




J. Hanley

WINNEBAGO COUNTY STATE'S ATTORNEY

DATE: April 27, 2023
TO: The People of Winnebago County
FROM: J. Hanley, State's Attorney 

POLICE INVOLVED INJURY DECISION MEMORANDUM

Injured Party: P.M. (Juvenile)

I. Introduction

On September 21, 2021, Rockford Police Officer Bradly Lauer, working as a school resource officer at Auburn High School, used force against a student, P.M. The purpose of this memorandum is to detail the appropriate legal standard and the facts relating to the incident and provide my decision as to whether criminal charges are appropriate against Officer Lauer.

In the days after the incident, myself and two other Assistant State's Attorney's reviewed video footage of the incident. Based upon this initial review, I did not believe further investigative actions were warranted with respect to Officer Lauer's actions. In November of 2022, and at my request, the Illinois State Police^[1] investigated the actions of Officer Lauer on that day. After ISP submitted their investigative materials, I obtained the services of a use of force expert, Force Science, to help inform the factual and legal analysis contained in this memorandum. Force Science's report is attached to this memorandum.

As detailed below, I find that no charges are warranted against Officer Lauer based upon his actions on September 21, 2021.

II. Prosecutorial Standard for Filing Criminal Charges

A. Generally

In making a charging decision, the State's Attorney makes a determination of whether there is sufficient admissible evidence to prove each element of an offense beyond a reasonable doubt. This analysis is consistent with the American Bar Association Criminal Justice Standard 3-4.3 which provides: "A prosecutor should seek or file criminal charges only if the prosecutor reasonably believes that the charges are supported by probable cause, that admissible evidence

^[1] This was not a situation in which the Winnebago Boone County Integrity Task Force was activated.

will be sufficient to support conviction beyond a reasonable doubt, and that the decision to charge is in the interest of justice.”

This is the same standard that the Winnebago County State’s Attorney’s Office applies to all criminal prosecutions. This analysis also requires the State’s Attorney to evaluate whether there is sufficient evidence to overcome any affirmative defense that the accused is likely to raise.

B. Use of Force

In this case, the most likely potential charge against Officer Lauer would be a “battery.” A person commits battery if he knowingly without legal justification causes bodily harm to a person. For Officer Lauer, an affirmative defense to a battery charge would be that his use of force on P.M. was justified.

A determination must be made as to whether the officer’s actions were justified under 720 ILCS 5/7-5. That statute provides in pertinent part:

(a) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes, based on the totality of the circumstances, to be necessary to effect the arrest and of any force which he reasonably believes, based on the totality of the circumstances, to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when: (i) he reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or such other person; or (ii) when he reasonably believes, based on the totality of the circumstances, both that: (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; and (2) The person to be arrested committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

720 ILCS 5/7-5(a).

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. . . The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, 490 U.S. 386, 396-7 (1989). *See also* 720 ILCS 5/7-5(f). In evaluating whether an officer’s actions were reasonable, the Supreme Court has stated courts must pay “careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the

suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.” *Graham* at 396.

III. Facts

Unless otherwise noted, the following recitation of the facts is derived primarily from Officer Lauer’s report, statements of school personnel, and video evidence.

A. Officer Lauer’s Involvement

On September 21, 2021, Rockford Police Officer Lauer was working as a school resource officer at Auburn High School. At approximately 9:10 a.m., an employee at the school called him via his radio and asked that he respond to the main hallway because of an altercation. Officer Lauer did not receive any additional information about the incident. Officer Lauer was outside of the main entrance when he received the call. Upon entering the main entrance, several staff members were pointing to Officer Lauer’s left and yelling “over there.” Officer Lauer heard yelling and observed a general commotion coming from the area.

1. Rockford Police Officer Bradley Lauer

Officer Lauer arrived at the doorway leading to the faculty bathroom near the main hallway. Upon arrival, he witnessed Business Academy Principal Dimke and P.M. “wrestling” in the doorway. Officer Lauer did not recognize P.M. from prior contact.

