

**MINNEAPOLIS POLICE DEPARTMENT  
INTERNAL AFFAIRS COMPLAINT FORM #3401**

**COMPLAINT INFORMATION**

INTERNAL AFFAIRS CASE NUMBER: <b>13-17306</b>	CCN: <b>N/A</b>	DATE OF INCIDENT: <b>06/29/2013</b>	TIME OF INCIDENT: <b>0000-0323</b>
LOCATION OF INCIDENT: <b>Green Bay, WI</b>	DATE OF COMPLAINT <b>07/23/2013</b>	REFERRAL METHOD: <b>Police Agency</b>	
COMPLAINANTS NAME (LAST, FIRST MIDDLE)	SEX M <input type="checkbox"/> F <input type="checkbox"/>	RACE:	DATE OF BIRTH:
HOME ADDRESS:	CITY / STATE / ZIP:	TELEPHONE:	

**POLICY INFORMATION**

POLICIES ALLEGED TO BE VIOLATED:

**3-303, 5-101.01, 5-102, 5-103, 5-105.4, 5-105.7, 5-105.13, 5-105.14, 5-105.15, 5-102.01,**

**ACCUSED EMPLOYEE(S)**

NAME/BADGE:

**Officer Brian Thole Badge #7166**

**COMPLAINT ALLEGATIONS**

It is alleged that Officer Thole was involved in a disorderly conduct disturbance on 06/29/2013, at 0117 hours, in the city of Green Bay, WI. During contact with uniformed officers of the Green Bay Police Department prior to, during, and after the disturbance, Officer Thole is alleged to have engaged in off-duty conduct that tarnished/offended the ethical standards of the department (admitting to punching a citizen during the disturbance), interfered with an on-scene criminal investigation conducted by GBPD, failed to notify chain of command that he was listed as a suspect in a GBPD police report, used derogatory language/actions towards GBPD officers, publicly criticized an employee of the department in a defamatory/obscene way with knowing disregard for the truth, used the term "nigger" prior to the disturbance while conversing with a uniformed GBPD officer, and did not adhere to the MN Law Enforcement Code of Ethics, which states an Officer will keep their private life unsullied, maintain calm in the face of danger, scorn or ridicule, maintain self-restraint, and be exemplary in obeying the laws of the land and regulations of their department. It is also alleged that Officer Thole submitted time records into WorkForce Director that resulted him in being paid for time he did not actually work on 06/28/2013.

**RECOMMENDATION**

(Preliminary Cases Only)

- ☐ Reckoning Period Expired Before Complaint was Filed
- ☐ No Basis for Complaint
- ☐ Closed Pending Further Information
- ☐ Refer to Precinct with Coaching Documentation
- ☐ Exceptionally Cleared
- ☐ Policy Failure
- ☐ Other

COMPLAINANT SIGNATURE:

**13.43 - Personnel Data**

DATE

**7-23-13**

COMMANDER REVIEW:

DATE



## **MINNEAPOLIS POLICE DEPARTMENT**

Internal Affairs Unit  
Administrative Case #13-17306  
Sgt. Thomas Schmid  
September 27, 2013

### **CASE BACKGROUND**

This administrative investigation commenced on 07/23/2013, after Green Bay Police Department (GBPD) forwarded to the MPD Internal Affairs Unit, GBPD Case Report #13-208448/Incident #13-039973, a GBPD police incident involving Minneapolis Police Officer Brian Thole (Badge #7166) and Shawn Powell (Badge #5792). This specific investigation will focus on Officer Brian Thole's involvement in the disturbance that took place at the intersection of S. Washington St./Doty St. in Green Bay, WI on June 29, 2013 at approximately 0117 hours (See IAU Case #13-17307 regarding Officer Shawn Powell's involvement in the same incident).

Prior to GBPD's response to the reported disturbance incident involving MPD/Thole and Powell, GBPD/Allen had met MPD/Thole and Powell earlier in the evening outside the Sardine Can Bar and stated MPD/Thole made a comment to him, while pointing at a 1980's Classic Caprice with large, chrome rims being driven by a black male, "What is that? Green Bay is too nigger friendly."

Regarding the actual disturbance incident, GBPD reports state that MPD/Thole was in a verbal argument with 8-10 other individuals in the crosswalk at the above referenced incident intersection. MPD/Thole told on scene GBPD officers that he had been assaulted by a group of 4 to 9 black males that were no longer at the scene,

and that he had identified himself as a police officer to these males, and then openly admitted to punching one of the black males in the face and stated he would do it again. MPD/Thole identified himself as a police officer to GBPD officers, and would not follow simple instructions being given by GBPD officers and continued to provoke the argument from across the street. During GBPD/Denney's attempt to deescalate MPD/Thole's behavior and find out what happened, MPD/Thole had said "these dudes were doing their little monkey thing", that they came up on him, and said "I fucking punched one of them."

Based on MPD/Thole admitting his part in an assault, GBPD officers asked MPD/Thole for his identification. MPD/Thole was upset that he was being identified for a police report and stated this was a big deal because he has "a lesbian fucking chief that's looking to fire people for any reason". GBPD reports state that it was evident MPD/Thole expected preferential treatment because he was a police officer, stating he pointed out several times that he was a Minneapolis **13.43** officer. MPD/Thole made derogatory comments about GBPD officers at the incident scene and about GBPD in general, specifically stating that GBPD was "a clown show", "they don't know what the fuck their doing", and "fuck off" to a uniformed GBPD officer. MPD/Thole was suspected of being intoxicated and impaired, and his behavior was causing a disturbance in a public place, causing people who were walking by, to stop and stare.

MPD/Thole then showed up in the lobby of the GBPD at approximately 0215 hours with MPD/Powell. GBPD/Lt. Mahoney (on-scene supervisor) stated he confronted both officers in regards to using the word "nigger", to which MPD/Thole stated it was his first amendment right to say whatever he wants and that he could not be charged for calling someone a "nigger". MPD/Thole was told by GBPD/Mahoney to leave the police station or he would be going to jail. MPD/Thole left the police station with MPD/Powell. GBPD/Lt. Opperman (shift commander) stated MPD/Thole's behavior showed a high level of disrespect for GBPD officers and his (MPD/Thole) position as an off duty MPD officer.

