

Mitchell Police Department's Shooting Summary Report of the Officer Involved Shooting that occurred on September 4th, 2015

On September 4th, 2015, the South Dakota Division of Criminal Investigation (DCI) conducted an investigation regarding an Officer Involved Shooting in Mitchell, SD. The investigation was centered around Curtis James Meyer (DOB 08/06/1978) who was shot by Senior Officer Russell Stevenson, Mitchell PD. The Mitchell Police Department responded to a noise complaint in the 500 block of North Mentzer Street. The shooting occurred at 819 East 6th Street Mitchell, SD on the west side of the garage located on the property as an altercation between Officer Stevenson and Meyer occurred. Meyer died as a result of the injuries on scene.

The following is a synopsis of the events that occurred on September 4th, 2015, and the subsequent investigation conducted by the DCI.

Synopsis:

On September 4th, 2015, at approximately 1:46 am, Mitchell Police Department Senior Patrol Officer Russell Stevenson and Officer Casey Tegethoff, who were both riding in the same patrol vehicle, responded to a call for service of a noise complaint at the 500 Block of North Mentzer Street.

Officer Casey Tegethoff parked his patrol car south of the intersection of East 6th Avenue and North Mentzer Street. Officer Stevenson and Tegethoff determined that the noise complaint had originated from the garage of 515 North Mentzer Street. The garage for this residence was located in the alley area between East 5th Avenue and 6th Avenue. They began to walk towards the alley and garage area of 515 North Mentzer Street and encountered several individuals in the garage.

Officer Tegethoff spoke with the individuals in the garage and at the same time Officer Stevenson spoke with another individual that was located near the garage area to the west of Officer Tegethoff. The individual outside of the garage informed Officer Stevenson that he was speaking with yet another individual, who was later identified as Curtis Meyer. Meyer was sitting on the ground around the corner of the garage and was not immediately observed by Officer Stevenson, due to the dark conditions. The individual who pointed out Curtis Meyer was directed to go to the garage and wait there.

As Officer Stevenson approached Meyer, he observed what he initially believed to be a handgun or the handle of a stun gun between Meyer's legs. At that time, Officer Stevenson was in close proximity with Meyer and asked Meyer to identify what was between his legs. Meyer stated that it was "my 45" as he started to draw the weapon from between his legs. Officer Stevenson grabbed the firearm to secure the weapon with both of his hands. A physical altercation ensued and during the altercation Officer Stevenson verbally commanded the release of the firearm. Meyer failed to comply with the command. Officer Stevenson feared that releasing one of his hands from Meyer's

firearm would make him lose control of the firearm. This prevented Officer Stevenson from drawing his duty weapon or calling for assistance.

During a short period in the physical altercation, Officer Stevenson recognized that the barrel of the firearm was pointed away from himself and was pointed at Meyer. Officer Stevenson intentionally fired the firearm one time, as he was in fear for his life and was not gaining compliance or control of the firearm from Meyer. Meyer was struck one time under his chin on the left side.

Members of the Mitchell Police department began life saving measures. Meyer was pronounced deceased on scene.

Officer Stevenson was contacted by DCI Agents at the Mitchell Police Department. Mitchell Police Department Officers documented that Officer Stevenson was wearing his issued Mitchell Police Department uniform. His duty weapon and magazines were secured, documented and inventoried. The inventory showed the following:

-A Glock model 22, .40 caliber handgun, one round in the chamber and a magazine with 15 rounds which is full capacity.

-Two 15 round Glock magazines in a magazine pouch on Officer Stevenson's duty belt with 15 rounds in them each which is full capacity.

The firearm presented by Meyer at the location was also documented. The inventory showed the following:

-A Glock 36, .45 caliber handgun containing one spent .45 caliber casing that was jammed in the chamber and a magazine with 7 rounds.

Crime Scene Investigation and Interviews

Witness interviews indicate that Meyer was first observed earlier in the evening at the Village Bowl Bar in Mitchell. Surveillance video shows that he had very minimal contact with anyone in the bar and shows him entering the bar at approximately 11:02 pm on September 3rd, 2015, and leaving at about 12:06 am. While at the bar he is seen drinking an alcoholic beverage and is reported as appearing intoxicated.

Witnesses indicated they gave Meyer a ride home. These same witnesses are the same individuals that were later located in the garage by police. Meyer then drove himself to the area near the residence and ended up outside of the garage. The people in the garage did not know that he was sitting on the west side of the garage. They also reported that they did not invite him to the gathering.

