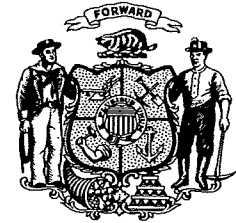


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June 15, 2015

**PRESS RELEASE – OFFICER INVOLVED SHOOTING APRIL 1, 2015**

On April 1, 2015, an officer-involved shooting took place in the City of Eau Claire. The incident involved City of Eau Claire Police Officer Hunter Braatz. Officer Braatz and other law enforcement personnel were involved in an active search for Tyler Holte. At the time, Holte had an outstanding warrant with the Department of Corrections, had just fled from police at a high rate of speed, abandoned the vehicle he was driving, and fled to a wooded area below the VFW on Starr Avenue. Upon his approach to Holte in the wooded area, Officer Braatz and multiple other law enforcement officers shouted repeated commands to Holte to show his hands. Holte did not show his hands. It was unknown if, in fact, Holte was armed at the time as law enforcement had received information that Holte may be armed. Holte was subsequently shot twice by Officer Braatz. Holte was treated on scene by law enforcement until EMS workers arrived. Upon the arrival of EMS workers, Holte was transported to Mayo Hospital, where he underwent surgery for wounds to his leg and arm. Holte was subsequently released from the hospital and taken into custody on a probation hold.

As a result of the incident, and pursuant to the laws of the State of Wisconsin, a comprehensive investigation was undertaken by the Department of Justice, Division of Criminal Investigation. The investigation included, but was not limited to, several interviews, tests, 911 calls, photographs, several hours of squad car video, scene reconstruction by the Wisconsin State Patrol, as well as a review of past incidents and reports. The narrative alone submitted by Special Agent Joe Welsch as a result of the investigation consisted of over 350 pages of information. The following is a summary of that information.

**Tyler Holte Status April 1, 2015**

A review of records shows that as of April 1, 2015, Tyler Holte had an active warrant for the Department of Corrections for his arrest. Along with the warrant, a caution was noted

that Holte may resist or obstruct officers. In addition to the warrant, Holte had open court files in Eau Claire County case 15 CF 9 and St. Croix County case 14 CF 239. In Eau Claire County case 15 CF 9, Holte is charged with felony bail jumping as a repeater, criminal damage to property as a repeater, misdemeanor battery as a repeater, and disorderly conduct as a repeater. The allegations in that case include that on January 3, 2015, Holte broke into a residence on Seymour Road in the City and County of Eau Claire, battered an individual with his fists, and then fled on foot. The individual who was allegedly battered by Holte was found to have a bleeding cut below his left eyebrow, as well as a fresh scrape below his left cheek. Another witness to the incident told law enforcement they suspected Holte was under the influence of heroin during the incident. When Holte was contacted by law enforcement about the incident, he admitted being in the residence, but provided a completely different description as to what had occurred. At the time of this incident, Holte was on bond in St. Croix County case 14 CF 239. In that case, Holte is charged with felony bail jumping and misdemeanor possession of drug paraphernalia for an incident that allegedly took place on April 19, 2014.

In addition to Holte's open cases as of April 1, 2015, Holte also has a prior record. In Eau Claire County case 12 CF 306, Holte was convicted of misdemeanor bail jumping and misdemeanor retail theft. Holte was also convicted of misdemeanor possession of an illegal prescription in Eau Claire County case 12 CF 49. In that case, Holte also entered into a deferred agreement for a Class E Felony charge of manufacture/delivery of Schedule I or Schedule II narcotics on December 21, 2012. The deferred agreement was revoked on September 19, 2014. This resulted in a conviction of Holte for the felony offense and he was placed on two years of probation. In Eau Claire County case 14 CM 582, Holte was convicted of misdemeanor issuance of a worthless check and placed on probation on September 19, 2014. This probation period was in effect on April 1, 2015. In Eau Claire County case 14 CF 525, Holte was convicted of misdemeanor resisting an officer and placed on probation on September 19, 2014. This probation period was also in effect on April 1, 2015. In that case, Holte was approached by law enforcement on June 21, 2014 after a report was received of a male who was threatening to cut his wrists with a knife. When approached, Holte was asked where the knife was and Holte told the officer that he had disposed of the knife and did not know where it was. Holte refused to cooperate with the officer and was told three times to place his hands behind his back. Holte continued to refuse to cooperate and was eventually tased after he made motions as though he was going to kick or strike the officer. After being taken into custody, Holte was searched and found to be in possession of a knife. In total, a review of the reports shows that the Eau Claire Police Department had 18 total contacts with Holte from the period of June 17, 2014 to March 31, 2015. Many of these contacts included information with respect to Holte's drug use that included, but was not limited to, heroin, methamphetamine, prescription drugs, and other chemicals.

