

**Report of Investigation**  
**Officer Involved Death (OID) of Eric Olsen**  
**Town of Geneva Wisconsin**

This report will serve as the summary of the Officer Involved Death (OID) of Eric Olsen, which occurred at W3836 Lincoln Dr., Town of Geneva, WI, by the Town of Geneva Police Department on January 8, 2016. The Wisconsin Department of Justice-Division of Criminal Investigation, Milwaukee Field Office was contacted and requested to respond as the lead investigating agency pursuant to Wisconsin Statute 175.47. The Walworth County Sheriff's Office also responded to this incident.

On Friday, January 8, 2016, at 5:11 P.M., Town of Geneva Police Department and Walworth County Sheriff's Department personnel received a 911 call of a man breaking out the windows of the residence at W3836 Lincoln Dr., in the Town of Geneva. While squads were en-route the caller updated the call and added that the subject was armed with an axe. Town of Geneva Police Officers Jason Sweeney and Eric Anderson were first on scene. The subject confronted them with a knife. The subject then charged at the officers with the knife and the officers fired their duty weapons at the subject, striking him and causing his death. The subject was later identified as Eric C. Olsen w/m. It should be noted that Walworth County Sheriff's Sergeant Timothy Otterbacher was on-scene at the time of the shooting incident however did not fire his duty weapon. Immediately after the shooting incident, the town of Geneva officers and the Walworth County Sheriff's deputies performed life saving procedures and summoned emergency medical services for Eric Olsen.

The WI DOJ-DCI Milwaukee Office responded initially with one Special Agent in Charge, SAC Klabunde, as well as eleven Special Agents: SAs Gibbs, Tijerino, Gajevic, De La Rosa, Wilson, Novak, Taylor, Higgins, Culver, Taubel, and Jansky.

SAC Klabunde met with supervisory personnel from the Town of Geneva Police Department, the Walworth County Sheriff's Department and Walworth County Medical Examiner Lynda Biedrzycki. It was determined that since the Walworth County Sheriff's Department was not involved in the Use of Force incident, that personnel from their department would be utilized for traffic and crowd control, scene investigation and Total Station. Walworth County Sheriff's Detectives were paired up with DCI agents to conduct critical witness interviews at the Walworth County Sheriff's Office.

The Walworth County Sheriff's Department (WWSO) response consisted of Captain Rob Hall, Detectives Lambert, Craig, Kilpin, Illingworth, Pagenkopf, Recknagel, Konopsky and Schiltz, as well as numerous deputies for crime scene maintenance and neighborhood witness canvass.

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WWSO Detectives Such and Albrecht also provided the total station for scene evidence documentation and diagram plotting.

SA Jansky accompanied the body of Eric Olsen from the scene of the incident at W3836 Lincoln Dr., to the Waukesha County Medical Examiner's Office at 515 W. Moreland Blvd., Waukesha, Wisconsin. SA Jansky witnessed the initial documentation of Eric Olsen by Waukesha County Medical Examiner's Office Personnel until Mr. Olsen was secured at that location.

Interviews of Officers Anderson and Sweeney were conducted on Thursday, January 14, 2016 by SAs Gibbs and Tijerino.

As a result of critical witness interviews, the initial scene investigation, Town of Geneva Police Department records, the autopsy and a review of all interviews developed through the neighborhood canvass, the following information was learned:

### **Scene Examination**

DCI was requested to handle the investigation pursuant to WI Stats. 175.47. The Walworth County Sheriff's Office, (WWSO), also responded and officers and detectives were utilized in the investigation. The WWSO supplied a crime scene team and a total station team. The Wisconsin State Crime Lab and the Wisconsin State Patrol were not called to the scene due to the immediate availability of the WWSO. DCI agents led the witness interviews and officer inspections along with detectives from the WWSO. The WWSO was utilized for initial neighborhood canvass and the crime scene investigation which was led by a DCI agent.

A search warrant was obtained for the address of W3836 Lincoln Dr. by WWSO Deputy Rowland.

Walworth County Deputy Medical Examiner Kimberly Rossi responded to the scene and bagged the decedent's hands and placed the body into a locked body bag. The body was subsequently conveyed from the scene to the Waukesha County Medical Examiner's Office escorted by SA Jansky.

