

SYNOPSIS OF KOLE B. KNIGHT OFFICER-INVOLVED DEATH (OID)

On Friday, August 19, 2016, at 11:39 a.m., Police Officers (POs) Ryan Denu and Brody Erickson of the New London Police Department (NLPD) observed Kole B. Knight riding a bicycle on a city street. The officers were performing patrol duties while traveling inside a fully marked NLPD patrol vehicle. The officers were familiar with Knight from previous police contact(s) and were aware of his active warrant. After initial observations of Knight, officers drove around the block in order to make contact with Knight while also contacting dispatch to confirm Knight's pending warrant(s). After driving around the block and traveling northbound on Algoma Street, the officers again observed Knight riding the bicycle on Algoma Street near the intersection of Algoma Street and Wallace Street in New London, Outagamie County, Wisconsin.

The officers stopped at a stop sign on Algoma Street at Wallace Street. Simultaneously, Knight rode the bicycle in the middle of Algoma Street in front of a home located at 1015 Algoma Street. As Knight rode the bicycle in the middle of the street, Knight looked back at the patrol vehicle/officers at the stop sign. Knight proceeded to ride the bicycle in the middle of the street and then turned into the driveway located just north of 1015 Algoma Street. Knight proceeded to hop off the bicycle in the driveway and "jogged" southbound on the sidewalk in front of the home at 1015 Algoma Street.

As officers pulled up adjacent to Knight jogging on the sidewalk, Knight lifted his shirt and drew a handgun from his front waistband. At approximately 11:43 a.m., PO Denu, driver of the patrol vehicle, shot at Knight out the open driver's window of the patrol vehicle. Simultaneously, PO Erickson exited the front passenger seat and began shooting at Knight from outside the patrol vehicle. Knight immediately fell onto the grass in front of the residence at 1015 Algoma Street.

During officer interviews, PO Denu stated he and PO Erickson were planning to perform a "felony stop" on Knight because they knew Knight had "warrants." PO Denu heard Knight say, "I'm not going back" after he jogged away from the bicycle. PO Denu then observed Knight draw a handgun and point it in the direction of both he and PO Erickson. PO Denu described Knight as facing PO Denu and looking at him when PO Denu shot at Knight. PO Denu stated he handcuffed Knight and checked for Knight's pulse. PO Denu did not find a pulse and observed no signs of life for Knight.

PO Erickson stated he heard Knight say, "I'm not going back." PO Erickson observed Knight draw a handgun from his front waistband and point the handgun in his and PO Denu's direction. PO Erickson stated he discharged his handgun at Knight, from outside the patrol vehicle, while simultaneously moving toward Knight on the sidewalk. PO Erickson described calling in the incident to dispatch and requesting medical assistance for Knight.

The NLPD requested Wisconsin Department of Justice – Division of Criminal Investigation (DCI) to conduct the officer involved death (OID) investigation. DCI Special Agent (S/A) Yerges was assigned as the lead investigator, and S/A Schallhorn was assigned as the secondary investigator.

The Wisconsin State Crime Laboratory – Wausau assisted with scene processing and documentation. The Wisconsin State Patrol (WSP), Technical Reconstruction Unit (TRU) assisted with scene mapping.

The investigation determined the handgun displayed by Knight during the incident was a toy gun that resembled a real handgun. There were a maximum of 17 rounds fired by police officers during the incident and 16 bullet casings were recovered from the scene.

Three video recordings of the event were examined during the investigation. There was one body camera recording worn by PO Erickson and two video recordings from the police vehicle. One of the recordings had a frontal exterior view and the second video captured the interior of the vehicle. The exterior video captured PO Erickson shooting from the front of the vehicle while the interior captured PO Denu shooting from a seated position in the vehicle. Knight can be seen in view of the body camera as shots are being fired.

Four responding officers were interviewed after the incident. The statements provided by all four officers were consistent with the examined video recordings.

A neighborhood canvass for potential witnesses was performed by DCI. No critical witnesses were identified during the canvass.

Forensic pathologist, Dr. Kristinza Giese, conducted the autopsy of Knight on August 20, 2016 at the Fond du Lac County Medical Examiner's Office. Six bullets were recovered from Knight's body during the autopsy. The autopsy determined Knight died as a result of gunshot wounds to the head and chest.

The case is scheduled to be reviewed with the Outagamie County District Attorney Carrie Schneider on Thursday, September 7, 2016.