## CASE INVESTIGATION

### Green Bay Police Department Case #13-208448/Incident #13-039973

Green Bay Police Department Case #13-208448/Incident #13-039973 documented a disturbance on 06/29/2013, from 01:17 AM to 03:30 AM that occurred at South Washington St./Doty St., Green Bay, WI 54301. The listed offense in the report is "Disorderly Conduct." Individuals listed in the report are:

- ♦ Powell, Shawn Gregory, 13.43 - Personnel Data Suspect Only
- ♦ Thole, Brian R, DOB [REDACTED], Suspect Only
- ♦ Garth, Robert Allen, DOB 10/02/1977, Other Party

CAD Incident Call remarks in the report are as follows:

- ♦ 6/29/2013 1:17:28 AM Incident Initiated by: BD/MR 79
- ♦ 6/29/2013 1:17:28 AM Initial Filed Initiate by GB/4C2 at 01:17:28 on 13/06/29
- ♦ 6/29/2013 1:23:43 AM GARTH/ROBERT A [REDACTED] 18 USC 2721 & 2725
- ♦ 6/29/2013 1:23:43 AM 4C3-MN THOLE BRIAN R [REDACTED] 13.43
- ♦ 6/29/2013 1:52:25 AM VERBAL DIST IN THE ROADWAY UPON OFFICERS ARRIVAL, BRIAN ADMITTED TO HITTING ANOTHER MALE, THAT MALE WAS GOA, BRIAN WAS VERBALLY UNCOOPERATIVE WITH OFFICERS AND DIDN'T WANT TO ID HIMSELF
- ♦ 6/29/2013 1:52:54 AM ROBERT WAS COOPERATIVE AND ONLY TRYING TO SEPARATE PARTIES INVOLVED
- ♦ 6/29/2013 1:53:38 AM Incident closed: 13/06/29 01:53
- ♦ 6/29/2013 1:53:38 AM Route Closed: MAIN 103
- ♦ 7/1/2013 11:16:46 PM Primary Event: MAIN Reopened: 13/07/01 23:16  
Last Closed: 13/06/29 01:53
- ♦ 7/1/2013 11:17:28 PM Route Closed: MAIN



The report contained a list of 5 COBAN Video Files as follows:

- ♦ COBAN File: SteveEMe@20130629011744-Squad: 072-OfficerID:SteveEMe
- ♦ COBAN File: EricAn@20130629011353-Squad: 068-OfficerID:EricAn
- ♦ COBAN File: TomDe@20130629011716-Squad: 060-OfficerID:TomDe
- ♦ COBAN File: JessicaHa@20130629011749-Squad: 064-OfficerID:JessicaHa
- ♦ COBAN File: KaitlynCz@20130629012036-Squad: 071-OfficerID:KaitlynCz

The report contained 13 GBPD supplements/narratives. The following are the summaries of the supplements provided by GBPD officers pertaining to the alleged incident involving MPD/Thole (and MPD/Powell), and shall not be considered verbatim unless indicated by quotations. For each complete officer narrative, refer to GBPD Case #13-208448/Incident #13-039973.

Supplement of GBPD Officer Eric Andrae

- ♦ Assigned uniform patrol Unit 4C2 with FTO GBPD/Korth.
  - ♦ At 1:17 A.M., traveling WB on Doty St. approaching S. Washington St. and observed 8 to 10 people in a verbal argument.
  - ♦ Activated emergency lights and observed some of the individuals involved in the disturbance leave northbound on foot.
  - ♦ Approached the 4 to 5 remaining people who were still actively engaged in a verbal argument.
  - ♦ Identified two white males and one black male. One of the 2 white males was identified as MPD/Thole. The black male was identified as Robert A. Garth
- 18 USC 2721 & 2725**
- ♦ MPD/Thole immediately stated while referring to the two black males, "these motherfuckers came down on us and I told them we were police officers."
  - ♦ MPD/Thole admitted to hitting one of the black males and stated he would do it again.
  - ♦ The group continued to argue and GBPD/Andrae attempted to separate both groups, but they were not separated until other officers arrived on scene.

Even when separated, MPD/Thole continued to provoke an argument from across the street.

- ♦ Civilian/Garth stated there was a prior disturbance and that he and his friend attempted to break it up. Civilian/Garth did not know what the prior disturbance was about. He stated MPD/Thole told him to "fuck off" and to "get out of our way." Civilian/Garth stated he simply was trying to be a peace maker and to break up the altercation from occurring because nobody needed to fight.
- ♦ Civilian/Garth was pushed during the disturbance, but was never hit. He stated the initial disturbance involved other people that had left the scene prior to police officers arrival, but that MPD/Thole became mad and the verbal disturbance continued between him, MPD/Thole and MPD/Powell.
- ♦ Officer Andrae noted that Civilian/Garth was cooperative and stated that nothing more than an argument took place. Civilian/Garth was sent on his way.

Supplement of GBPD Officer Robert Korth

- ♦ Assigned as plain clothes, field training officer, evaluating GBPD/Andrae.
- ♦ Observed a group of people congregated in the crosswalk at the intersection of Doty St./S. Washington St. and suspected a disturbance was starting.
- ♦ Heard a male in the group of people state "we're police officers, I punched him in the face, and I will do it again". This male was very agitated and GBPD/Korth requested more than one cover officer.
- ♦ There were two black males and two white males involved in the disturbance, all others had dispersed.
- ♦ GBPD/Denney arrives and makes contact with the agitated male.
- ♦ GBPD/Andrae talked with the two black males who were cooperative and not directly involved, only trying to break up the disturbance.
- ♦ GBPD/Korth walks over to GBPD/Denney, who was having a difficult time getting the two white males, who identified themselves as police officers, to follow simple instructions.

- ♦ GBPD/Korth was afraid that these males were going to start a physical confrontation with GBPD/Denney.
- ♦ GBPD/Korth observed GBPD/Denney trying to verbally diffuse the males from being verbal with the two black males that GBPD/Andrae was talking to.
- ♦ Other officers arrived on scene and GBPD/Korth observed, but could not hear, the conversations the two white males were having with the other officers, but he could see that they were not cooperating. They (white males) were waving their arms in the air, would walk away from officers, then turn right around and get verbal again.
- ♦ No victims were present at the scene, as the one male admitted to punching another male.
- ♦ All parties were sent on their way

Supplement of GBPD Officer Thomas Denney

- ♦ Dispatched at 0117 hours to assist GBPD/Andrae with a disturbance at the intersection of Doty St./S. Washington St. Upon arrival, GBPD/Denney observed MPD/Thole verbally arguing with Robert A Garth 10/2/77 and another black male.
- ♦ GBPD/Denney stated he immediately recognized MPD/Thole as he had spoken with him earlier in the night. During that earlier encounter, MPD/Thole had flagged GBPD/Denney down and told him that he was a Minneapolis police officer. MPD/Thole was looking for a cab to take him and MPD/Powell to the Sardine Can Bar. GBPD/Denney had dispatch send him a cab.
- ♦ Upon his arrival to the disturbance call, GBPD/Denney observed one of the black males and MPD/Thole push each other in the other ones chest.
- ♦ GBPD/Denney walks up to MPD/Thole and tells him to walk to the south side of Doty St. in an attempt to separate both parties and diffuse the disturbance.
- ♦ GBPD/Denney stated MPD/Thole said to him "we're cops", to which GBPD/Denney said he told MPD/Thole that he knew that.