The incident occurred outside of the house at W3836 Lincoln Dr., which occupies the southwest corner of Lincoln Dr. and Gooseberry Rd. The front of the house faces south, with a wooden porch attached to the front of the house. The house is bordered on the south by Lincoln Dr., bordered on the east by Gooseberry Rd., bordered on the North by a residence, and bordered on the west by a residence. There are no sidewalks on Lincoln Dr. or Gooseberry Rd.

There were three window openings on the east side of the house. The middle window unit had been smashed, with shards of broken glass observed inside and outside of the window. There were also several cut marks to the vinyl frame of the window.

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In the yard to the east of the house was a large tree, and the yard was separated from Lincoln Dr. by a shallow ditch. The yard was snow covered at the time of this investigation, and numerous foot prints were observed at the location of the broken out window, at the location where the confrontation between Olsen and Garry Humphrey occurred, at the location where Sgt. Otterbacher attempted to approach Olsen and at the location where Town of Geneva Officers Sweeney and Anderson fired their weapons. These areas were videotaped and photographed.

Evidence was photographed, videotaped and recovered from the scene, to include notable items such as:

- A long handled axe recovered from the front porch south railing of the residence
- A crowbar recovered from the same front porch railing
- A large, thick tow style chain recovered in the yard south east of the house and west of the tree
- A large hunting knife recovered in the yard east of the chain and west of the tree
- Six .45 caliber casings recovered in the ditch between the yard and Lincoln Dr., and south of the house
- Five .223 caliber casings recovered in the ditch between the yard and Lincoln Dr. and south east of the house

A search of Eric Olsen's vehicle revealed two empty pill bottles with labels in his name, for prescription painkillers.

## **Critical Witness Interviews**

### **Witness Garry Humphrey**

On Friday January 8, 2016, GARRY HUMPHREY was at W3826 Lincoln Dr. with J. HUMPHREY and some of J. HUMPHREY's friends. GARRY HUMPHREY heard a loud crash that seemed like a car or tree struck the house. GARRY HUMPHREY observed a subject outside smashing a window of the house with an axe with a three foot long handle. GARRY HUMPHREY armed himself with a hammer and went to the front porch.

GARRY HUMPHREY observed Eric Olsen standing in the yard near the front porch, holding the axe. Olsen said he wanted to die. J. HUMPHREY came to the front door and gave GARRY

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HUMPHREY a crowbar. Olsen swung the axe at GARRY HUMPHREY's head several times, and after one of the swings the axe became imbedded in the wall of the house. GARRY HUMPHREY believed Olsen was trying to kill him when he swung the axe at GARRY HUMPHREY's head. GARRY HUMPHREY struck Olsen's arm with the crow bar and disarmed Olsen, who backed away from him. GARRY HUMPHREY tried to get Olsen to leave the property by walking toward Olsen in the yard, but Olsen produced a chain and began to swing it at GARRY HUMPHREY, and began walking toward GARRY HUMPHREY. GARRY HUMPHREY backed up towards the house as Olsen advanced towards him.

Olsen made numerous statements to GARRY HUMPHREY such as "Kill me, kill me, and "Cut my head off", as he continued to walk towards GARRY HUMPHREY. GARRY HUMPHREY retreated back onto the porch, and Olsen tried to pull the axe away from GARRY HUMPHREY. They both were pulling on the axe when the police arrived.

When the police arrived, Olsen immediately turned towards them and said "kill me", and "I don't want to live." The officers told Olsen to put down the weapon, to which Olsen replied, "Shoot me. Kill me." The officers were approximately fifteen feet from Olsen during the verbal exchange. GARRY HUMPHREY saw Olsen produce a knife with a five or six inch blade.

The officers told GARRY HUMPHREY to go inside the house and GARRY HUMPHREY complied. Twenty to thirty seconds later GARRY HUMPHREY heard gunshots. GARRY HUMPHREY looked outside and saw the officers performing "medical stuff" trying to help Olsen. GARRY HUMPHREY went back inside the house.