Later in the evening, Meyer sent numerous text messages and voice calls to a female witness in the garage that he had a previous relationship. Meyer was reported to still be struggling with the breakup and was heard making suicidal statements to the female

over a phone conversation in the garage prior to the arrival of Mitchell Police Department. Meyer's communication with this female included two text messages at 12:56 AM and 12:59 AM sent from Meyer's cell phone stating, "Call me before I do something stupid".

DCI's search of the phones used indicates from 12:13 am to 1:48 am, Meyer made 45 outgoing phone calls to two of the females in the garage, one of which was his ex-girlfriend. The majority of these phone calls were unanswered or very short in duration. Five of these phone calls were approximately one to three minutes in length.

At approximately 1:48 am, Meyer made phone contact with one of the male witnesses in the garage and asked for him to come outside of the garage to speak with him. The male witness was the same person that Officer Stevenson initially spoke with and who pointed out that Meyer was sitting next to the garage. The witness informed Officer Stevenson that the reason he was outside of the garage was to speak with a friend of his who was later identified as Curtis Meyer. Meyer was still sitting on the ground out of sight from the garage and Officer Stevenson in the dark.

Officer Stevenson was interviewed on September 4th and September 9th, 2015. Officer Stevenson stated he made contact and asked for Meyer to come to the garage to speak with him. Meyer refused. Officer Stevenson stated he approached Meyer and observed a firearm between Meyer's legs. Officer Stevenson described the distance between them as approximately two to three feet.

Officer Stevenson stated that he gave a command to release the firearm and Meyer failed to comply. During the short struggle, Officer Stevenson stated he attempted to pull the weapon from Meyer but Meyer resisted his efforts.

Officer Stevenson stated that during this struggle he feared for his life and thought that he was going to be shot. He stated that he considered drawing his duty weapon but realized if he removed one of his hands off of the weapon that he may lose what control he had. Officer Stevenson stated that he intentionally pulled the trigger, one time, during the struggle. Officer Stevenson said that prior to pulling the trigger he recognized the gun was pointed in the direction of Meyer. Meyer was struck one time under the left side of his chin by the shot.

Dispatch logs indicate that Officer Stevenson asked for assistance and requested medical personnel at 1:52 am and the first officer arrived at the scene at 1:54 am.

Mitchell Police Officers performed life saving measures on scene but Meyer was pronounced deceased on scene.

Officer Tegethoff was interviewed on September 4th, 2015. Officer Tegethoff reported he was in the garage dealing with the noise complaint during the shooting incident. Officer Tegethoff's detail of the call for service and contact with witnesses was consistent with all the evidence collected in the investigation.

The South Dakota Forensic Lab (SDFL) conducted testing on Meyer's firearm. The testing concluded that the shell casing found at the scene matched Meyer's firearm identified as a Glock model 36.

The SDFL conducted testing for deoxyribonucleic acid (DNA) on Meyer's firearm and was able to confirm the presence of Meyer's DNA on a swab collected from the grips of the firearm and was also able to determine that Officer Stevenson's DNA was not on the grips of the firearm.

The SD State Health Lab conducted a drug screen and blood alcohol test on Officer Stevenson with negative results.

The SD State Health Lab conducted a drug screen and blood alcohol test on Curtis Meyer with positive results. Meyer's BAC was tested to be .039%. The toxicology report indicates therapeutic range of amphetamines were present in his system.

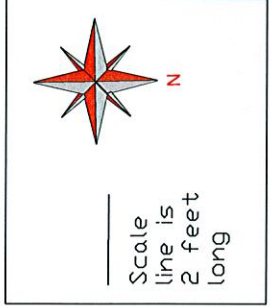
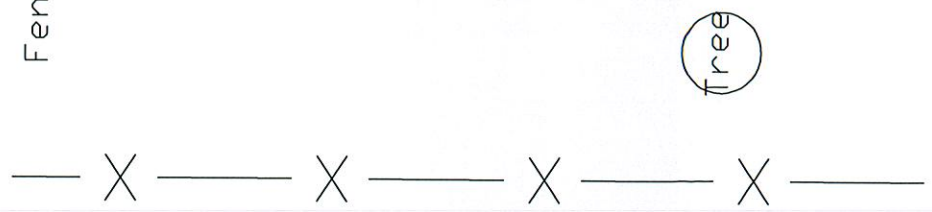
A criminal history check on Meyer showed that he has been charged in the past with driving under the influence, failure to appear for court appearance, eluding police, and simple assault.