## **Holte Living Arrangements as of April 1, 2015**

As part of the investigation, Special Agents Hynek and Ince interviewed Robert Jirschele on April 2, 2015. Jirschele said he has known Tyler Holte since he was two years old. Jirschele said he has maintained contact with Holte and his mother over the past twenty-three years. Jirschele said that approximately three weeks prior, he was contacted by Holte's mother, Annette Mott. Mott told Jirschele that Holte needed some place to reside. Jirschele said he then met with Holte and set guidelines that Holte would need to follow in order to stay at the residence. During the approximately three weeks that Holte resided with Jirschele, Holte was taking prescribed medications. Jirschele said one evening, he and Holte were watching a movie about drug addiction and addicts. Jirschele said that Holte told him that he had spent his entire settlement from a car accident, approximately \$190,000, on heroin.

Jirschele said that on March 28, 2015, Holte seemed more anxious than usual. When Holte did not return from an appointment, Jirschele said he emailed Holte, informing him that he would have to move out of the residence for failing to follow the guidelines that the two had agreed upon. On March 29, 2015, Jirschele still had not heard from Holte. Jirschele sent Holte an email informing him that Holte still had medications at the residence that he should be taking. On March 30, 2015, Jirschele had contact with Holte's probation agent, Rita Brunkow. Brunkow informed Jirschele that Holte had a warrant for his arrest for failing to attend an appointment. Jirschele said he sent an email to Holte informing him that there was a warrant for his arrest and that he needed to contact his probation agent immediately. Jirschele said he received an email from Holte on March 30, 2015. In the email, Holte thanked Jirschele and also indicated that he thought the meeting with the probation agent was on March 31, 2015.

On March 31, 2015, Probation Agent Rita Brunkow contacted the Eau Claire Police Department. Brunkow reported that in addition to the warrant that was out for Tyler Holte, she had received information that Holte had made comments that he would die before being arrested by police again. On March 31, 2015, the Communication Center received information that Holte was at the Maple Manor Motel, Room 130. Officer Johnson reports that he was dispatched to that location to locate Holte, who not only had a warrant, but was also allegedly suicidal. When contact was attempted at Room 130, there was no answer.

## **Scene Information from Auto Repair Shop**

Officer Comeau reports that on April 1, 2015, he was dispatched to 1317 Western Avenue. At that location he had contact with Troy Pehlke. Pehlke advised that earlier, he was in the garage and noticed that Tyler Holte and Sadie Gray showed up at the garage. Pehlke said that he stayed in the garage while Holte and Gray were outside of the garage. Pehlke said that he heard some arguing going on outside and noticed that Annette Mott was involved in the argument. Officer Comeau reports that he also spoke

with Sadie Gray. Gray said that she was in a vehicle with Holte when they arrived at 1317 Western Avenue. Gray said that Annette Mott, the mother of Tyler Holte, drove by the location multiple times in a different vehicle and eventually stopped at the location and exited the vehicle. Gray said that when Mott got out of her vehicle, she began to argue with Holte. Gray said that Mott told Holte to do the right thing and turn himself in. Gray said she overheard Holte say that he would not turn himself in and that he would rather shoot himself in the heart. Gray relayed that Holte also said that he would act like he had a gun. Gray said the argument between Holte and Mott escalated and resulted in Holte getting into Mott's vehicle and leaving the scene. Gray said that Mott held onto the vehicle while Holte was driving away. Gray said that Mott eventually let go of the vehicle and fell to the ground.