**Witness J Humphrey**

Witness J. HUMPHREY stated that on Friday, January 8, 2016, at he was at W3836 Lincoln Dr. with witnesses JUV3, MF, AK, JUV1, and JUV2 when someone outside smashed out the front window of the house. J. HUMPHREY heard a voice outside of the house say "Get the fuck out here (J. HUMPHREY)", but did not recognize the voice. J. HUMPHREY dialed 911 and went to the front porch of the residence with his father GARRY HUMPHREY, and saw Eric Olsen holding a "big four foot Viking axe" that he swung at GARRY HUMPHREY, narrowly missing GARRY HUMPHREY's neck. Olsen was yelling that he wanted to die. GARRY HUMPHREY grabbed the axe from Olsen and a short while later two police cars arrived. The first police car shined his spotlight on Eric Olsen. J. HUMPHREY added he knew Eric Olsen prior to this incident.

J. HUMPHREY added that Olsen had chains with a hook on one end wrapped around his body, neck, and arm, and described the hook as something used for hooking onto a truck or trailer. Olsen's words were slurred as he swung the chain and yelled at the police, who were telling Olsen "please drop your weapon", and, "Please put the chain down. Drop your weapon."

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J. HUMPHREY went back into the house and heard seven to ten gunshots from outside the house. The shots consisted of a single gunshot, a pause, and then the remainder of the shots. J. HUMPHREY looked out of the window and saw Eric Olsen lying in the snow. He saw the police flip Olsen over, and noted that he was still breathing but appeared to be spitting blood. Olsen was put on a stretcher and pushed towards an ambulance.

J. HUMPHREY stated he saw Eric Olsen earlier in the day on January 8, 2016, at approximately 2:00 to 3:00 P.M. at his cousin's house. He noted Olsen had a red crucifix drawn on his forehead. J. HUMPHREY and Olsen had a short confrontation, and J. HUMPHREY took a photograph of Olsen with the red crucifix on his forehead with his cell phone. During this confrontation Olsen threatened to kill J. HUMPHREY for "talking shit" about Olsen.

**Witness MF**

On Friday January, 8, 2016, at approximately 5-6:00PM, witness MF was at W3836 Lincoln Dr. with witnesses J. HUMPHREY, JUV3, AK, JUV1, and JUV2. MF heard the window shatter, which MF thought sounded like gunshots. The window was hit repeatedly. J. HUMPHREY's father GARRY HUMPHREY went outside and MF heard GARRY HUMPHREY arguing with Eric Olsen. MF looked outside and saw Eric Olsen's van in the driveway, and assumed that was who GARRY HUMPHREY was arguing with. J. HUMPHREY called the police.

Approximately five minutes after J. HUMPHREY called the police, they arrived, as MF could see the police lights through the blinds. Approximately two minutes later, MF heard approximately six to eight gunshots. GARRY HUMPHREY came into the room and said the police shot Eric Olsen.

Later, while seated on the living room couch while the police were in the house, MF looked out a window and saw the police put Eric on a stretcher, and assumed he was deceased because MF did not see any movement from Olsen.

**Witness JUV3 (a person under 18 voa)**

On Friday January 8, 2016, at approximately 5:30 P.M., JUV3 was at the house at W3836 Lincoln Dr. with witnesses J. HUMPHREY, AK, JUV1, MF, and JUV2, when there was a loud bang at a window of the residence. JUV3 believed the bang was gunfire. After the bang, JUV3, JUV2, MF, AK and JUV1 went to J. HUMPHREY's father's bedroom. The father, GARRY HUMPHREY, went towards the front of the house. J. HUMPHREY told the witnesses in the bedroom that it was Eric Olsen and he had an axe.

JUV1 left the bedroom, then returned a short while later and told the other witnesses in the bedroom that JUV1 had gone to the front door and Eric Olsen had swung an axe at JUV1. JUV3 heard someone yelling outside "stay back", and "get off my property".

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J. HUMPHREY told the other witnesses in the bedroom that the police had arrived. A short time after this announcement, JUV3 heard possibly seven gunshots. J. HUMPHREY came into the bedroom and told the other witnesses Eric ran at the police and they shot him. J. HUMPHREY told the others that GARRY HUMPHREY told him Eric had a weapon with a knife attached to it.