- ♦ MPD/Thole eventually walked to the south side of Doty St.
- ♦ GBPD/Denney stated MPD/Thole said to him that the first thing an officer should do on scene is to not stabilize the situation, but to protect him or herself first.
- ♦ GBPD/Denney told MPD/Thole to walk to the other side of the street and that they no longer had to worry about being attacked since there were multiple officers on scene and the black males involved had separated themselves from MPD/Thole.
- ♦ Asking MPD/Thole on what had happened, GBPD/Denney stated MPD/Thole said "we fucking were walking down the street and these dudes were doing their little monkey thing, and they came up and said some shit, and we're like what, and he turns around and four of them come at us, and I fucking punched one of them."
- ♦ GBPD/Denney stated MPD/Thole said he punched a black male in white "clown glasses" and that he punched the male in order to protect himself because he thought he and MPD/Powell were about to be attacked by multiple individuals.
- ♦ MPD/Thole told GBPD/Denney that the male who MPD/Powell punched had left the scene and that the black males who were on scene when he (GBPD/Denney) arrived were not present when the disturbance started.
- ♦ MPD/Thole told GBPD/Denney that he said to one of the males "Dude, we're fucking cops". MPD/Thole ended up punching one of the black males shortly after that.
- ♦ GBPD/Denney asked MPD/Thole for his ID, and as MPD/Thole gave it to him, MPD/Thole said "You're going to add me in a call as a cop now". GBPD/Denney explained to MPD/Thole that it was important to document what had happened and who was involved. GBPD/Meisner and Jeanquart tried to calm MPD/Thole down, telling him it didn't have to be a big deal, but MPD/Thole replied "Are you kidding me?...We have a lesbian fucking chief...". GBPD/Denney stated MPD/Thole said some more things after that, but that he couldn't understand what he said.

- GBPD/Denney asked MPD/Thole if he wanted a report completed for this incident and for officers to attempt to identify people involved and potentially make arrests. MPD/Thole stated he didn't want anything done. MPD/Thole then walked away.

Supplement of GBPD Officer Michael Jeanquart

- At 0117 on 06/29/13, working Unit 3F2 as an FTO with GBPD/Meisner. GBPD/Jeanquart hears Unit 4C2 (GBPD/Andrae) call out a disturbance at Washington/Doty as well as GBPD/Korth, over the air, request other units to respond.
- Upon arrival, GBPD/Jeanquart observed two white males who were verbally confrontational with GBPD/Denney. Other units were across Doty St. talking to who GBPD/Jeanquart believed to be the other half of the disturbance.
- GBPD/Jeanquart approached GBPD/Denney and observed MPD/Thole being verbal with GBPD/Denney.
- GBPD/Jeanquart observed MPD/Thole getting upset with GBPD/Denney because GBPD/Denney was attempting to identify MPD/Thole after MPD/Thole admitted to punching a guy.
- GBPD/Jeanquart stated that at some point, MPD/Thole said "what a clown show". MPD/Thole was upset that his name was being "indexed", admitting that he punched a guy. MPD/Thole expressed that he didn't think it was right that his name would be in a report saying he punched someone.
- MPD/Thole stated "I'm not trying to be a dick, but wow, we get beat up by 9 fucking guys and we're the problem? Two small fucking white guys and you got a crowd of fucking black guys up there?"
- MPD/Thole was advised by GBPD/Meisner that if he had done nothing wrong, he had nothing to worry about. MPD/Thole responded by saying he works for Minneapolis PD full time on the **13.43**, and this was a big deal because he has "a lesbian fucking chief, whose looking for any reason...". GBPD/Jeanquart interrupted MPD/Thole and told him that maybe he

shouldn't have been out here then. MPD/Thole agreed and said he would never come back.

- ♦ MPD/Thole asked GBPD/Jeanquart "how long you been a cop?" to which GBPD/Jeanquart responded back to him "long enough to know that I don't have to put up with this shit from you, all right?" MPD/Thole continued to be argumentative and said "I'm not trying to be a dick to you." GBPD/Jeanquart told MPD/Thole he was, and then MPD/Thole responded "you're right...you're right...I am a dick...enjoy your fucking city."
- ♦ Before GBPD/Jeanquart left the scene, he heard GBPD/Denney and Mahoney clarify that MPD/Thole did not want this incident investigated further.
- ♦ As MPD/Thole walked away from the scene, GBPD/Jeanquart was in his squad car with the window down talking to GBPD/Mahoney. GBPD/Meisner was outside the passenger door and stated to him that MPD/Thole told him (GBPD/Meisner) to "fuck off."
- ♦ GBPD/Jeanquart also said GBPD/Meisner told him that MPD/Thole had "flipped off" GBPD/Knutson as he drove by them.
- ♦ GBPD/Jeanquart stated that during the contact with MPD/Thole, it was evident that he expected preferential treatment because he was a police officer. MPD/Thole pointed out several times that he was a full time 13.43 officer in Minneapolis and several times made derogatory comments about the GBPD officers that were handling the call and GBPD in general.
- ♦ GBPD/Jeanquart stated it was evident that MPD/Thole had been drinking and that his judgment was impaired. During the contact, several people were walking by staring, evidence that his behavior was causing a disturbance.
- ♦ Later, GBPD/Jeanquart came into the police department and heard yelling in the lobby and observed MPD/Thole and MPD/Powell in the lobby with GBPD/Mahoney, Opperman and Allen.