Officer Johnson reports that on April 1, 2015, he was detailed to 1317 Western Avenue where he interviewed Annette Mott, the mother of Tyler Holte. Mott told Officer Johnson that Holte had gotten out of jail on March 5<sup>th</sup> and had been living at a sober living house. Mott said that Holte left the sober living house with Sadie Gray on March 28, 2015. Mott said that Sadie Gray was giving Holte Clonopins and Tramadol. Mott said that Gray and Holte stayed at the Maple Manor Motel on March 31, 2015. Mott said she contacted police about Holte's location, but later confirmed that Holte had switched rooms at the Maple Manor. Officer Johnson later confirmed with Sadie Gray that she and Holte stayed in Room 145 of the Maple Manor on March 31, 2015. Mott told Officer Johnson that she got a phone call from Holte on March 31, 2015. Holte told Mott that he was going to end his life and Mott pleaded with him not to do it. Holte told Mott that the police would not take him in without shooting him. Mott also said that she told Holte he needed to contact his probation agent. Holte told Mott that he would die before going back to jail.

When asked about the situation on April 1, 2015 at 1317 Western Avenue, Mott said that she told Holte to turn himself in. Holte said that he would not turn himself in. When Mott mentioned the cops, Holte said, "they're not going to get me." Mott said that she held onto the car door and told Holte he would have to drag her. Mott told Holte in reference to the car, "please don't take it." After this, Holte told Mott that "the cops are right over here." When Mott said they were not, Holte told her that "an undercover car just went by." Holte told Mott, "if the cops come around here, I'm going to die." Mott said that Holte then drove off in her car while she was attempting to hold onto it and that Holte told her to let go. When Officer Johnson discussed the situation further with Mott, Mott confirmed that Holte told her, "I'm not going back to jail, they're going to have to shoot me" and that he was going to "end his life." When Officer Johnson asked Mott if Holte had a gun, Mott said that she did not know.

### **Holte Flight from Auto Repair Shop**

Officer Chinander reports that on April 1, 2015, he was dispatched to a report of a check person / suicidal subject. Officer Chinander reports that the subject of the report, Tyler

Holte, had a felony probation warrant, was suicidal, and was possibly armed. Sergeant Pieper, who was in an unmarked squad car, reports that Holte was observed driving southbound on Western Avenue. Officer Chinander reports that he observed the suspect vehicle traveling at a high rate of speed and that the suspect failed to stop for the stop sign at Western Avenue and Seymour Road. Officer Chinander reports that units were advised not to pursue the vehicle. Officer Chinander reports that Sergeant Quella requested responding officers to meet at a separate location before attempting contact with Holte.

### **Police Staging Area**

Sergeant Quella reports that April 1, 2015, he was aware that Officer Johnson had responded to the Maple Manor in recent days in an attempt to locate Tyler Holte and arrest him for the Department of Corrections arrest warrant. Officer Johnson had advised Sergeant Quella to use extreme caution when dealing with Holte. Sergeant Quella reports that at approximately 3:04 p.m., he received information that Holte was observed in the 1300 block of Western Avenue. Sergeant Quella reports that he, Sergeant Pieper, Officer Wutschke, Officer Gullickson, Officer Ollmann, and Officer Chinander met at the corner of Seymour Road and Western Avenue to formulate a plan to take Holte into custody. The suspect's vehicle was eventually located in the parking lot of the VFW at 1300 Starr Avenue.