JUV3 saw no part of the incident, and only looked outside to see Eric Olsen inside of the Ambulance.

**Witness JUV2 (a person under 18 voa)**

Witness JUV2 stated on Friday, January 8, 2016, at approximately 4:30 P.M., JUV2 was at W3836 Lincoln Dr., visiting a friend J. HUMPHREY. JUV2 was seated in J. HUMPHREY's bedroom with witnesses J. HUMPHREY, MF, AK, JUV3 and JUV1 when J. HUMPHREY told them he was getting phone calls from Eric Olsen on his cell phone. JUV2 noted that J. HUMPHREY did not answer any of the calls. At approximately 5:00P.M. JUV2 heard a bang, and the window in J. HUMPHREY's bedroom shattered. JUV2 heard three more bangs, each of which shattered more glass from the window. JUV2 and the other witnesses relocated from J. HUMPHREY's bedroom to GARRY HUMPHREY's bedroom.

J. HUMPHREY called the police immediately, and the father, GARRY HUMPHREY, went outside and JUV2 heard him yell at someone. JUV2 saw police lights shining through GARRY HUMPHREY's bedroom window. Shortly after seeing the police lights JUV2 heard approximately seven gunshots. A short time after JUV2 heard the gunshots the police came in the house and had the witnesses move from GARRY HUMPHREY's bedroom to the living room. JUV2 looked out of the front door and saw Eric Olsen lying on the ground outside.

**Witness JUV1 (a person under 18 voa)**

On Friday January 8, 2016, at approximately 5:30 P.M. JUV1 was at W3836 Lincoln Dr. with witnesses J. HUMPHREY, MF, AK, JUV2, and JUV3. J. HUMPHREY received two phone calls from Eric Olsen during JUV1's visit, and J. HUMPHREY did not answer the calls. Approximately thirty minutes after the second call, JUV1 heard a loud bang and saw the window shatter from an object outside of the house. JUV1 and the other witnesses relocated to J. HUMPHREY's father's (GARRY HUMPHREY's) bedroom. JUV1 heard the window continue to be struck eight or nine times. J. HUMPHREY called the police.

JUV1 stated that GARRY HUMPHREY went outside, and JUV1 heard GARRY HUMPHREY say "What the fuck Eric?" JUV1 saw GARRY HUMPHREY standing on the front porch, and Eric Olsen standing at the bottom of the porch steps holding an axe like he was going to "swing on GARRY HUMPHREY." JUV1 heard Olsen say that this was what happens when people fucked with Olsen.

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J. HUMPHREY told the witnesses that the police had arrived. JUV1 heard approximately six to seven gunshots.

**Witness AK**

On Friday January 8, 2016, at approximately 5:00 P.M., AK was at the house at W3836 Lincoln Dr. with witnesses J. HUMPHREY, MF JUV3, JUV2, and another witness. AK heard some bangs and saw glass from a window fly everywhere. J. HUMPHREY relocated the witnesses in GARRY HUMPHREY's bedroom.

AK went to the front porch and observed GARRY HUMPHREY standing on the porch. GARRY HUMPHREY was yelling at Eric Olsen, who was standing approximately twenty feet from the front porch. AK observed Olsen holding an axe and had a chain wrapped around his neck. Olsen said "I want to die. I want to die." AK went back into the house.

AK heard three or four gunshots after re-entering the house.

**Witness KW**

On Friday January 8, 2016, at approximately 5:00 P.M., witness KW was alerted to an argument occurring outside his residence. KW walked outside and stood near Lincoln Dr. and heard male voices arguing. KW noted one of the voices seemed to be in a rage, and the other was calmer. KW was eventually able to see one of the men who was arguing, and was approximately three hundred feet from him.

KW saw the police come to the scene of where the men were arguing. They attempted to take control of the situation, but the man KW referred to as "unhinged" continued to swear. KW saw the officers were in the yard with this man, and heard the officers tell the man he was under arrest. The man did not back down, but instead continued to shout obscenities. The officers made more commands towards the man, who continued to shout obscenities and not back down.

