

**SYNOPSIS REPORT FOR OFFICER-INVOLVED DEATH OF BRANDON O. CUDE**

On Thursday, January 04, 2018, the Wisconsin Department of Justice - Division of Criminal Investigation (DCI) received a request from the Forest County Sheriff's Office (FOSO) to respond to the scene of an officer-involved death (OID) located at the intersection of Valician Shore Drive and Timber Lane, Nashville Township, Forest County, Wisconsin. A law enforcement-related shooting occurred at the intersection. The officer-involved critical incident involved one deputy with the FOSO.

On 01/04/2018, FOSO Deputy (Dep.) Craig Justice responded to a "assist motorist" call-for-service which had initially been called in to the dispatch center by a passing motorist. A short time later, Dep. Justice arrived at the scene and met the stranded motorist who was identified as Brandon Owen Cude. Dep. Justice assisted Cude by placing a portable charging unit upon the battery of the vehicle that Cude had been operating.

During his contact with Cude, Dep. Justice formally identified Cude by Cude's pictured Wisconsin operator's license. Dep. Justice performed a driver record query upon Cude. The driver record query resulted in notification that Cude had two outstanding extraditable warrants which originated from the State of Texas. Dep. Justice confronted Cude about the warrants. Dep. Justice additionally confirmed Cude's identity with the dispatch center by Cude's physical descriptors and the location of Cude's tattoos. As Cude sat on the front driver's seat inside the vehicle, Dep. Justice informed Cude that he was under arrest.

Dep. Justice then proceeded to approach Cude in the front driver's doorway area of the vehicle with handcuffs, when Cude stated, "I'm not going back." Dep. Justice observed Cude reach to the right at which time Cude accessed a shotgun from near the center console (between the two front seats). Dep. Justice observed Cude swing the shotgun under the steering wheel to outside the doorway toward Dep. Justice. Dep. Justice simultaneously stepped backward along the driver's side of the vehicle and discharged his duty pistol at Cude in self defense. Dep. Justice shot at Cude four times. As a result, Cude dropped the shotgun and stopped moving inside the vehicle. Dep. Justice held Cude at gun point until back-up personnel arrived.

Once back-up personnel arrived, Cude was taken out of the inside of the vehicle. Cude was medically assessed by back-up personnel. Life saving first aid efforts were administered to Cude by back-up personnel for some time. Two emergency medical units eventually arrived on-scene and checked for any positive signs of life in Cude. Life saving efforts were eventually ceased and Cude was pronounced dead at the scene. Cude was positively identified at the scene.

DCI Special Agent (S/A) Yerges was assigned as the lead case investigator and DCI S/A Schallhorn was assigned as the secondary case investigator. DCI special agents documented the scene with the assistance of the Wisconsin State Patrol, Technical Reconstruction Unit. DCI special agents were also assisted by the Crandon Police Department, Forest County Sheriff's Office, Oneida-Forest County Medical Examiner's Office and the Oneida County Sheriff's Office.

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Cude's biological father was identified and a death notification was made to him on 01/04/2018. Wisconsin Crime Victim Services forms were provided to the father by special agents. A telephonic death notification was also made to Cude's Texas-based biological mother on 01/04/2018.

DCI special agents conducted the following interviews: one witness interview, seven back-up law enforcement officer interviews, six emergency medical personnel interviews and a neighborhood canvass for any additional witnesses was performed. The neighborhood canvass produced no additional incident witnesses or information. DCI special agents interviewed Dep. Justice on 01/08/2018.

During the investigation, DCI special agents collected one law enforcement patrol vehicle dash camera video recording. The patrol vehicle video recording system did not capture any recording of the incident. A total of four law enforcement body-worn camera video recordings, which depicted various segments of the aftermath of the incident, were collected. DCI special agents examined all of the video recordings related to the critical incident which involved Cude.

DCI special agents collected and maintained all articles of scene evidence. Evidence that was seized during the investigation included: Cude's body, a shotgun, assorted ammunition, a straight-blade knife, a duty pistol, pistol magazines, unfired bullets, fired cartridge casings, one pair of handcuffs, video recordings, a motor vehicle, clothing articles, personal effects, biological specimens and other miscellaneous articles of evidence.

An autopsy of Cude was performed at the University of Wisconsin Hospital Pathology Laboratory on 01/05/2018 by forensic pathologist, Dr. Michael A. Stier, MD. The autopsy revealed Cude died as a result of gunshot wound injuries sustained during an engagement with law enforcement.

On 01/30/2018, the completed DCI investigative file, as of that date, was submitted to Forest County, District Attorney (DA), Charles J. Simono for his legal review.