### **Scene at VFW Parking Lot**

Once the suspect vehicle was located, it was determined that Sergeant Quella would assume incident command while Sergeant Pieper would assume tactical command of the situation. Sergeant Quella positioned his squad vehicle about 50 yards from the suspect vehicle. Multiple other officers were also positioned in and around the parking lot area of the VFW. As part of the search, Officer Braatz and Officer Ollmann went down a set of stairs towards Dells Pond located on the south side of the VFW building.

### **Officer Braatz / Officer Ollmann Interviews - Approach to Holte**

Special Agent Welsch reports that he and Special Agent Vandeberg interviewed Officer Ollmann on April 3, 2015. Officer Ollmann confirmed that he was working on the afternoon of April 1, 2015 and had received information about a suicidal subject, Tyler Holte. Officer Ollmann said he was asked by a Sergeant to call the complainant and get more information. Officer Ollmann said he did call the complainant and he received information that Holte wanted the police to shoot him. Officer Ollmann said information was also received that Holte had a weapon. Officer Ollmann said he related this information to other officers that were in the area of Western Avenue and Seymour Road. Officer Ollmann confirmed that one of the officers that received this information was Officer Hunter Braatz.

Officer Ollmann said that after the suspect's car was located in the VFW parking lot, he parked his squad car just south of the squad car of Officer Braatz. Officer Ollmann said he and Officer Braatz went down the steps leading to the river bank and that each of them had a rifle. At the bottom of the steps, a pontoon boat was tied to a dock. The boat was searched but no one was located. At that point, Officer Ollmann said that he and Officer Braatz traveled north along the riverbank. As they traveled along the riverbank, Officer Ollmann said there were spots where someone could easily be concealed. Given this, Officer Ollmann said he and Officer Braatz were at a disadvantage, especially not knowing where Holte was and the previous information about Holte's weapon status. Officer Ollmann said that as he and Officer Braatz came to a clearing, Holte was spotted. Officer Ollmann said he could not see Holte's hands and that he and Officer Braatz gave a repeated verbal command of "show us your hands." Holte did not comply. Officer Ollmann said there was yelling back and forth and that Holte continued to hold his right hand out of view as though he was trying to conceal something from them. Officer Ollmann said at this time, he lost his footing. Officer Ollmann said that as he regained his footing and was bringing his rifle up, he heard a shot. Officer Ollmann said that at the time of the shot, he still could not see either of Holte's hands and that Holte began sliding down the hill. Officer Ollmann said that when Holte wouldn't comply with the repeated commands, in addition to all of the other information they had been given, that he was fearful for his life. Officer Ollmann said that he and other officers secured Holte and that other officers began performing life-saving efforts on Holte.

Special Agent Welsch reports that he and Special Agent Vandeberg interviewed Officer Braatz on April 3, 2015. Officer Braatz said that on April 1, 2015, he started his shift at noon. During the shift, he received information from dispatch about a disturbance on Western Avenue involving Tyler Holte. The information included that Holte was possibly armed. Officer Braatz said that he heard Sergeant Quella advise officers to meet at the intersection of Seymour and Western Avenue. When he arrived at the location, Sergeant Quella and Officer Chinander were already there. A short time later, Sergeant Pieper, Officer Wutschke, and Officer Ollmann arrived. Officer Braatz said Officer Ollmann was on the phone with Tyler Holte's mother. Officer Braatz recalls receiving information that Holte had a warrant, did not want to go back to jail, and that Holte had a gun.

Officer Braatz said that Officer Wutschke went with Sergeant Pieper in Sergeant Pieper's unmarked squad car and headed toward the body shop on Western Avenue. A short time later, Sergeant Pieper reported seeing one person in a vehicle backed up to a building with a female standing outside of the vehicle. A short time later, Sergeant Pieper reported seeing the vehicle leaving the body shop and that at least two females were waving their arms. Officer Braatz said that Sergeant Quella advised officers were not to chase the suspect vehicle if it did not stop. Officer Braatz said that Sergeant Pieper reported the suspect vehicle was traveling 40 miles over the speed limit and that it failed to stop at stop signs at several intersections. Sergeant Pieper eventually lost sight of the

vehicle. Officer Braatz said the suspect vehicle was eventually located by Sergeant Pieper in the VFW's north parking lot. Officer Braatz said that he went to the location and parked in the VFW's south parking lot. A short time later, Officer Ollmann arrived. Officer Braatz said he and Officer Ollmann proceeded down the stairway to the water's edge with their rifles. This information was relayed to, and acknowledged by, Sergeant Quella.

