

Wisconsin Department of Justice DCI

ACISS Memo to File 16-2425/91

Report Date: 07/19/2016

Primary Information

Description: Meeting with Mattner's parents  
Reporting LEO: Augsburg, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)  
Approval Status: Approved  
Approved Date: 07/19/2016  
Approved By: Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)

Synopsis

MEMO TO FILE

DATE: Monday, July 18, 2016

Reference: Meeting with Oswald Mattner's parents

On Monday, July 18, 2016, at 3:30PM, DCI Special Agents Tami Augsburg and David Forsythe met with Oswald Mattner's parents, J. [REDACTED] and J. [REDACTED] at their residence [REDACTED] Twin lakes, Kenosha County, WI.

S/A Augsburg and S/A Forsythe provided the C [REDACTED] with information and a media storage device with the details regarding the investigation into the officer involved shooting and death involving their son, Oswald Mattner.

The C [REDACTED] were thankful for the investigation that DCI completed. The C [REDACTED] wanted S/A Augsburg and Forsythe to know that their son was not just "bad" that he had a good side to him. The C [REDACTED] said that drinking and drugs became issues for Mattner and caused him to change.

J. [REDACTED] C [REDACTED] stated that she thought about the incident that occurred between Mattner and the police officer. J. [REDACTED] C [REDACTED] advised that if she would have been put in the same situation that the officer was in that she would have done the same thing that the officer did.

J. [REDACTED] C [REDACTED] advised that both he and J. [REDACTED] C [REDACTED] were still trying to cope with what happened.

The C [REDACTED] stated that they did receive a phone call earlier this date from Marathon County District Attorney Ken Heimerman reference his decision on the shooting.

Record Status Information

Record Origination Operator: Augsburg, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)  
Record Origination Date: 07/19/2016 08:49  
Last Update Operator: Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)  
Last Update Date: 07/19/2016 22:11

Reporting LEO	Date	Supervisor	Date
Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)		Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)	8/10/2016

Wisconsin Department of Justice DCI

**ACISS Memo to File 16-2425/92**

Report Date: 07/19/2016

Primary Information	
Description:	DA Decision--Justified
Reporting LEO:	Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	07/19/2016
Approved By:	Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)

Synopsis
<b>Memo to File</b>
<b>Date:</b> Monday, July 18, 2016
<b>Reference:</b> Marathon County DA found Officer James Martin in Officer-involved shooting/death - Justified
<b>On Monday, July 18, 2016, Marathon County District Attorney Ken Heimerman conducted a press conference with DA Heimerman's decision related to the Officer-involved shooting that resulted in the death of Oswald Mattner on April 30, 2016.</b>
<b>DA Heimerman advised that Wausau Police Officer James Martin fired (5) five shots at suspect, Oswald Mattner. Officer Martin was in the process of arresting Mattner for domestic related charges when Mattner pulled a knife on Officer Martin. Mattner advanced towards Officer Martin with the knife held in Mattner's hand in threatening manner.</b>
<b>DA Heimerman said, that Officer Martin was justified in using deadly force in the fatal shooting.</b>

Record Status Information	
Record Origination Operator:	Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)
Record Origination Date:	07/19/2016 08:50
Last Update Operator:	Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)
Last Update Date:	07/19/2016 22:17

Reporting LEO	Date	Supervisor	Date
Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)		Giese, Cindy K (Wausau Narcotics DCI / Wisconsin Department of Justice DCI)	8/10/2016

Wisconsin Department of Justice DCI

**ACISS Investigative 16-2425/93**

Report Date: 07/19/2016

Primary Information	
Description:	Request to Close
Reporting LEO:	Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	07/20/2016
Approved By:	Wormet, Jody R (DCI Administrative Section / Wisconsin Department of Justice DCI)

Related Addresses	
<u>Address</u>	<u>Relationship</u>
725 Gilbert St, Wausau, Wisconsin 54403 , United States of America	Location of Event

Related Subjects					
<u>Name</u>	<u>Type</u>	<u>Sex</u>	<u>Race</u>	<u>DOB</u>	<u>Relationship</u>
Mattner, Oswald T.	Person	Male	Unknown		Suspect

Record Status Information	
Record Origination Operator:	Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)
Record Origination Date:	07/19/2016 08:51
Last Update Operator:	Wormet, Jody R (DCI Administrative Section / Wisconsin Department of Justice DCI)
Last Update Date:	07/20/2016 21:00

Reporting LEO	Date	Supervisor	Date
Augsburger, Tami M (Wausau Special Assignments DCI / Wisconsin Department of Justice DCI)		Wormet, Jody R (DCI Administrative Section / Wisconsin Department of Justice DCI)	8/10/2016

Narrative begins on the following page.

**Wisconsin Division of Criminal Investigation Case Report**  
**Case/Report Number:16-2425/93**

On Saturday, April 30, 2016, Wausau Police Department responded to 725 Gilbert Street, Wausau, WI on a report of a domestic violence (DV) complaint. The Wausau Police Department had criminal DV charges on suspect, Oswald T. Mattner [REDACTED]. The Wausau Police Department located Mattner on the south side of the apartment complex. Contact was made with Mattner who pulled a knife on Police Officer James Martin of the Wausau Police Department. Mattner was shot by law enforcement and died at the scene.

On April 30, 2016, Wausau police officers responded to 715 Gilbert Street, Wausau, WI on a noise complaint of a male subject yelling that he was going to “kill everyone.” Wausau police officers checked the area and were not able to locate the male subject.

Later in the evening on April 30, 2016, the Wausau Police Department received a call to [REDACTED] [REDACTED] reference a domestic violence complaint. Wausau police officers responded and spoke with a victim of the domestic violence. The victim of the DV advised that her fiancé, Mattner had hit her. The DV victim told officers that she had been receiving threatening text messages from Mattner and that Mattner was also known to carry a knife on his person. The DV victim advised that she believed that Mattner was still at their apartment at 725 Gilbert Street, #10, Wausau, WI.

Wausau police officers responded to Gilbert Street #10, in an attempt to locate Mattner and arrest him. Mattner was not in the residence.

Officer Martin checked the outer area of the apartment complex and located Mattner walking on the south side of the apartment complex. Mattner was able to get into the secured apartment building before Officer Martin could make contact with Mattner.

Officer Martin made contact with Mattner in the breeze-way of the apartment complex. Officer Martin attempted to place Mattner in handcuffs. Mattner did not comply with Officer Martin’s directives. Mattner pulled a knife out of Mattner’s sweatshirt. Officer Martin ordered Mattner not to reach for the knife. Mattner raised the knife in a threatening manner towards Officer Martin at which time Mattner moved toward Officer Martin. Mattner was holding the knife in a “stabbing motion” as Mattner moved towards Officer Martin.

Officer Martin fired his duty weapon (5) five times at Mattner. Mattner fell to the ground and Officer Martin stopped firing at this time because Mattner was no longer a threat to Officer Martin’s life.

Mattner died at the scene.

**Wisconsin Division of Criminal Investigation Case Report**  
**Case/Report Number:16-2425/93**

On Monday, July 18, 2016, Marathon County District Attorney Ken Heimerman cleared Officer Martin in the shooting. DA Heimerman stated that the use of deadly force was “justified.”

**Comments/Recommendations:**

DCI Special Agent Tami Augsburg requests that this case be closed. The investigation has been completed.