Supplement of GBPD Officer Steven Meisner

- ♦ GBPD/Meisner was on patrol and heard officers call out a disturbance on S. Washington St./Doty St.
- ♦ Upon arrival, GBPD/Meisner overheard two males, one of them later identified as Minneapolis Police Officer MPD/Thole, yelling loudly at GBPD/Denney.
- ♦ GBPD/Meisner overheard MPD/Thole say he punched someone in the face because he was surrounded by "nine fucking guys"; that officers were not talking to the right people, and the person who had come at him was now gone.
- ♦ GBPD/Meisner observed GBPD/Denney ask MPD/Thole for his ID to index him with teletype and add it to the report in case a person came in to report an assault later. MPD/Thole argued with GBPD/Denney for some time and made reference that the GBPD was "a clown show".
- ♦ As GBPD/Denney walked away, MPD/Thole walked towards GBPD/Meisner and said "I'm not trying to be a dick...but wow...I got beat up by 9 fucking guys and we're the problem...two fucking small white guys and a crowd of fucking black guys".
- ♦ GBPD/Meisner told MPD/Thole that he had showed up after everything happened and that he wasn't looking to start in on it with him. MPD/Thole was upset that his name was going to be included in a police report. GBPD/Meisner told MPD/Thole that if he did nothing wrong, he should have nothing to worry about. MPD/Thole replied to GBPD/Meisner, saying "really, put your name in a police report saying you punched a guy and tell me nothing's gonna come from that".
- ♦ GBPD/Meisner asked MPD/Thole where he worked and he replied by saying Minneapolis, full time with the **13.43** GBPD/Meisner tried to calm MPD/Thole down, telling him it shouldn't be a big deal. MPD/Thole replied "are you kidding me, we have a lesbian fucking Chief that's looking to fire people for any reason."

- ♦ GBPD/Jeanquart interjected and stated to MPD/Thole that maybe he shouldn't be out here then. MPD/Thole agreed and explained that he was not that drunk and that he would never come back. MPD/Thole then asked GBPD/Jeanquart "how long you been a cop?" GBPD/Jeanquart paused, and then MPD/Thole said "exactly".
- ♦ GBPD/Jeanquart explained to MPD/Thole that he didn't have to take disrespect from MPD/Thole and MPD/Thole said he was not trying to be a "dick" to GBPD/Jeanquart, but MPD/Thole later said "you're right, I am a dick, enjoy your fucking city".
- ♦ MPD/Thole then walked away and spoke with Officers Knetzger.
- ♦ GBPD/Meisner stated that eventually MPD/Thole walked away and told officers to "fuck off" and continued to yell and create a disruption in public which caused numerous people to stare at what was going on.
- ♦ Moments after MPD/Thole left, GBPD/Knutson stopped by GBPD/Meisner and asked him who the two people walking away were. GBPD/Meisner explained to GBPD/Knutson on what had happened and GBPD/Knutson said that MPD/Thole displayed his middle finger to him as he drove by them.

Supplement of GBPD Officer Michael Knetzger

- ♦ GBPD/Knetzger was working with GBPD/Czarnecki on Unit 3F3 and responded to the area of Doty St./S. Washington St. where other officers had called out with a disturbance and had requested additional units.
- ♦ While on scene, an MPD officer introduced himself to GBPD/Knetzger as Officer MPD/Thole. MPD/Thole appeared intoxicated and upset over what just happened.
- ♦ MPD/Thole told GBPD/Knetzger that he (MPD/Thole) was walking on S. Washington St. when a black male bumped into him. MPD/Thole and the black male exchanged words and MPD/Thole identified himself as a "police officer" to the black male. The black male approached MPD/Thole, puffing his chest out and "came up at him (MPD/Thole)". MPD/Thole stated to



GBPD/Knetzger "I'm not going to let a dude come up on me like he's going to fight and I punched him in the face".

- ♦ MPD/Thole was adamant about not having his name placed in any police report and didn't want anything further done regarding the disturbance.
- ♦ GBPD/Knetzger did observe other GBPD officers speaking with some black male subjects at the NE corner of the intersection, believing them to be the other half of the disturbance.

Supplement of GBPD Officer Kaitlyn Czarnecki

- ♦ GBPD/Czarnecki was working with GBPD/Knetzger and responded to the intersection of S. Washington St./Doty St.
- ♦ Upon arrival, GBPD/Czarnecki observed two white males who appeared to be very upset standing with other officers on the SE corner of S. Washington St./Doty Street. One of the males was yelling and pointing his finger towards a group of black males who were standing on the SW corner of S. Washington St./Doty Street.
- ♦ GBPD/Czarnecki approached the group of black males talking with GBPD/Andrae and stood by as a cover officer. She heard the black male's state that they were trying to break up a fight that occurred between the white males and another group of individuals that had since run north on S. Washington St.. GBPD/Andrae advised that the black males could leave the scene.
- ♦ GBPD/Czarnecki then joined up with her partner, GBPD/Knetzger, who was speaking with the white males.
- ♦ GBPD/Czarnecki stated MPD/Thole said he was trying to walk home when four "dudes" walked past him, and the "dude" with the white glasses bumped him. The guy in the white glasses turned around and asked him if they were "fucking tough". MPD/Thole told the guy "dude, we're cops...go the fuck away". The guy in the white glasses then asked if he was "fucking bad ass" and then bumped out his chest. MPD/Thole motioned this by puffing his chest out and bringing both of his arms slightly behind his back with his

palms facing forwards. MPD/Thole then said he hit the guy in the glasses. After hitting the guy in the glasses, MPD/Thole said all of the guy's friends started to surround him and MPD/Powell. This is when GBPD officers arrived and grabbed him.

- ♦ GBPD/Czarnecki stated that MPD/Thole was very upset and stated "I'm not trying to be racist, but there is a very big discretion between the two, there is fucking two white guys and twelve black guys...where do you think the problem lays"?
- ♦ GBPD/Czarnecki stated MPD/Thole was upset that other officers tried to index him and put his name into the call notes. MPD/Thole thought that indexing his name was not needed because he was an officer himself.
- ♦ MPD/Thole left the scene on foot southbound on S. Washington St. and after he left, another officer advised GBPD/Czarnecki and her partner, GBPD/Knetzger, that MPD/Thole gave him the finger.

#### Supplement of GBPD Officer Nathan Allen

- ♦ GBPD/Allen stated he received a text on 06/28/13, at 23:26 from MPD/Powell, asking him if he was working. GBPD/Allen responded to MPD/Powell's text, asking him how he was and where he was, assuming MPD/Powell was in Green Bay. MPD/Powell then called GBPD/Allen on his phone at 23:48 and had a 3 minute conversation with him. GBPD/Allen stated MPD/Powell and MPD/Thole were taking a cab to the Sardine Can Bar. GBPD/Allen told MPD/Powell he would stop down after wrapping up a traffic stop.
- ♦ GBPD/Allen met with and talked to MPD/Powell and MPD/Thole outside the Sardine Can Bar. MPD/Powell introduced MPD/Thole to GBPD/Allen. While standing outside with MPD/Powell and MPD/Thole, an older 1980's Caprice Classic raised up with large chrome rims and tires, with a black male driver in it, drove south on Broadway St. past the Sardine Can Bar. MPD/Thole made the comment while pointing at the car, "What is that? Green Bay is too nigger friendly".