Officer Lauer observed both Dimke and P.M. fall to the ground into the doorway of the men’s bathroom. Dimke was on his back/buttocks and P.M. began to stand up, straddling Dimke. The following is taken from Officer Lauer’s report¹:

I was concerned that either Dimke or P.M. would be injured from the physical altercation which was becoming out of control . . . I was unable to see his (P.M.’s) hands and was unsure if he was attempting to strike Dimke. I was able to grab P.M. from behind by placing both my arms around his arms and back area (attempting to pin his arms down to his sides, I attempted to pin his arms to his sides as I know from my training and experience that if I were to grab ahold of someone from behind in a “bear hug” fashion and leave their arms free, the subject would be capable of swinging their arms and striking me with a[n] arm or elbow.) He was wearing his backpack at the time which interfered with me being able to gain good control of him. I pulled him away from Dimke and advised him, “This is the police, stop fighting” numerous times. P.M. ignored me and began pushing against the wall and twisting his body. I again told him to stop resisting and told him he was under arrest. His muscles were tense and he began trying to turn toward me which I knew if he was able to do he would be able to batter me and further escalate the situation.

¹ Based upon Officer Lauer’s report, he did not view the school’s video footage from the incident prior to writing his report.

I then lifted him off the ground, tripped him using my left leg and pulled him down to the left simultaneously and we fell together to the floor. I did this to keep the situation from escalating further and in attempt to gain control of P.M. who was still actively resisting and who ignored numerous verbal commands. Furthermore I have been trained to and through my training and experience I have learned that it is easier to maintain control of a combative subject on the ground. After we hit the ground P.M. immediately stopped tensing his muscles and stopped resisting me.

2. Business Academy Principal Scott Dimke

Scott Dimke was the Business Academy Principal at Auburn High School at the time of this incident. He first encountered P.M. in the hallway after the bell had rung and prior to Officer Lauer being called, was attempting to speak to P.M. However, P.M. was ignoring Dimke's requests to stop and generally not communicating or following directions. In a written statement, Dimke stated as follows:

[P.M.] continued to escalate and I was able to get him into the side restroom hallway across from the main office so that it was not visible in the main hallway for the sake of other students and staff. He stepped back for a few seconds and then rushed at me waist high in an attempt to move me out of his way again. I had to block him to the ground to protect myself. At that point Officer Lauer was behind me and he was instructing the student to stop and that he was in the presence of an administrator and the police officer. The student continued to battle me and Officer Lauer then stepped in between us. He identified himself as a police officer and gave clear instructions for the student to stop fighting and that he was fighting a police officer.

3. Freshman Academy Principal Amber Lee-Black

Amber Lee-Black was the Freshman Academy Principal at Auburn High School at the time of the incident. She became aware of the interaction between Dimke and P.M. and intervened to help the situation. She believed that P.M. would be comfortable talking to her in her office and she and Dimke were attempting to guide P.M. to her office. In a written statement, Lee-Black stated as follows:

Mr. Dimke was able to guide the student [P.M.] into that hallway. The student became more physical, wrapping his arms around Mr. Dimke's legs, similar to how a football player would when attempting to tackle an opponent. With his arm wrapped around the student midsection, Mr. Dimke then dropped to the ground with the student to his side. Both the student and Mr. Dimke were on the floor. At this point Officer Lauer walks in. As he walks up the student is grabbing at Mr. Dimke and attempting to get on top of Mr. Dimke, Officer Lauer clips his radio to his hip. Officer Lauer announced that he was the police and says, "Come on stop, let's talk." "Come talk to me." Officer Lauer separates Mr. Dimke and the student. The student became increasingly more aggressive, Officer Lauer told the

student “you’re fight [sic] the police now, you need to stop.” The student continued to fight the Officer. Officer Lauer pleads with the student repeatedly not to resist and to calm down, the student continued to fight and try and pull away. The Officer is holding the student by his wrist, drawn behind the student’s body. Officer Lauer turn[s] himself and the student from the doorway and into the main hallway. The Officer sweeps the student legs from underneath him and the student leans forward to try and pull away from the officer. Both the student and the Officer hit the ground. The forward lean of the student caused his head to hit the ground first along with Officer Lauer’s force causing his left shoulder to hit the ground. The Officer immediately asked me to call the nurse (“Call the nurse now, he’s out”).

