

SYNOPSIS REPORT FOR OFFICER-INVOLVED DEATH OF EDUARD A. LOPEZ

On Tuesday, September 03, 2019, the Wisconsin Department of Justice (DOJ) - Division of Criminal Investigation (DCI) received a request from Fox Valley Metro Police Department (FVPD) to investigate an officer-involved shooting (OIS) that had occurred in a roundabout at the intersection of County Highway (CTH) OO and State Highway (STH) 55 in the City of Kaukauna, Outagamie County, Wisconsin. A law enforcement-related shooting had occurred after the operator of a pickup truck disregarded an officer's verbal commands and then operated directly at the police officer in the referenced roundabout. The officer-involved critical incident involved one (1) law enforcement officer and the operator of the pickup truck. The shooting officer related to the incident was affiliated with FVPD. The operator of the pickup truck later died at a hospital as a result of his sustained gunshot wound injuries which turned the critical incident into a mandated officer-involved death (OID) investigation.

On September 03, 2019, a motor vehicle pursuit was initiated with the suspect operator of a pickup truck by an Appleton Police Department (APPD) police officer and a Wisconsin State Patrol (WSP) trooper for traffic-related offenses. The pursuit initiated in the City of Appleton. The pursuit was terminated shortly after it began. The suspect vehicle description was disseminated to local area law enforcement agencies. Minutes later, a FVPD patrol officer identified as Officer (Off.) Sam D. Pynenberg spotted the suspect vehicle. Upon attempting a traffic stop with the suspect operator/pickup truck, the operator eluded Off. Pynenberg and another pursuit began. When the suspect pickup truck operated into the aforementioned roundabout, it struck road signs and spun out. Off. Pynenberg directed felony stop procedure commands to the operator in order for the suspect to surrender. The operator disregarded Off. Pynenberg's verbal commands and operated the pickup truck at Off. Pynenberg. Off. Pynenberg reported, without any cover or anywhere to retreat to, Off. Pynenberg discharged his duty pistol at the operator of the pickup truck in order to attempt to stop the pickup truck from operating at Off. Pynenberg. The operator of the pickup truck operated past Off. Pynenberg's position and exited the roundabout. The operator ultimately stopped the pickup truck in the nearby commercial business area of Bassett Mechanical. After the operator exited from inside the pickup truck, the operator collapsed from a gunshot injury. The operator was handcuffed by other backup law enforcement officers and emergency medical treatment was offered to him. The operator was subsequently transported to a hospital by ambulance for emergency medical treatment. The operator later died at the hospital from his sustained gunshot wound injuries. The operator was identified as Eduard Alexis Lopez-Ucles.

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 (WSP), Technical Reconstruction Unit. DCI special agents were also assisted by the Kaukauna Police Department (KKPD), the Outagamie County Sheriff's Office (OUSO), the WSP and the Outagamie County Coroner's Office.

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 19-5257/44

Lopez-Ucles parents were identified by the DCI. Death notifications were made to Lopez-Ucles' family members on September 04 and 05, 2019. Wisconsin DOJ Office of Crime Victim Services (OCVS) and Outagamie County District Attorney's Office Victim/Witness assistance were offered to Lopez-Ucles' family members.

DCI special agents conducted the following case interviews: one (1) neighborhood canvass interview, 11 back-up law enforcement officer interviews and five (5) fire department/paramedic interviews. DCI special agents interviewed Off. Pynenberg on September 06, 2019.

During the investigation, one (1) law enforcement body-worn video camera recording was seized and extracted for examination. The video recording depicted the aftermath of the critical incident and did not capture the actual critical incident. DCI special agents examined five (5) additional law enforcement officer body camera recordings and two (2) commercial business surveillance camera recordings related to the critical incident which involved Lopez-Ucles.

DCI special agents collected and maintained all articles of case evidence. Evidence that was seized during the investigation included: Lopez-Ucles' body, a pickup truck, a firearm pistol, fired bullet casings, recovered fired bullets, video recordings, clothing articles, personal effects, biological specimens, forensic evidence and other miscellaneous articles of evidence.

An autopsy of Lopez-Ucles was performed at the Milwaukee County Medical Examiner's Laboratory on September 04, 2019 by Milwaukee County Deputy Chief Medical Examiner and forensic pathologist, Dr. P. Douglas Kelley, MD. The autopsy revealed Lopez-Ucles died as a result of injuries sustained by one (1) gunshot wound during the engagement with law enforcement.

On October 02, 2019, the completed DCI investigative file, as of that date, was submitted to the Outagamie County District Attorney's Office for the legal review of the case.