- ♦ GBPD/Allen stated he wasn't sure what to make of the comment, or what MPD/Thole meant? GBPD/Allen then left MPD/Powell and MPD/Thole at the Sardine Can Bar but told them prior to leaving, that if they needed a ride back to the hotel at St. Brendan's Inn, to call him.
- ♦ At 0300 hours, GBPD/Allen was notified by GBPD/Mahoney that MPD/Powell was in the lobby and wanted to talk about the incident that happened downtown. As GBPD/Allen arrived at the station, he stated that he found MPD/Powell, MPD/Thole, GBPD/Mahoney and Opperman in a verbal argument.
- ♦ GBPD/Mahoney advised MPD/Powell and MPD/Thole the best thing they could do is leave the PD and go back to their hotel. MPD/Thole took MPD/Powell out of the lobby and left north on S. Adams.

Supplement of GBPD Officer Jessica Harren

- ♦ At 0117 hours on 06/29/13, GBPD/Harren was working Unit 4D3 and responded to a physical disturbance at S. Washington St./Doty St.
- ♦ Upon arrival, several officers were already on scene and the involved parties had been separated.
- ♦ GBPD/Knetzger, Denney and Mahoney were speaking to two males on the SE corner of the intersection. GBPD/Harren stated she was informed by GBPD/Korth, that the disturbance involved officers from another agency.
- ♦ GBPD/Harren was not aware of any details about the disturbance as she was cleared from the call shortly after her arrival.

Supplement of GBPD Officer Matthew Knutson

- ♦ Between 0120 hours and 0130 hours, GBPD/Knutson was working a marked squad, in full uniform, Unit 4C1.
- ♦ As GBPD/Knutson drove north on S. Washington St., just passing the Chase Bank parking lot, he observed two males walking south.
- ♦ One male was white, wearing a white t-shirt with graphics on it and a hat.

- ♦ GBPD/Knutson's attention was drawn to this male, because as he drove by him, the male extended his right hand and flipped him off, staring him down. The males then looked as they were going to cross the street after he passed them.
- ♦ GBPD/Knutson observed that there were two squads with their emergency lights activated on Doty St., just east of Washington St. GBPD/Knutson made contact with these officers and asked them if the male who was just walking south (describing him) was part of their incident. The officers informed GBPD/Knutson that he was, and then GBPD/Knutson told them that he had flipped him off as he drove past him for no apparent reason.

Supplement of GBPD Lieutenant Steven Mahoney

- ♦ GBPD/Mahoney composed a memo informing GBPD/Captain Muraski of an incident involving former GBPD Officer Shawn Powell, now MPD/Powell, and his current MPD partner, MPD/Thole.
- ♦ The memo stated on 06/29/2013, at approximately 0117 hours, GBPD/Andrae called out with a disturbance at Washington St./Doty St. GBPD/Andrae is in the shadow phase of his Field Training and GBPD/Korth was in plain clothes with him.
- ♦ GBPD/Denney was dispatched to the call; GBPD/Korth asked for additional units; Dispatch sent GBPD/Harren the call; GBPD/Mahoney asked to be placed on the call and responded to the incident.
- ♦ Upon arrival, GBPD/Mahoney observed GBPD/Denney speaking with MPD/Thole. MPD/Thole was very animated and was saying that he was a cop and didn't want his name ran or associated with any report.
- ♦ Both MPD/Powell and Thole continued to identify themselves as Minneapolis cops and that this would never happen over there.
- ♦ GBPD/Mahoney advised MPD/Powell and Thole it was in their best interest to walk away or they would be arrested.
- ♦ GBPD/Mahoney talked to all the officers on scene and all said that MPD/Powell and Thole were very belligerent. GBPD/Mahoney did not

remember what officer told him, but an officer did tell him that either MPD/Powell or Thole made the comment that Green Bay is "too nigger friendly".

- ♦ One hour after the initial incident, GBPD/Mahoney was advised by GBPD/Opperman (shift commander) that MPD/Powell and Thole were in the GBPD lobby. GBPD/Opperman stated they (Powell/Thole) didn't want to get any officer in trouble, they just wanted to talk.
- ♦ GBPD/Mahoney informed GBPD/Opperman what had happened out on the scene.
- ♦ Upon arrival at the PD, GBPD/Mahoney observed MPD/Thole in the lobby with MPD/Powell and GBPD/Opperman.
- ♦ GBPD/Mahoney advised both MPD/Powell and Thole that from the information they got, that they (Powell/Thole) were the cause of the disturbance, so that if anyone was going to be charged, it would be them. Both MPD/Powell and Thole said that was "fucking bullshit". MPD/Thole had said he was acting in self-defense, even though MPD/Thole admitted to throwing the first punch.
- ♦ GBPD/Mahoney told them (Powell and Thole) that GBPD believed that they were using the term "nigger" throughout the night and that would cause the disturbance. MPD/Thole replied back, saying it was his first amendment right to say whatever he wants and that he could not be charged for calling someone a "nigger". GBPD/Mahoney told MPD/Thole he was wrong.
- ♦ GBPD/Mahoney told MPD/Powell and Thole they both needed to leave or they would be going to jail. MPD/Powell and Thole then left the PD.

Supplement of GBPD Lieutenant Thomas Buchmann

- ♦ On 06/29/13, between 0200 hours and 0230 hours, GBPD/Buchmann was driving past the GBPD and observed GBPD/Opperman inside the lobby with two males. One of the males, MPD/Powell, appeared to be agitated, as he was waving his arms in the air while talking to GBPD/Opperman. GBPD/Buchmann believed that there was possibly a disturbance going on in

the lobby, so he stopped to see if GBPD/Opperman needed any assistance or back-up.

