots fired by officers...multiple officers shot...suspect is down...we're all ok, we still need to clear the house

Dispatch- Does rescue need to roll?

Officer- 308 start medical

Officer- 108 have rescue stage, we are heading down there

Officer- 308

Reporting Officer(s):

Will, Kirk U.

Payroll Number:

6504

Pages:

3 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Dispatch- Go ahead

Officer- Have rescue at orchard, until we determine it's all clear right now

Dispatch- 10-4

Officer- 308 to 106

Officer- 15 to Ritchie

Officer- Go ahead

Officer- (unintelligible)

Officer- Give me a minute and let me get down there and I'll start making phone calls, otherwise make it Ken

Officer- 10-4

Officer- Station see if you can notify the DPW for barricades

Dispatch- Notifications are already made

Officer- Well take the rest of (unintelligible), just so we can relieve the 3rd shifters out here

Officer- 40 you got a bunch of us getting on scene, where do you want us to start shutting down?

Officer- Let's shut down all of 7-1 for now and then I want to get all the 3rd shifters out of this house. But we're going to need to close off this front porch for a while

Officer- 14 for info we're still clearing the house making our way to the upper

Dispatch- Still clearing the house

Officer- 408 to squads, we're going to need tape up in this area...7-1 orchard and 7-1 greenfield into the alley here

Reporting Officer(s):

Will, Kirk U.

Payroll Number:

6504

Pages:

4 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Dispatch- Meds are staged for you guys

Officer- 21 is on scene at 7-1 orchard and I'll start taping

Dispatch- Squads on scene, someone confirm number of victims

Officer- Comm go again

Officer- 1

Officer- 1, you can just have one med unit arrive, there is not more needed

Officer- McNally you got tape to the north and Schweitzer you got tape to the south right

Officer- Affirm, just got to be cognizant of fire coming in

Officer- McNally just make sure you close off the alley as well

Officer- Copy

Officer- 08 (unintelligible)

Officer- Fire is staged at 7-1 orchard, they are clear to come in

Officer- 108 soon as I get enough people down here, we have to tape this all off. And you got DPW notified, correct?

Officer- 31 to 08

Officer- Go ahead for 08

Officer- Just so you know I am in a middle bedroom with the rest of the family....two adults and five juveniles

Officer- Are you alright back there by yourself?

Reporting Officer(s):

Will, Kirk U.

Payroll Number:

6504

Pages:

5 Of 6

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

Officer- Affirm, there's not a lot of room in here...I'm good

Officer- Just let me know if you need anything Erin

Officer- 108

Dispatch- Go ahead

Officer- I got two Tosa squads coming down to me to help out since we're so short handed here, we'll start swinging people out of here as soon as we can

Dispatch- 10-4

END

Reporting Officer(s):

Will, Kirk U.

Payroll Number:

6504

Pages:

6 Of 6

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original CFS Code - 1: ASSIST	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

I (Sgt. James Wood) reviewed the Computer Aided Dispatch (CAD) reports from the West Allis Police Department in regards to this MAIT investigation. The CAD reports were from WAPD case 23-38060 (09/27/23) and 23-38085 (09/28/23). The CAD reports had been uploaded to evidence.com.

Reporting Officer(s): Wood, James L.	Payroll Number : 6505	Report Date: 12/05/2023
Reviewed by: 5615	Payroll Number : 5615	Copy To: Page: 1 Of 1

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original Offense - 1: ASSIST	New Offense - 1: New Offense - 2:

NARRATIVE**MEDICAL EXAMINER REPORTS**

On Tuesday, 04/23/2024, I (Detective Cepican) received the Milwaukee County Medical Examiner Reports on the deceased, Justin R Gonzales, M/W, ■■■/1987.

The Pathologist on this case was Lauren Decker, M.D, Assistant Medical Examiner.

I received the Toxicology Report. The following substances were observed as a Presumptive Positive during the Screening Process:

- Bupropion
- Cetirizine/Levocetirizine
- Cotinine
- Duloxetine
- Ecgonine methyl ester (EME)
- Hydroxybupropion
- Hydroxycocaine
- Hydroxyzine
- Levamisole/tetramisole
- mCPP
- N-desalkylcetirizine
- Norcocaine
- Norquetiapine
- Phenylephrine
- Quetiapine

The following substances were observed during the Quantitative Process and Results:

- Ethanol (Cavity Blood) - 0.042 g/dL
- Benzoyllecgonine (Cavity Blood) - >3000 mcg/L
- Cocaethylene (Cavity Blood) - 80 mcg/L
- Cocaine (Cavity Blood) – 820 mcg/L
- Trazodone (Cavity Blood) – 62 mcg/L
- Gabapentin (Cavity Blood)- 1600 mcg/L

Reporting Officer(s): Cepican, Ryan L.	Payroll Number : 5759	Report Date: 04/24/2024
Reviewed by: 6505	Payroll Number : 6505	Copy To: Page: 1 of 2

Wauwatosa Police Department**Continuation**

Incident Report Number

23-026254

Incident Location:

11301 W Lincoln Av, Wauwatosa, WI, 53226

Incident Date:

09/28/2023

I received the Autopsy Protocol Report which stated the Date of Death as 09/28/2023 at 12:25 hours and the Date of Exam was 09/29/2023 and 10/02/2023 at 08:50 hours. The Cause of Death was listed as Multiple Gunshot Wounds. The following Final Diagnoses were listed:

- Multiple gunshot wounds, 41 wound tracks
 - Range of fire: indeterminate
 - 79 gunshot wound defects
 - Pseudostippling on chest, abdomen, left leg
 - Summary of Injuries:
 - Fractures: Skull (calvarial and basilar); ribs, left humerus, bilateral radii and ulna
 - Lacerations: brain, lungs, heart, liver, stomach
 - Hemorrhage: subarachnoid, bilateral hemothoraces
 - Recovery: 13 intact projectiles, jacketed: 5 groups of fragments
- Blunt trauma
 - Contusion with central clearing, right knee (consistent with "bean bag")
- Toxicology: see separate Toxicology Report
 - Cavity blood: detection of cocaine (and benzoylecgonine, cocaethylene), ethanol, trazodone, gabapentin

I received the Final Cause of Death Report which listed the Immediate Cause of Death as Multiple Gunshot Wounds, the How Injury Occurred as Shot by Law Enforcement with Rifle(s) and Handgun(s) and the Final Manner of Death as Homicide.

I attached all reports to the Case File.

Reporting Officer(s):

Cepican, Ryan L.

Payroll Number:

5759

Pages:

2 Of 2

Wauwatosa Police Department**Supplemental Report**

Incident Report Number: 23-026254	Incident Location: 11301 W Lincoln Av, Wauwatosa, WI, 53226	Incident Date: 09/28/2023
New Incident:	Original Offense - 1: ASSIST	New Offense - 1: New Offense - 2:

NARRATIVE

On 05-16-24 Detective Sergeant James Wood and I turned over all items of property in this case to West Allis Police Sergeant Jared Manthe and Lieutenant Timothy Gold. See attached list.

Reporting Officer(s): Romeis, Michael W.	Payroll Number : 5807	Report Date: 05/16/2024
Reviewed by: 6063	Payroll Number : 6063	Copy To: Page: 1 of 1