4. Jessica (Basford) Palos

Jessica (Basford) Palos was working at Auburn High School at the time of the incident. She was taking attendance during second hour and noticed P.M. was missing from class. She saw P.M. walk by her class and she asked him to come into her class. P.M. ignored her and continued walking. Palos then traveled into the hallway and saw P.M. near Dimke. She left her classroom with a student teacher to try to provide assistance to get P.M. to the freshman office or back to her classroom. In a written statement, Palos stated as follows:

I heard the shuffling of feet but didn’t see anything. Mrs. Lee-Black radioed for the officer. The officer came in and went toward the faculty bathroom area. I heard more noises of movement and heard the officer say “Don’t fight me, I’m police” a couple of times. I then saw the officer holding Parris by the backpack and back of his arms and pull him out of the bathroom area. The officer then picked Parris up off the ground and slammed him down, the front and side of his head hitting the ground first, then his body.

5. Video Footage

The pertinent video footage shows Dimke and P.M. going into a hallway between two staff restrooms. Most of the struggle is unable to be seen but it does show that some sort of struggle was happening in the small hallway.

In his statement, Officer Lauer stated that he “tripped” P.M. However, the video depicts a slightly different result as neither of Office Lauer’s legs make contact with P.M. Nevertheless, the video depicts that Officer Lauer positioned just behind P.M. as they exit the small hallway and into the larger hallway. Officer Lauer appears to wrap his arm over the top of P.M.’s left arm and his other arm under P.M.’s right arm. Officer Lauer then moves swiftly to his left while pulling P.M.s left arm and lifting up on P.M.’s right arm and shoulder. Officer Lauer lifts P.M. off the ground and rotates P.M. from a standing position to a prone position. It appears that just prior to picking P.M. up, P.M. leans forward and away from Officer Lauer. P.M.’s backpack is up near his upper back and neck.

The video shows that during the takedown, Officer Lauer's upper body was above P.M.'s but that Officer Lauer's knee appears to make first contact with the ground and his upper body and left shoulder are also making contact with the floor with his left arm on P.M.'s back area. The video shows P.M.'s head hitting the ground, but it does not appear that Officer Lauer fell on top of P.M.

B. After Officer Lauer's Use of Force

After P.M. and Officer Lauer landed on the ground, Officer Lauer placed P.M. in handcuffs. Officer Lauer saw that P.M. had lost consciousness and immediately called for the school nurse. Further, he called dispatch and requested that the Rockford Fire Department respond. Assistant Principal Lee-Black called P.M.'s guardian to respond.

P.M.'s guardian arrived and advised she did not want P.M. to ride in the ambulance and stated she wished to take him to the hospital for care herself. In his report, Officer Lauer's stated: "Due to P.M. losing consciousness it was my belief that he needed to be checked out further by medical staff. I did not want to prolong this so he was released to his mother and advised that his arrest would be a paper only arrest and he would not be transported to Juvenile Assessment for fingerprints or photographs."

IV. **Application of the Facts to the Legal Standard**

A criminal prosecution of Office Lauer for battery (aggravated or otherwise) would require proof beyond a reasonable doubt that Officer Lauer was not legally justified in using force against P.M. Illinois law states that Officer Lauer is justified in the use of any force which he reasonably believes, based on the totality of the circumstances, to be necessary to effect the arrest of P.M. and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, when utilizing force that is "likely to cause great bodily harm" an officer may only use such force in limited circumstances.²

² An Officer is justified in using force likely to cause death or great bodily harm only when: (i) he reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or such other person; or (ii) when he reasonably believes, based on the totality of the circumstances, both that:

- (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; and
- (2) The person to be arrested committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay. 720 ILCS 5/7-5.