- ♦ Now inside the lobby, GBPD/Buchmann saw MPD/Powell arguing with GBPD/Opperman. MPD/Powell and Thole appeared to be intoxicated by their demeanor. MPD/Powell was doing most of the talking in a raised tone, showing that he was upset with something.
- ♦ It was evident to GBPD/Buchmann that early on in the conversation, GBPD/Opperman knew MPD/Powell personally, as he was talking to MPD/Powell on a first name basis.
- ♦ MPD/Powell was stating that he and MPD/Thole were jumped and were upset because there were 9 police officers on the scene and nobody arrested the men that jumped them.
- ♦ GBPD/Opperman calmly told MPD/Powell and Thole that it was his understanding that they were furthering the disturbance on the original scene by not obeying directions given to them by the police officers.
- ♦ GBPD/Mahoney then entered the PD lobby. Understanding that GBPD/Mahoney knew about the original incident and that GBPD/Opperman was able to handle the situation because he knew MPD/Powell personally, GBPD/Buchmann left the lobby to handle an emergency call that came over the radio.
- ♦ GBPD/Buchmann was present in the lobby for 2 minutes and did not hear anything during that time that was overly or overtly offensive or demeaning. It appeared to GBPD/Buchmann that MPD/Powell was upset about an earlier incident, and GBPD/Opperman was trying to explain to him that he (Powell) was making the problem worse and was lucky he was not arrested earlier in the night.

Supplement of GBPD Lieutenant Andrew Opperman

- ♦ GBPD/Opperman composed a memo informing GBPD/Captain Muraski of an incident involving former GBPD Officer Shawn Powell, now MPD/Powell, and his current MPD partner, MPD/Thole.

- ♦ GBPD/Opperman was the shift commander on 06/29/13. At around 0215 hours to 0230 hours, MPD/Powell and Thole showed up in the lobby of the GBPD. GBPD/Opperman thought MPD/Powell was there to visit, so he went out into the lobby to speak with them.
- ♦ MPD/Powell and Thole told GBPD/Opperman that they were walking and had walked past a group of 9 black males, and believe there were some words exchanged or looks given, that started the disturbance.
- ♦ MPD/Thole told GBPD/Opperman that he had advised the group of black males that he was a cop and that the males better knock it off. MPD/Thole then stated one of the males "came at him" and imitated the male chest bumping MPD/Thole. MPD/Thole stated that he then hit the male and the fight was on.
- ♦ MPD/Thole and Powell claimed when the GBPD cops showed up, the males involved had already left, but two males who were not involved in the fight, showed up as police arrived on the scene.
- ♦ MPD/Thole claimed a GBPD officer told him to stop being a "dick" and thought that was unprofessional.
- ♦ MPD/Powell and Thole were upset because they believed GBPD officers allowed the suspects to walk away.
- ♦ GBPD/Opperman informed MPD/Thole that he threw the first punch, but MPD/Thole claimed self-defense.
- ♦ GBPD/Opperman asked MPD/Powell and Thole that they allow him to talk with officers who were at the scene.
- ♦ GBPD/Opperman then returned to his desk and spoke with GBPD/Denney (who was now at the station) and GBPD/Mahoney (on-scene supervisor) over the phone. GBPD/Opperman stated MPD/Powell left out information as to what had happened, after just hearing what GBPD/Denney and GBPD/Mahoney told him.
- ♦ GBPD/Denney informed GBPD/Opperman that he tried to have MPD/Powell and Thole go to the other side of the street for separation, but they kept yelling. GBPD/Mahoney told GBPD/Opperman over the phone that he would

come and speak with MPD/Powell and Thole as he was on scene during the disturbance.

- ♦ As GBPD/Opperman was speaking with MPD/Powell and Thole, GBPD/Buchmann and GBPD/Mahoney arrived. GBPD/Mahoney attempted to explain the situation to MPD/Powell and Thole, and at one point confronted MPD/Powell and Thole on using the "N" word during the disturbance. MPD/Thole then stated it was freedom of speech. GBPD/Opperman told MPD/Thole that it was not if it created a disturbance.
- ♦ The discussion was going nowhere and GBPD/Mahoney advised both MPD/Powell and Thole to leave, and they did.
- ♦ GBPD/Opperman stated he was not impressed with MPD/Thole's behavior, and felt he showed a high level of disrespect for the GBPD officers and his (MPD/Thole) position as an off duty officer.

#### **Green Bay Police Department COBAN Squad Audio/Video Summary**

I observed the Green Bay Police Department Squad Audio/Video footage that was forwarded to MPD IAU regarding the alleged disturbance incident taking place on 06/29/2013, involving MPD/Thole. There are a total of 5 independent GBPD squad audio/video recordings of the disturbance incident. The original videos were property inventoried under IAU PI Case #13-002242. The following is a summary account of what is audio/video recorded of MPD/Thole's actions and/or conduct.

##### **➤ Squad Audio/Video – GBPD Officer Eric Andrae**

- 06/29/2013 01:14:40, MPD/Thole (wearing blue jeans and a dark colored t-shirt with a black logo on the front) engages GBPD/Andrae and states "these motherfuckers right here, fucking came down on us...I told them we're police officers and stay the fuck away and he charged me and I punched him...and I'll do it again."
- 06/29/2013 01:15:03, B/M wearing black dress pants, black dress shirt (later identified as Civilian/Higgs), lightly puts his hands on



MPD/ Thole's chest and then they push each other, using both hands, away from one another.

- 06/29/2013 01:15:27, MPD/Thole approaches GBPD/Denney, who then begins to physically push MPD/Thole back.

➤ Squad Audio/Video – GBPD Officer Thomas Denney

- 06/29/2013 01:17:48, B/M dressed in all black puts both hands on MPD Thole's chest and lightly pushes MPD/Thole back. MPD/Thole responds immediately pushing back at the B/M. The verbal argument between the parties continues.
- 06/29/2013 01:17:56-01:18:14, GBPD/Denney enters the video and walks up to MPD/Thole and physically pushes him back, trying to separate him from the other parties. He tells MPD/Thole "just go way over there...(inaudible)" and points to the south side of Doty St. MPD/Thole and Powell begin to slowly walk to the corner on the south side of Doty St
- 06/29/2013 01:18:20-25, MPD/Thole approaches GBPD/Denney and states "we're cops...we're cops." GBPD/Denney tells MPD/Thole he knows that.
- 06/29/2013 01:18:25-38, Both MPD/Powell and Thole are yelling at GBPD/Denney. GBPD/Denney asks them "why you giving me such a hard time?" MPD/Thole or Powell responds "we're not giving you a hard time." GBPD/Denney stated "I asked you a couple of times to go stand over there", while pointing to the corner on the south side of Doty St.
- 06/29/2013 01:19:12-20, GBPD/Denney states to MPD/Powell and Thole "What do we do first...we stabilize." A voice sounding like MPD/Thole responds back "we don't stabilize...(inaudible)."
- 06/29/2013 01:19:26-50, A voice resembling MPD/Thole's yells "It's protecting yourself...what's the first line of defense...protect yourself...(inaudible)...are you kidding me." GBPD/Denney then asks

what had happened. MPD/Thole states "we fucking were walking down the street and these dudes were doing their little monkey thing and they came up and said some shit...and we're like what...and he turns around and four of them come at us...and I fucking punched one of them...so then nine of them come at us...what are we supposed to do dude, like, are you kidding me."