KW heard seven to nine gunshots, and saw the man who had been shouting obscenities fall to the ground. The officers approached the man lying on the ground, and two or three minutes later the ambulances arrived.

**Witness NB**

On Friday, January 8, 2016, between 5:00P.M. and 5:30P.M., NB heard a male screaming and yelling loudly. NB stood inside the doorway and looked outside and observed a white male wearing a knit cap walking from the house where this incident occurred, towards the road. The

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male held a silver object in his hand that looked bigger than a gun. NB heard eight gunshots, and closed the front door.

NB reopened the front door and saw the white male with the knit cap lying in the snow. A police officer with a dark uniform stood by the male, and bent down by him.

## **Officer Statements**

### **Deputy Daniel Nichols WWSO (Witness)**

On Friday, January 8, 2016, at approximately 5:10 P.M., Deputy Nichols was dispatched to assist Town of Geneva Police Officers at a disorderly subject call where the subject was smashing windows with an axe. Nichols was aware that Town of Geneva Police Officers Sweeney and Anderson were also responding to this assignment, as well as WWSO Sergeant Timothy Otterbacher. Prior to his arrival, Nichols heard Officer Anderson broadcast that they were in front of the residence and needed the road shut down.

Upon his arrival on scene, Nichols observed Sergeant Otterbacher near a subject lying in the yard. The subject was wearing cowboy boots, and jeans, with chains wrapped around his body from his crotch to his neck. The subject appeared lifeless. Otterbacher told Nichols to retrieve the camera and take pictures of the scene. Nichols returned to his squad and retrieved the camera.

Nichols returned to the scene and Otterbacher told him to help remove the chains that were wrapped around the subject so they could render first aid to the subject. Nichols and Otterbacher removed the chains from the subject's body with difficulty, (the chain was double and triple wrapped around the subject's body), and then medical personnel arrived.

Nichols proceeded to take pictures of the scene, including a knife lying in the yard approximately five feet from the subject's body. Nichols described it as a fixed blade buck style knife used to gut deer. Nichols also photographed a window on the east side of the house that was completely demolished.

### **Sergeant Timothy Otterbacher WWSO (Witness)**

Sgt. Otterbacher was attired in his full Walworth County Sheriff's Department uniform. He was equipped with his sidearm, two extra magazines and a taser. He was not equipped with a body camera, or an audio recorder. On Friday, January 8, 2016, at approximately 5:10 P.M., Sergeant Otterbacher responded to a dispatched call of a subject smashing out windows with an axe. Also sent were Town of Geneva Police Department Squads, and WWSO Deputy Daniel Nichols. Prior to his arrival, Otterbacher heard the dispatcher advise that the caller had taken the axe away from the subject, who was still on scene and was very agitated and wanted to die.



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As Otterbacher approached the house, he heard Town of Geneva Officers talking to the subject. Otterbacher observed the officers in the ditch line. Noting the subject was engaged with the officers, Otterbacher attempted to sneak around a tree in the yard to approach the subject from behind and place him in custody. The subject was screaming loudly, "kill me, I'm going to kill you. Kill me or I'll kill you! Just kill me!" Otterbacher continued to approach the subject, and one of the Town of Geneva Officers yelled, "Hey deputy, you're in the line of fire! He's got a knife!" Otterbacher immediately broadcast via radio to dispatcher that the subject had a knife, while he retreated away from the subject.

Otterbacher positioned himself south of the tree and approximately forty feet from the officers. He saw the subject holding a knife in his right hand, with it raised above his shoulder and at the side of his head. The officers gave commands for the subject to drop the knife, and the subject did not comply. Otterbacher advised the dispatcher that the subject was armed, and they were trying to talk to him. The subject was facing the officers, who told the subject to drop the knife approximately twelve to fifteen times.

Approximately fifteen seconds after Otterbacher advised the dispatcher that the subject was armed, the subject raised the knife over his head and charged directly at the two officers. Otterbacher described the charge as an outright sprint towards the officers by the subject. The subject was approximately twenty to thirty feet away from the officers when he charged at them, and advanced approximately ten feet towards them. The subject was approximately ten to twenty feet from the officers when they fired their weapons at the subject. Otterbacher heard five to ten gunshots, and saw the subject stand straight up and then fall to the ground.

