

SYNOPSIS REPORT FOR OFFICER-INVOLVED DEATH OF ELDER MELGAR

On Saturday, May 09, 2020, the Wisconsin Department of Justice (DOJ) - Division of Criminal Investigation (DCI) received a formal request from the Green Bay Police Department (GBPD) to investigate an officer-involved death (OID). The incident occurred at an apartment complex identified as the Royal Oak Apartments located at 2817 University Avenue, Green Bay, Brown County, Wisconsin. During an on-going domestic-related confrontation, an individual identified as Elder Melgar was shot by law enforcement and died as a result of gunshot wound injuries sustained during the incident.

On Saturday, May 09, 2020, the GBPD was called to investigate a domestic confrontation that had been reported to be occurring inside an apartment at Royal Oak Apartments. By report, a female resident had been inside her master bedroom while talking with Melgar. The female's ex-boyfriend (and father to two [2] of her children) unlawfully entered the apartment without consent or permission. The ex-boyfriend armed himself with a knife from inside the apartment. The ex-boyfriend then forced his way inside the master bedroom and confronted the female resident and Melgar. In an attempt to keep the ex-boyfriend away, Melgar discharged a "warning shot" from a handgun. The female immediately evacuated from inside the apartment and drove to a nearby convenience store where she called 911 and summoned law enforcement intervention.

Numerous GBPD law enforcement officers arrived at the apartment complex in order to intervene. Moments later, officers observed Melgar outside in the parking lot area of the apartment complex. Melgar was observed by law enforcement officers discharging his handgun at the ex-boyfriend who was also outside in the parking lot. As law enforcement officers observed Melgar shooting at the ex-boyfriend, two (2) GBPD officers identified as Roman Trimberger and Nicholas Walvort discharged their patrol rifles at Melgar. Law enforcement officers discharged their rifles a combined four (4) times at Melgar in order to stop him from continuing to shoot at the ex-boyfriend. Law enforcement officers discharged their rifles at Melgar at approximately 2:58 a.m. Melgar immediately became incapacitated and unresponsive at the scene. A few minutes later, officers approached Melgar by means of a GBPD armored law enforcement vehicle. Law enforcement officers restrained Melgar after a handgun was removed from his right hand. Officers attempted to perform first-aid upon Melgar. It was determined that Melgar died at the scene as a result of being shot by law enforcement. During the event, the ex-boyfriend escaped into a nearby woods behind the apartment complex. The ex-boyfriend was subsequently taken into custody by law enforcement officers.

DCI Special Agent (S/A) Yerges was assigned as the lead case investigator and DCI S/A Kust was assigned as the secondary case investigator. DCI special agents received scene assistance from the Wisconsin State Patrol, Technical Reconstruction Unit. DCI special agents were also assisted by the Dane County Coroner's Office and the Brown County District Attorney's Office.

Melgar's estranged spouse was identified by the DCI. A death notification was made to Melgar's spouse on May 09, 2020. The spouse was offered support services and assistance by the DOJ - Office of Crime Victim Services (OCVS).

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DCI special agents conducted the following case interviews: seven (7) citizen-witness interviews during the neighborhood canvass, one (1) attempted follow-up citizen-witness interview, two (2) primary involved law enforcement interviews, four (4) related law enforcement interviews and two (2) Green Bay Fire Department paramedic interviews. DCI special agents interviewed Officer Trimberger and Officer Walvort on May 13, 2020.

During the investigation, four (4) law enforcement patrol vehicle digital recordings were acquired and one (1) armored vehicle video recording was acquired for examinations of the event. The apartment complex video surveillance recordings and a convenience store video surveillance recording were acquired for examinations of the event.

DCI special agents collected and maintained all articles of case evidence. Evidence that was seized during the investigation included: Melgar's body, one (1) motor vehicle, six (6) firearms, a holster, fired bullet casings, fired bullets, extracted bullets, assorted ammunition, audio and video recordings, cellular telephones, United States currency, knife blade covers, clothing articles, personal effects, biological specimens, forensic evidence and other miscellaneous articles of evidence.

An autopsy upon Melgar was performed at the Dane County Medical Examiner's Office on Sunday, May 10, 2020 by Forensic Pathologist, Dr. Eli Goodman, MD. Melgar died as a result of three (3) gunshot wound injuries sustained to the head and torso during the described event.

On June 08, 2020, the completed DCI investigative file, as of that date, was submitted to the Brown County District Attorney's Office for the legal review of the case.