Witnesses interviewed said that Meyer had been making suicidal comments and threats on the evening of the 4th up until moments before the arrival of police. Other individuals stated that Meyer had made suicidal threats on at least two other instances prior to this evening with the last being documented on July, 30th 2015.

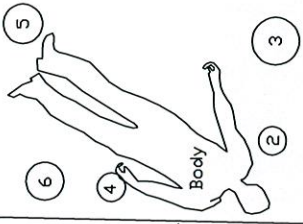
Officers Stevenson and Tegethoff were using Body Worn Cameras (BWC) during this altercation with Curtis Meyer. Officer Stevenson reported that he did activate the camera, per policy, prior to his contact with Meyer. Investigation revealed that the BWC's memory was full from a prior shift and failed to record this event. BWC's are a new technology issued to the Mitchell Police Department and the officers are still becoming acquainted with the procedures of use and download. The video of Officer Tegethoff's BWC and other officers' was consistent with all evidence collected during the investigation.

Investigation Results

It is the conclusion of this report and the Attorney General that Officer Russell Stevenson was justified in firing the weapon and using lethal force. The crime scene investigation conducted by the DCI is consistent with statements made by Officer Stevenson and witness statements and evidence collected at the scene.

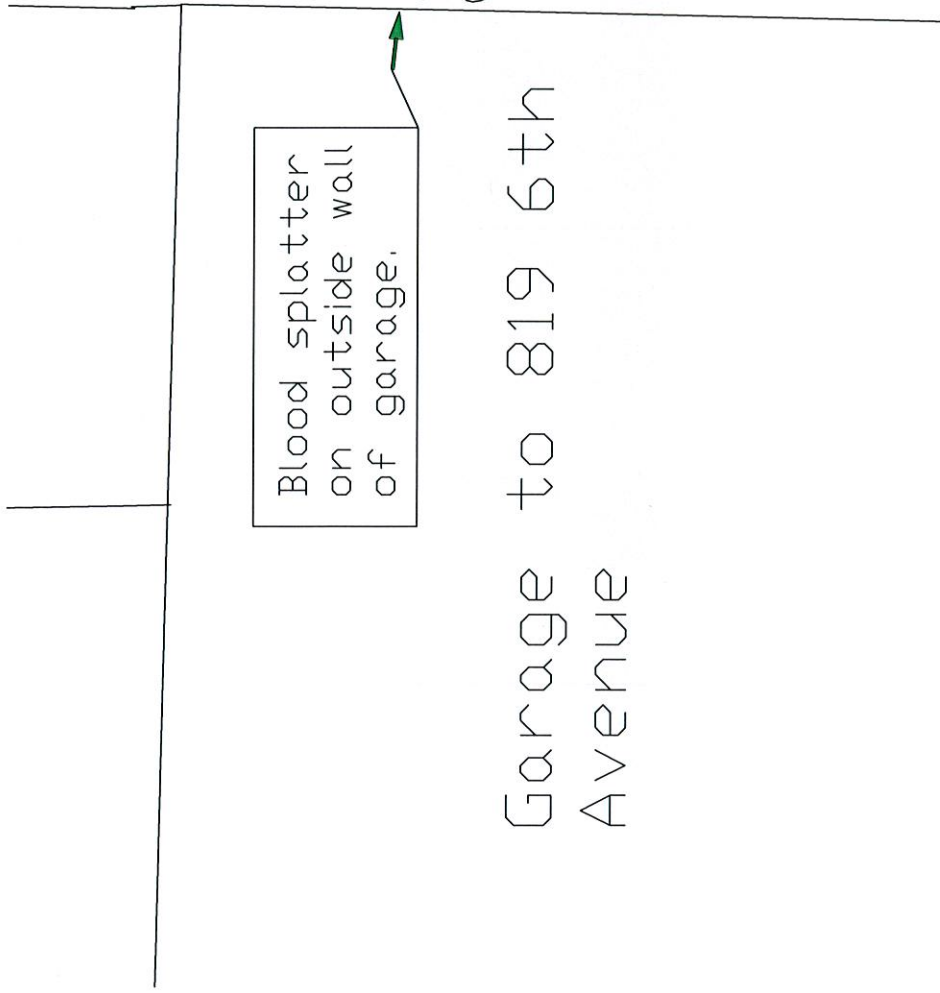


- Evidence Points
- #2 Cigarette
 - #3 Gun
 - #4 Cigarette Box
 - #5 Coors Light
 - #6 Cigarette butts