Otterbacher called for medical attention for the subject, who was lying in the yard. The subject was handcuffed by the Geneva Officers, and Otterbacher saw the knife lying in the snow, approximately seven or eight feet away from the subject. Otterbacher and one of the officers went inside the house to check for any victims or additional subjects, leaving the second officer to stay with the subject. Otterbacher and the officer returned outside to the subject after clearing the house.

Otterbacher un-handcuffed the subject to perform first aid, and noted that the subject was bound around his torso, neck and groin with a thick shiny tow chain. The chain made it difficult to assess the subject's injuries, so he and Deputy Nichols spent a lot of time trying to remove it from the subject's body. They were finally able to remove the chain, and Otterbacher noted the subject was gravely wounded. Otterbacher maintained the subject's airway so he could breathe until the paramedics arrived. He helped carry the subject to a stretcher at the back of the ambulance.

Otterbacher ordered Nichols to take photographs of the scene. He spoke to the caller and asked him where the hatchet was. The caller told Otterbacher it was on the porch railing, and Otterbacher observed a regular sized hatchet on the porch railing.

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**Police Officer Eric Anderson**

On Friday, January 8, 2016, Officer Anderson was working in his full Town of Geneva Police Department Uniform, operating a fully marked Town of Geneva squad car. He was carrying his full complement of equipment, to include a Glock .45 caliber pistol. His duty hours for the day were 2:00 P.M. to 10:30 P.M.

Anderson was dispatched to a disorderly subject with an axe assignment, and responded to the location with the squad emergency lights and siren activated. Anderson was aware that Town of Geneva Police Officer Jason Sweeney was also responding to the assignment. Anderson noted that Sweeney also wore his full Town of Geneva Police Uniform, and operated a fully marked Town of Geneva squad car. While Anderson was en route to the assignment, the dispatcher advised that the subject with the axe was Eric Olsen.

Anderson arrived at the scene of the incident approximately the same time as Officer Sweeney. Both of the officers parked their squads on Lincoln Dr. Anderson saw Sweeney use his squad spotlight to illuminate the residence, and observed GARRY HUMPHREY standing on the deck area of the residence. GARRY HUMPHREY appeared to be struggling with another man who was standing in the yard below the deck, over possession of an axe.

Anderson and Sweeney exited their squad cars, and the man turned towards their direction. Anderson recognized the man as Eric Olsen. Anderson and Sweeney crossed Lincoln Dr. and entered the yard where Olsen was standing. Anderson saw Olsen release the axe and pull a ten inch hunting knife from a sheath attached to his belt. Olsen raised the knife to his shoulder level and began to walk through the yard. Anderson noted Olsen had a chain wrapped around his neck.

Anderson removed his sidearm from his holster and pointed it at Olsen, while ordering Olsen to drop the knife and get on the ground. Olsen responded by saying "Fucking kill me! I want to die. Just shoot me! Fucking kill me!" Anderson continued to order Olsen to the ground, and Olsen did not comply. Anderson observed a deputy near a tree in the yard trying to approach Olsen from behind, and Officer Sweeney told the deputy that Olsen had a knife.

Olsen raised the knife over his head and charged at Anderson and Sweeney. Anderson feared he and Sweeney would be killed or seriously injured by Olsen and his knife, so Anderson fired his weapon at Olsen. Anderson fired his weapon until Olsen went to the ground and was no longer a threat to Anderson or Sweeney.

Anderson and Sweeney approached Olsen as he lay on the ground, and Anderson positioned Olsen's head to ensure that he had an airway and could breathe. Olsen appeared to be unconscious, but Anderson talked to him anyway, telling him to hang on, that help was on the way. Sweeney and Otterbacher entered the residence to check for additional subjects or victims.

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Anderson continued to monitor Olsen's airway, and also tried to coordinate an emergency response on his hand held radio.