- 06/29/2013 01:19:50-01:20:05, GBPD/Denney asked MPD/Thole which one he punched. MPD/Thole stated "I don't know...the one in the white clown glasses...his little buddy...the guy that's standing around going 'you just fucking punched me in the face'...absolutely I did...are you fucking kidding me."

- 06/29/2013 01:20:05-24, GBPD/Denney asks "where's the guy in the white clown glasses." MPD/Thole states "there's a group of 'em right there...you can't miss the fucking clown square glasses." Someone asked the question if they saw someone in white clown square glasses, then MPD/Thole stated "These two right here on the corner...they were not even here when it started...they came up because they seen white on black...like they were not even here."

- 06/29/2013 01:20:24-58, MPD/Thole stated "It's a dude in a fucking light blue baby shirt, some white clown...like whatever those...I don't even know what they call 'em...eye gogs or whatever. He was the dude that started talking shit...he came back and I turned at him and I go 'dude, we're fucking cops...go away'...and his buddies come at me and he goes 'you're a cop'...and I went 'yeah'...and I fucking punched him. Dude, you're not gonna...like seriously...I just told you I'm a cop...like step away from me." When asked again if he punched someone, MPD/Thole stated "Absolutely I did...like what the fuck man...he (MPD/Powell) used to be a cop here...what the fuck is going on with this town."

- 06/29/2013 01:20:58-01:21:08, GBPD/Denney begins to explain to MPD/Thole that the problem he was having, was that he

(MPD/Powell) was yelling at him (GBPD/Denney) as he was trying to talk to him and that he wouldn't go to the corner. MPD/Thole stated "I get it...but you gotta understand right now...like he's (MPD/Powell) embarrassed right now...(inaudible)...he used to be a Green Bay cop."

- 06/29/2013 01:21:08-16, GBPD/Denney tells MPD/Thole that he should know, being a cop, what goes on in a disturbance. MPD/Thole replied "Don't kid yourself, we don't...like...we don't...in Minneapolis, this shit doesn't happen."
- 06/29/2013 01:21:16-01:22:01, GBPD/Denny asks MPD/Thole for some identification. MPD/Thole states "What'd we do wrong? Absolutely I do...what do you want, military, police, civilian? After a brief pause, MPD/Thole states "So you're gonna add me in a call as a cop now...that's fucking awesome." GBPD/Denney explained to MPD/Thole that he told him he punched a guy. MPD/Thole stated "Absolutely I did...outta self-defense." GBPD/Denney continues and tells MPD/Thole he needed to document what happened.
- 06/29/2013 01:22:01-09, MPD/Thole comments to MPD/Powell, "Dude, now I know why you left this town." MPD/Powell yells out "Dexter" then MPD/Thole says "Shawn, Shawn...let it go dude."
- 06/29/2013 01:22:09-28, MPD/Thole makes the comment "Wow dude, what a clown show." MPD/Thole also states "I'm not trying to be a dick, but wow...we get jumped by nine fucking guys and we're the problem...two fucking small white guys and you got a crowd of fucking black guys up there."
- 06/29/2013 01:22:28-01:23:15, MPD/Thole states "But now my names gonna be in a fucking call, because I admitted I punched a guy because nine dudes surround me." The unknown officer replies "if you did nothing wrong, you've got nothing to worry about." MPD/Thole replies back "Really, put your name in a police report saying he admitted he punched a guy and tell me nothings gonna (inaudible)." An officer asks MPD/Thole where he works and he told him

"Minneapolis...full time **13.43** (inaudible)...are you kidding me, we have a lesbian fucking chief that's looking for any reason (inaudible)."

➤ Squad Audio/Video – GBPD Officer Steven Meisner

- 06/29/2013 01:19:46-01:19:48, As GBPD Office Meisner approaches the area where MPD/Thole and Powell are located (southeast corner of Doty St.), a male voice sounding like MPD/Thole can be heard in the distant stating "...and I punched one of 'em...then nine of them come at me..."
- 06/29/2013 01:19:48-56, A male voice sounding like MPD/Powell yells "You guys have no fucking idea...they're not even fucking part of it." MPD/Thole can be heard in the background stating "the one in the fucking clown glasses" MPD/Powell, in the foreground audio, states "un-fucking believable." MPD/Thole, in the background audio, can be heard stating "I don't know...the one in the white clown glasses."
- 06/29/2013 01:19:56-01:20:12, MPD/Thole can be heard in the background stating "there's a group of 'em right there...you can't miss the fucking clown square glasses."
- 06/29/2013 01:20:12-23, MPD/Thole can be heard in the background stating "These two right here on the corner...they were not even here when it started...they came up because they seen white on black...like they were not even here."
- 06/29/2013 01:20:12-01:21:00, In the background, MPD/Thole is stating "...eye gogs or whatever...he was the dude that started talking shit...he came back and I turned at him and I go 'dude, we're fucking cops...go away'...and his buddies come at me and he goes 'you're a cop'...and I went 'yeah'...and I fucking punched him. Dude, you're not gonna...like seriously...I just told you I'm a cop...like step away from me...what the fuck man...he (MPD/Powell) used to be a cop here..."