Officer Braatz said that at the bottom of the stairs, a pontoon boat was located. The boat was checked and Holte was not located. Officer Braatz said he and Officer Ollmann then looked down the riverbank and that neither officer saw anyone. Both officers then started to walk through the wooded area to the north. Officer Braatz said there were a lot of downed trees and many areas someone could hide behind. Officer Braatz said that as they continued north, the terrain was steep and dropped off sharply toward the water's edge. Officer Braatz said he then observed what appeared to be a human being moving up the hill. As he and Officer Ollmann continued north, Officer Braatz could hear several officers yelling "show us your hands" from the top of the hill. Officer Braatz said that as he and Officer Ollmann approached Holte, he could not see Holte's hands. Officer Braatz estimated that Holte was fifteen yards from their location. Officer Braatz said that he and Officer Ollmann yelled at Holte, "show us your hands." Officer Braatz said that as they continued to tell Holte to show his hands, Holte continued to move his right hand near his belt buckle area as if he was holding a gun. Officer Braatz said he and Officer Ollmann continued to tell Holte to show his hands. Holte did not comply. Officer Braatz said he felt he was giving Holte every opportunity to comply with the commands but that Holte would not show his hands. In addition, Holte continued to move his right hand as if he was holding something. At that point, Holte turned his body toward the officers. Officer Braatz said that because Holte was on the terrain above the officers, he felt they were at an extreme disadvantage because of Holte's position above them. Officer Braatz said at that point, he felt that his and Officer Ollmann's lives were in imminent danger of great bodily harm or death. Officer Braatz said he fired two rounds in fairly close succession toward Holte. Officer Braatz said Holte began sliding down the hill. Once Holte was secured, other officers began to apply first aid to Holte.

### **DCI Interview of Holte**

Special Agent Welsch reports that on April 2, 2015, he and Special Agent Vandenberg went to Mayo Health Systems to interview Tyler Holte. Special Agent Welsch reports that he introduced himself and Special Agent Vandenberg to Holte and told him that he wanted to get Holte's side of story with respect to the shooting. Holte was advised of his rights by Special Agent Welsch. After being advised of his rights, Holte requested to speak to a lawyer and the interview was concluded.

## **DCI Interview of Agent Rita Brunkow - Agent Rita Brunkow's Interview of Holte**

Special Agent Welsch reports that he interviewed Probation Agent Rita Brunkow on April 20, 2015. Brunkow provided information about her contact with Tyler Holte following the shooting. Information provided to Brunkow by Tyler Holte included his acknowledgment that he missed a meeting with his agent on March 30, 2015. Holte admitted that he had stayed at the Maple Manor for one night with Sadie Gray and that he drank a six pack of beer and had taken Clonopins that he had bought off the street. Holte also admitted to driving his mother's car on April 1, 2015. Holte also acknowledged that he went to the VFW park to hide from police. Brunkow also specifically asked Holte, "Did you show police your hands when they ordered you to show them your hands or did you leave your hands in your lap?" Holte's response to the question was, "at first I left them in my lap until I knew I was shot in the shoulder – then I raised the one hand I could." Brunkow also provided Special Agent Welsch with notes from March 31, 2015, wherein she received a phone call from Tyler Holte's mother indicating that Holte was going to throw himself off of a bridge or commit suicide by cop if they try to arrest him so he will not go back to jail. Among other information in the probation notes provided by Agent Brunkow, there is information dated in October of 2014 wherein Tyler Holte advised that he was in a car accident five years ago and became hooked on oxycodone. After the doctors stopped giving him oxycodone, Holte said he started using heroin. Holte said that he received an accident settlement of \$160,000 and used it all on heroin.