**Police Officer Jason Sweeney**

On Friday, January 8, 2016, Officer Sweeney was working in his full Town of Geneva Police Uniform, and wore his full complement of equipment. On that date Sweeney operated a fully marked Town of Geneva squad car. The squad was equipped with a Remington model 870 shotgun and a DPMS .223 rifle. Sweeney started his shift at 4:00 P.M.

Sweeney received a dispatched assignment of a disorderly subject with an axe at W3836 Lincoln Dr. Because of the serious nature of the assignment, Sweeney chambered a round into the squad rifle and activated the optics systems prior to driving to the assignment. He responded to the assignment with his squad emergency red and blue lights and siren activated. While en route to the assignment he was advised by the dispatcher that the disorderly subject with the axe was Eric Olsen.

Sweeney noted that Town of Geneva Police Officer Anderson had also been sent to this assignment. They arrived at the house at about the same time, and parked on Lincoln Dr. Sweeney shined his squad spotlight on the front porch of the residence, and saw Eric Olsen standing at the bottom of the porch. He saw GARRY HUMPHREY standing on the top portion of the porch, and both men were wrestling over possession of a large axe.

Sweeney and Anderson exited their squad cars and crossed the road and entered the yard. Anderson was positioned to Sweeney's left. Sweeney had his squad rifle as he exited his squad. When he and Anderson entered the yard Sweeney noted that Olsen had stopped struggling with GARRY HUMPHREY over possession of the axe, and was now entirely focused on Sweeney and Anderson.

Olsen began to scream at Sweeney and Anderson, and Sweeney saw Olsen was now holding a knife in his right hand. Sweeney described it as a buck knife with a blade approximately four or five inches long. Sweeney screamed at Olsen to drop the knife at least five times. Sweeney heard Anderson scream at Olsen repeatedly to get on the ground. Olsen responded to the officer's orders by saying, "Fuck you, fuck you, kill me, fuckin' shoot me, I want to die!"

Sweeney saw a Walworth County Sheriff's Deputy approach the house from the east, walking directly towards Eric Olsen. Sweeney screamed at the deputy to get out of the line of fire, and the deputy circled back to the south, and eventually took a position to Sweeney's right.

Sweeney and Anderson continued to give Olsen verbal commands to put the knife down, but Olsen continued to not comply. Olsen took a lunging step towards Sweeney and Anderson's position, as if he was beginning to sprint. Sweeney saw Olsen still holding the knife in his right

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hand over his head, and Sweeney noted he moved towards them very rapidly. Sweeney knew if he did not stop him; Olsen would continue to run at them with the knife. Sweeney feared that he and his partner would be gravely injured or killed if Olsen reached them with the knife. He also feared for the safety of anyone inside the house.

Sweeney and Anderson fired their weapons at Olsen. Sweeney fired the rifle almost simultaneously with Anderson, but was certain Anderson fired first, because he heard the gunshot. Olsen did not stop immediately after the officers began firing; in fact he continued to run towards Sweeney and Anderson as they were shooting at him. Olsen fell to the ground, and Sweeney knew Olsen was no longer a threat, so he stopped firing his weapon. He placed the rifle on safety and he and Anderson began to approach Olsen. Sweeney was not sure how many times he or Anderson fired their weapons.

As they approached Olsen, who was lying on his side, Sweeney saw the knife lying near Olsen's head, and told Anderson to secure the knife. Sweeney and Anderson handcuffed Olsen, and Sweeney noticed Olsen was wearing thick tow chains wrapped around his body.

Sweeney and WWSO Sergeant Otterbacher entered the residence and checked for any other subjects, or victims, then returned outside to Anderson, who had remained with Olsen. Sweeney and Anderson then went to their squad cars and contacted their supervisor.

### **Review of Radio Traffic**

The following is a list of dispatched information from the Walworth County Dispatch regarding this incident:

01-08-2016 - 17:10:54 Male smashed their windows, almost got them, Eric Olson. Call back information: XXX-XXX-XXXX.

01-08-2016 at 17:12:02 Squads were dispatched

01-08-2016 - 17:12:12 It is an axe, very large.