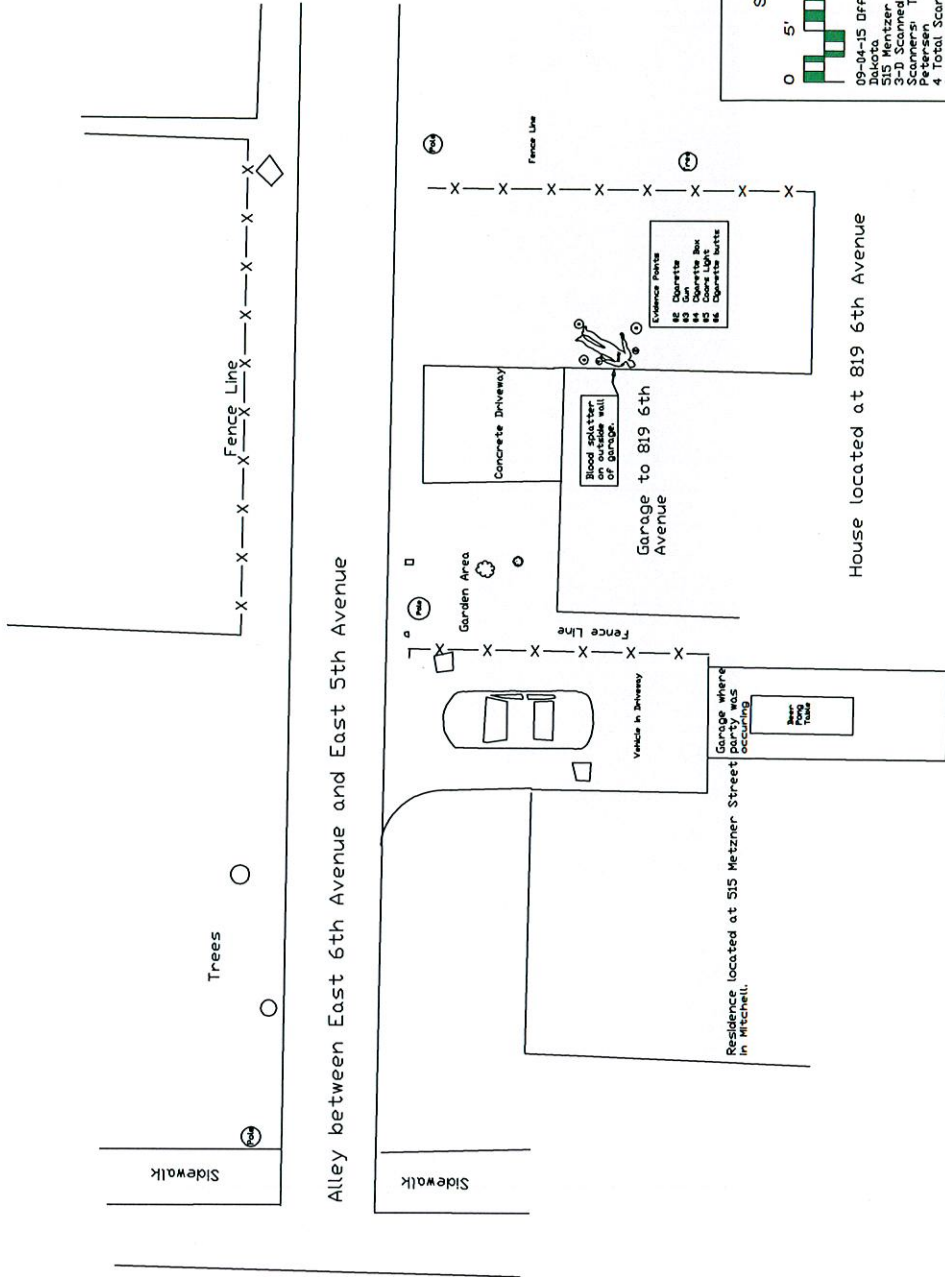
Blood splatter on outside wall of garage.

Garage to 819 6th Avenue



Fence

Mentzer Street



SCALE

0 5' 10' 20'

09-04-15 Officer Involved Shooting in Mitchell South
 515 Metzner Street
 3-D Scanned on 09-04-15 from 0430 to 0800
 Scanners: Troopers Angel Duran Garcia and Matthew
 4 Sensors
 4 Photos
 Scale Diagram