## **Wisconsin State Patrol Scene Reconstruction Details**

Following the incident on April 1, 2015, the Wisconsin State Patrol performed a scene reconstruction and submitted a report to the Department of Justice, Division of Criminal Investigation. The report maps out the steep embankment that Officers Braatz and Ollmann faced when they approached Holte. The report also shows the path that Officers Braatz and Ollmann took to get the riverbank, the shooting location, and the positions of Officer Braatz and Holte at the time of the shooting.

## **Squad Car Audio/Video Review**

Special Agent Welsch reports that fourteen different squad car audio/video recordings were reviewed with respect to the incident on April 1, 2015. Special Agent Welsch reports that due to the weather on that date, and specifically the wind, portions of the audio/video recordings are unclear. Special Agent Welsch reports that in reviewing the recordings, specifically the recording from Sergeant Quella's squad car, officers are heard in the background identifying themselves as the police department. In addition, officers are heard a minimum of twelve times yelling for the suspect to show his hands.



## **Conclusion**

Following a thorough review of all of the information submitted by the Department of Justice, Division of Criminal Investigation, I have concluded that the actions of Officer Hunter Braatz on April 1, 2015 were justified under the circumstances for the following reasons:

1. Tyler Holte's self-professed plan on April 1, 2015 to get shot by police rather than return to custody and that he would do so by acting as if he had a gun and commit suicide by cop.
2. Tyler Holte's admission that he intentionally fled from police on April 1, 2015.
3. Tyler Holte's admission that he was avoiding police detection by attempting to hide in the wooded area below the VFW on Starr Avenue.
4. Tyler Holte's admission that he intentionally did not comply with Officer's commands for him to show his hands until after he had been shot.
5. The factual consistency in the statements of law enforcement who were interviewed, who confirmed that Tyler Holte was prompted multiple times to show his hands prior to getting shot, yet failed to do so.
6. Law enforcement received information that Holte may be armed, and Holte's actions on the embankment below the VFW were consistent with his earlier stated intentions at 1317 Western Avenue just prior to the shooting, that he would get shot by police and would do so by acting as if he had a gun.
7. Tyler Holte's past conduct with police, specifically the incident in June of 2014, wherein he was suicidal, was approached by law enforcement, claimed not to be armed, yet was later found to have a weapon (knife) on his person.
8. Tyler Holte's warrant status with the Department of Corrections on April 1, 2015. This warrant status included a specific caution to law enforcement that Holte may resist or obstruct officers. At a minimum, reports of multiple individuals confirm that Tyler Holte was aware of the active warrant for his apprehension. Tyler Holte took multiple affirmative steps to avoid detection and apprehension from law enforcement, including but not limited to, taking an automobile, driving at high rates of speed, and fleeing into a wooded area.

9. The interviews of Officer Hunter Braatz and Officer Nate Ollmann, wherein both officers individually disclosed that as they approached Tyler Holte in the wooded area below the VFW, they feared for their lives.
10. Tyler Holte has an acknowledged, significant history of illegal drug use involving multiple substances including heroin and methamphetamine. In addition to that background information, information was also received, prior to the shooting on April 1, 2015, that Holte was again using drugs.

I would like to thank the Department of Justice, Division of Criminal Investigation for their thorough work on this investigation. The comprehensive approach to this investigation and the materials submitted speak to the transparency of the work done on this matter. As a result of this process, the decision reached as to the actions of Officer Hunter Braatz does not rely on any one fact. Rather, the decision is the result of a step by step review and analysis of all relevant information, both at the scene itself, as well as a review of all of the surrounding facts and circumstances. Thank you for your time and consideration of this information.

Gary King  
District Attorney  
Eau Claire County