

**INVESTIGATIVE SYNOPSIS OF THE OFFICER INVOLVED DEATH (OID) OF
TER-RANCE PHILLIT SIMMONS AND TERRANCE P. SIMMONS**

On Sunday, April 28, 2019, the Everest Metro Police Department contacted the Wisconsin Department of Justice requesting technical assistance in attempting to locate the victim of a violent battery and kidnapping that had occurred in the City of Schofield, Marathon County. On that same date, the Everest Metro Police Department disseminated an ATL (attempt to locate) and a Wisconsin Crime Alert (WICAN) indicating that the victim had been located in Wausau, WI; however, the suspect had left the area and was possibly headed to Madison or Chicago. The alerts indicated that the suspect, Ter-rance Phillit Simmons, was also a suspect in an armed burglary and should be considered armed and dangerous. The Crime Alert also indicated that the suspect had previously mentioned suicide by cop.

In the morning hours of April 29, 2019, as law enforcement was actively tracking the suspect's phone, data showed the phone's location travelling south on Interstate 39. Information had been provided to law enforcement that Ter-rance Phillit Simmons was possibly operating or a passenger in a silver colored SUV, van, a blue older model Jeep vehicle, possibly a Jeep Cherokee, black Mercedes SUV or a dark colored Nissan Altima. Wisconsin State Patrol Trooper Daniel Stainbrook and Trooper Henry Glick of the North Central Region – Wausau Post were able to make a visual identification of the Nissan Altima that was observed travelling at a high rate of speed in the Coloma area. The vehicle continued at a high rate of speed from the initial observation, and attempts to contact and stop the vehicle by several law enforcement officers were unsuccessful.

Wisconsin State Patrol Trooper Jeffrey Hoffman was monitoring the Columbia County radio frequency as the chase continued and the Nissan Altima continued to evade squads. He could hear as squads continued to chase the Nissan, attempting to catch up and stop it. Trooper Hoffman drove to the crossover located north of the Baraboo River Bridge (milepost 86). He described the traffic on Interstate 39 as being a steady pace of vehicles with multiple cars traveling at normal highway speeds.

Trooper Hoffman said he notified dispatch of his position. He then asked if he had Division Supervisor approval for the use of spikes. As he waited for a response, he continued monitoring the radio on both the WSP and Columbia County frequencies. Trooper Hoffman heard as Columbia County deputies asked dispatch if spikes (aka tire deflation device) were available. Trooper Hoffman said it sounded like an active chase, and squads were trying to catch up to the Nissan Altima. Trooper Hoffman asked dispatch a second time if he had authorization for use of spikes. Dispatch replied that 504 (WSP Sergeant Luke Yahn) advised that spikes were authorized to use if there was an active pursuit.

Trooper Hoffman parked his vehicle midway of the crossover facing Interstate 39 southbound traffic and turned on his emergency lights which activated in-car video/audio. He donned his

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gloves and removed the spikes from the trunk of his squad car. He closed his trunk to enhance the visibility of the emergency lights, which were all illuminated. He placed his spikes in the backseat of his squad and was preparing them for use.

Trooper Hoffman estimated that it was two minutes or less that he was in the crossover when he looked to the north and saw a squad with its emergency lights activated and its headlamps flashing. He estimated the squad was approximately 1½ -2 miles away from his location. Trooper Hoffman subsequently observed a black vehicle that appeared to be the Nissan Altima approximately ¼ to ½ mile ahead of the squad and traveling at a high rate of speed. Trooper Hoffman believed the squad was in pursuit of the Nissan. He estimated that the Nissan was travelling in excess of 100 miles per hour southbound on Interstate 39.

He noticed a semi-tractor trailer pass his location and continue southbound on Interstate 39, but his focus remained on the Nissan. Trooper Hoffman estimated that from when he first saw the Nissan traveling southbound to his location it was 15-20 seconds. He noticed that both the squad and Nissan were in the left lane (lane #1) as they continued southbound on Interstate 39. No other cars were around the Nissan.

As the Nissan was approaching, Trooper Hoffman inched out towards the roadway from the driver's side corner of his squad. As he did so, the suspect vehicle changed lanes from left lane to right lane (lane #2). From the edge line, he tossed out the spikes across the roadway. The spikes covered the entire left lane and ½ of the right lane. He saw the Nissan's left front tire make contact with the spikes and then the Nissan continued southbound. From a safe distance off the roadway, he immediately removed the spikes from the roadway so that other responding squads would not strike them. As he was doing so, he heard a crash and saw that the front end of the Nissan had crashed into the rear of the semi-tractor trailer in the southbound lane of Interstate 39, just prior to the Baraboo River Bridge. Trooper Hoffman broadcasted, "10-50!" (Accident), "10-52!" (Ambulance). It was not until later that Trooper Hoffman learned that the driver was ejected out of the vehicle and the front passenger remained in the front passenger seat. Both individuals were positively identified as brothers Ter-rance Phillit Simmons and Terrance P. Simmons, and both were found to be deceased.

At approximately 07:30 a.m., the Division of Criminal Investigation (DCI) received a request from the Wisconsin State Patrol (WSP) for assistance related to an officer-involved death investigation following a vehicle crash at Interstate 39 southbound at mile marker 86, in the Town of Caledonia, Columbia County. DCI Special Agent (SA) Lourdes Fernandez was assigned as the lead investigator, and SA Rafael De La Rosa was assigned as the secondary investigator.

The Sauk County Sheriff's Department assisted with the traffic reconstruction and created a scene diagram. Law enforcement from various agencies maintained security of the scene until the scene was cleared on April 29, 2019.

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Family members of Ter-rance Phillit Simmons and Terrance P. Simmons were identified and a death notification was made by Stanley Police Department in coordination with Chief Medical Examiner Angela Hinze of the Columbia County Medical Examiner's Office. Wisconsin Crime Victim Services forms were also provided to the family.

DCI SAs Fernandez and Brian Hawley interviewed involved Wisconsin State Patrol Trooper Jeffrey A. Hoffman on May 2, 2019. In addition, SAs James Holmes and Ryan Klavekoske interviewed involved Portage Police Officer Peter Warning on April 29, 2019.

DCI and investigators from the Columbia County Sheriff's Department conducted multiple interviews, which produced a significant number of witnesses to the pre and post-crash events. There were no view of the traffic crash that occurred on Interstate 39.

Squad Video and audio from various squads was obtained and reviewed by DCI. Body cameras, worn by several of the responding officers, were collected and reviewed. Surveillance footage from the semi-tractor trailer and Department of Transportation (DOT) cameras were also reviewed by DCI.

Evidence from the investigation included one revolver, shotgun shells, unfired bullets, two cell phones and suspected drug paraphernalia. All of the above items were recovered from the Nissan Altima and were placed into evidence.

An autopsy of Ter-rance Phillit Simmons and Terrance P. Simmons was conducted at the Dane County Medical Examiner's Office on April 30, 2019. The autopsy of Ter-rance Phillit Simmons was conducted by Dane County Forensic Pathologist Dr. Kanayo Tatsumi. The autopsy of Terrance P. Simmons was conducted by Dane County Dr. Eli Goodman, and both were attended by DCI SAs Fernandez and Marshal Ogren. As of this date the final autopsy report has not been received by DCI.

On Wednesday, May 29, 2019 the completed investigative file as of that date was turned over to Special Prosecutor Roy Korte from the Columbia County District Attorney's Office for review.