- 06/29/2013 01:21:00-01:21:34, in the background, MPD/Thole states "...military, police, civilian?...(pause)...So you're gonna add me in a call as a cop now, that's fucking awesome...I'm never coming back to this town again"
- 06/29/2013 01:21:34-01:22:00, GBPD/Denney states to MPD/Thole "Hey...hey...you just told me you punched a guy." MPD/Thole replied "Absolutely I did...outta self-defense." GBPD/Denney continues and tells MPD/Thole he needed to document what happened. Either MPD/Powell or Thole asks GBPD/Denney "Do you have a victim?...Do you have a victim?" GBPD/Denney replies "what if one shows up in 10 minutes"
- 06/29/2013 01:22:11, MPD/Thole states "Wow...what a clown show."
- 06/29/2013 01:22:16-01:22:27, MPD/Thole states "I'm not trying to be a dick, but wow...(Inaudible) 9 fucking guys, and we're the problem?...two fucking small white guys, and you got a crowd of fucking black guys up there."
- 06/29/2013 01:22:27-01:22:40, GBPD/Meisner states (to MPD/Thole) that he didn't know what was going on and that he was called to the scene. GBPD/Meisner stated he wasn't there to start anything with him (Thole). MPD/Thole replies "No, No, No...I got you...but now my names gonna be in a fucking call because I admitted I punched a guy 'cause nine dudes surround me."
- 06/29/2013 01:22:27-01:22:53, GBPD/Meisner tells MPD/Thole that if he did nothing wrong, then he would have nothing to worry about, and MPD/Thole should know this. MPD/Thole responded, "Really! Put your name in a police report saying he admitted he punched a guy and tell me nothings gonna come of that."
- 06/29/2013 01:22:53-01:23:01, GBPD/Meisner asks MPD/Thole where he works at. MPD/Thole replies, "Minneapolis...full time with 13.43 - Personnel Data " GBPD Meisner then said to MPD/Thole "you can't tell me Minneapolis is going to give a shit that you fucking came out

here and you defended yourself." MPD/Thole then said, "Are you kidding me!...we have a lesbian fucking chief that's looking for any reason (inaudible)..."

- 06/29/2013 01:23:01-20, An unknown officer states to MPD/Thole that "maybe you shouldn't be out here man." MPD/Thole replies; "We shouldn't...we'll never come back...I came back here because he (MPD/Powell) used to work for you guys...and his fucking dad died here and he used to work for you guys...and he (Powell) said 'let's go do a memorial ride'...and he said 'I'll call some of my buddies at Green Bay PD...we'll go downtown'...you're right, I shouldn't be here...you're absolutely right."
- 06/29/2013 01:23:25-28, MPD/Thole stated "Like, I'm not that drunk, I know you...I get it...I think you...I know you think I'm totally fucking outta my mind drunk..."
- 06/29/2013 01:23:28-46, MPD/Thole asks a GBPD Officer "How long you been a cop?...[pause]...Exactly!" The GBPD Officer responds, "...long enough to know I don't have to take any shit from you."
- 06/29/2013 01:23:46-01:23:57, MPD/Thole stated ""I'm not trying to be a dick to you dude...dude, I'm not trying to be a dick to you." A GBPD Officer replies "...but you are...apparently you don't have to try, because you are." MPD/Thole replies back, you're right...you're right...I am a dick...enjoy your fucking city."

➤ Squad Audio/Video – GBPD Officer Jessica Harren

- 06/29/2013 01:24:24-27, It appears GBPD/Mahoney may have given a verbal directive to MPD/Thole and Powell, as you can see MPD/Thole wave off GBPD/Mahoney two separate times.

➤ Squad Audio/Video – GBPD Officer Kaitlyn Czarnecki

- 06/29/2013 01:25:26-57, GBPD/Knetzger asks MPD/Powell and Thole how long they are in town for. MPD/Thole states "fuck that, I'm going

home tomorrow...I ain't staying here...(pause)...10 cops here, 9 dudes (inaudible)..."

- 06/29/2013 01:25:57-01:26:34, MPD/Thole stated "we were walking home and fucking four dudes walk by us, and the dude with the white glasses, he came and he liked, bumped us, and said something...and he turned around and he's like 'oh, you fucking (inaudible)...', and he came back and his 3 three buddies came back to, like, to grab him (Powell)...he stood there and I looked at him flat out and I go 'dude, we're cops...go the fuck away'...that's all I said...and he looks at me and goes '...are you fucking bad ass, and he went like this...(physically displays a motion(?))..." MPD/Thole continues and states "what are you gonna do...you know what I mean... so I hit 'em, well all of a sudden, the fucking flood gates opened and all these dudes surround us...and I'm like dude, you fucking...you upped(?) on me...I'm not gonna let you shit me...like...I don't know what 'this' means."
- 06/29/2013 01:26:34-01:27:01, MPD/Thole states "...we just stood there and we held everything and these fuckers (GBPD officers?) come and grab us...I'm not being racist, but there's a very big discretion between the two...there's two fucking white guys and twelve black guys, where do you think the problem (inaudible)...you think we're fucking, like...hey, let's fight twelve dudes tonight...let's go have a party...then this fucking guy(?) calls me an asshole."
- 06/29/2013 01:27:19-01:28:02, MPD/Thole states "I mean like, (inaudible)..., let's go to Green Bay and cause problems tonight" and "...here his (Powell) dad died 5 years ago..." "...and then he takes my license and puts me in a call punching it in...really...I mean I get it, but let's be honest, we're cops, we know what you have to do." GBPD/Knetzger tells MPD/Thole and Powell that the other officers did not know them.

### **Green Bay Police Department Lobby Video Summary**

I observed the Green Bay Police Department Lobby Video footage that was forwarded to MPD IAU regarding the alleged incident taking place inside the GBPD public lobby on 06/29/2013, involving MPD/Thole. There is no audio with this video. The time stamp references listed below refer to the amount of minutes/seconds into the video that this particular observed event was recorded. The recorded video begins at 02:23:00 hours and ends at 03:23:15 hours. The original video was property inventoried under IAU PI Case #13-002242. The following is a summary account of what is video recorded of MPD/Thole's actions and/or conduct.

➤ 06/29/2013 02:23:00, Start time of video

- 00:29, MPD/Powell and MPD/Thole enter the GBPD lobby via the public entrance. MPD/Thole is wearing blue jeans and a dark green or black t-shirt.
- 00:40, MPD/Thole enters restroom.
- 01:29, MPD/Thole exits restroom... MPD/Thole and MPD/Powell converse with GBPD/Opperman for the next 17 minutes 39 seconds. MPD/Thole appears at times to be physically displaying, using hand and body actions, what may have taken place at the original incident scene.
- 19:08, MPD/Thole remains in the lobby, conversing and drinking bottled water.
- 21:29, MPD/Thole points to MPD/Powell's upper left chest/collar bone area.
- 24:43, MPD/Thole returns to the restroom again.
- 25:36, MPD/Thole exits the restroom and then goes and sits down on a bench, right center portion of the lobby.
- 32:08, MPD/Thole stands up from the bench and appears to say something to GBPD/Opperman, then turns away, and walks to the front of the lobby.