01-08-2016 - 17:12:40 Dad and caller's friends are there

01-08-2016 - 17:12:46 5 friends also

01-08-2016 - 17:14:33 Names Added: HUMPHREY, Garry Wayne  
Names Updated: Name changed from J. HUMPHREY  
JJ. HUMPHREY

01-08-2016 - 17:15:50 Dad took the weapon

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01-08-2016 - 17:16:08 Eric camo t shirt and pants

Squads reported on scene on 01-08-2016 at 17:16:10

01-08-2016 - 17:16:17 Saying he wants to die

01-08-2016 - 17:16:54 Trying to attack dad

01-08-2016 - 17:18:28 On gooseberry and Lincoln

01-08-2016 - 17:18:52 Says address does not map right

01-08-2016 - 17:19:39 Saying they are not hurt

01-08-2016 - 17:19:56 561 - subject has a knife and negotiations going on

01-08-2016 - 17:20:22 shots fired, need rescue

### **Review of Squad Video**

Squad video was reviewed from the Town of Geneva squad cars operated by P.O. Jason Sweeney and P.O. Eric Anderson on the date of this incident. Both squad cars had responded to the original call for Police service with red lights and sirens, however the lights and sirens were deactivated upon arrival. There is no squad video depicting the events of this incident.

### **Autopsy**

On January 9th, 2016, an autopsy was conducted on the body of Eric Olsen by Dr. Zelda Okia of the Waukesha County Medical Examiner's Office. The autopsy began at approximately 11:24AM in the presence of SA Jeff Hale. SA Jake Jansky arrived to the autopsy at 2:20PM, and SA Hale departed the autopsy at approximately 2:40PM.

Dr. Okia indicated that a preliminary estimate was that Olsen was shot 10-11 times based on the wounds observed. It also appeared at least two different caliber of firearms were used as some of the wounds were smaller in size than the others. A final disposition of wounds to the body of Eric Olsen is included in the final autopsy report by Dr. Okia, and is not part of this report.

## **Wisconsin Crime Lab Forensic Examination**

The following items were recovered during the investigation of this incident and submitted to the Wisconsin State Crime Lab for examination:

- DNA samples
- One Glock .40 cal semi-automatic pistol
- One Glock .45 cal semi-automatic pistol
- One DPMS .223 cal semi-automatic rifle
- Six .45 caliber fired cartridge casings
- Five .223 fired cartridge casings
- One fired .22 caliber bullet
- Eight metal fragments recovered at autopsy
- Five spent bullets recovered at autopsy

## **Contact with the Olsen Family**

On January 8, 2016 at approximately 8:43PM, Special Agents Jay Novak and Raymond Taylor interviewed E.C. Olsen and B. Olsen at the Town of Geneva Police Department.

B. Olsen stated she arrived home at approximately 5:00PM and called Eric's cellular telephone, which she identified as XXX-XXX-XXXX, as his van was blocking the entrance into the garage. Eric then came out, moved his van and B.Olsen thought that he had reentered their house, but he was not inside when she entered. B.Olsen believed Eric Olsen had apparently gone back through the garage or through a gate in the fence which ran between the detached garage and the house. The gate was off a walkway from the driveway and led to the yard area between the detached garage and another door to their house. Eric Olsen had left in his van as it was no longer parked at the house but B.Olsen did not see what direction he had gone. Within what B.Olsen described as 4 minutes, police cars were driving past their residence shining spotlights around their residence.

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The Olsen's advised that their son Eric was not currently under a doctor's care and did not report any mental health issues.

**Additional Contact With the Olsen Family**

On 01-11-2016 S/As Tijerino and Gibbs met in person with Mr. & Mrs. Olsen regarding the ongoing Officer involved Death (OID) investigation. At that time case agents provided the OLSEN's with a DCI victim/witness rights brochure as defined under Wisconsin State Statute 950. Mr. OLSEN signed the victim/witness rights acknowledgement form.

Case Agents maintained communication with the OLSEN family throughout this investigation, including twenty five (25) email exchanges and numerous telephone conversations.

**DA Review**

On Friday, April 15, 2016, a copy of DCI's complete investigative file, as of that date, was turned over to Walworth County District Attorney Dan Necci for review. DCI will continue to document any additional investigative activities that may occur. Reports of those investigative activities will be provided to the district attorney as soon as they are completed.