The first inquiry is whether Officer Lauer's use of force was likely to cause great bodily harm such that the more stringent use of force legal standard would apply. With respect to P.M., it is believed that P.M.'s suffered a serious head injury as a result of his hitting his head on the hallway floor. While P.M. injury could be characterized as "great bodily harm," this is not the dispositive question. Rather, the question is whether Officer Lauer's use of force, specifically, his take down of P.M., was "*likely to cause great bodily harm.*"

In the non-criminal context, Courts have found that actions similar to those of Officer Lauer, even when serious injuries have occurred, are not likely to cause great bodily harm. In *Johnson v. Rogers*, 944 F.3d 966 (7th Cir. 2019), plaintiff was arrested, handcuffed, and made to sit on a curb. He managed to stand, so the officers walked him backwards and sat him on a patch of grass. Plaintiff stood up again, and the officer pulled him backwards and tried to return him to the ground. Plaintiff would not sit, so the officer used a leg sweep, forcing plaintiff to fall and suffer a compound fracture of his leg. Plaintiff alleged that he was kicked - rather than tripped. The court found that it was clear the officer did not kick or harm plaintiff after he was on the ground. Since the plaintiff was not under control at the time the officer either tripped or kicked the plaintiff, the officer's actions were objectively reasonable. Furthermore, whether it was a trip or a kick, in these circumstances, the fact that the officer's actions caused injury - perhaps because the maneuver was poorly executed - makes no difference.

Notably, in *Johnson*, the court cited "[m]any decisions...hold[ing] that there is no clearly established rule forbidding a clean takedown to end mild resistance... See, e.g., *Kelsay v. Ernst*, 933 F.3d 975 (8th Cir. 2019) (qualified immunity for a bear-hug takedown when an angry suspect walked away from the officer for the second time); *Shafer v. Santa Barbara*, 868 F.3d 1110 (9th Cir. 2017) (qualified immunity for a leg-sweep takedown when the intoxicated suspect tried to pull away); *Hedgpeth v. Rahim*, 893 F.3d 802 (D.C. Cir. 2018) (qualified immunity for an arm takedown accompanied by a knee to the rear of the leg of a suspect who had pulled his hands away from the cuffing procedure).

The Johnson court reasoned: "Any takedown can go awry—some suspects fall clumsily, while others have fragile bones—but, if the officers use steps reasonably likely to effect a clean takedown, an injury does not lead to liability. . . . a court asks whether the force used was reasonable, not whether things turned out badly. See, e.g., *Kelsay*, 933 F.3d 975 (suspect suffered a broken collarbone); *Hogan v. Cunningham*, 722 F.3d 725 (5th Cir. 2013) (qualified immunity for a tackle takedown in which officer landed awkwardly on suspect, causing two broken ribs); *Becker v. Bateman*, 709 F.3d 1019 (10th Cir. 2013) (qualified immunity for a clean throw-down takedown in which the suspect suffered a brain injury).

In this case, Officer Lauer's use of force was not likely to cause death or great bodily harm. There is no evidence that Officer Lauer intended to cause such a severe injury to P.M. nor that it was likely that the take-down would result in such a severe injury. Forcing or even throwing a person to the ground in an attempt to control him is not force likely to cause great bodily harm. The video evidence shows that Officer Lauer, in executing the take down, attempted to control P.M.'s descent, however, P.M.'s actions, specifically, leaning away from Office Lauer just prior to the takedown, prevented Officer Lauer from making a "cleaner" takedown. Further, Officer

Lauer's knee and shoulder hit the ground first and a careful review of the video shows that he did not land on P.M.

P.M.'s injury occurred when his head hit the ground. In a struggle, that is not surprising. To characterize P.M.'s injury as the unfortunate product of this incident does not diminish the nature of P.M.'s injury or its consequences. There is, however, no evidence that Officer Lauer intentionally used force likely to cause great bodily harm.

Because Officer Lauer's use of force was not likely to cause great bodily harm, the next question is whether Officer Lauer reasonably believed the force was necessary to: (a) effectuate the arrest of P.M.; or (b) to defend himself or Principal Dimke from bodily harm while making the arrest.

With respect to the altercation in the small bathroom hallway, Principal Dimke stated that P.M. rushed at him waist high in an attempt to move Dimke out of P.M.'s way. Principal Lee-Black witnessed P.M. "wrapping his arms around Mr. Dimke's legs, similar to how a football player would when attempting to tackle an opponent" and that both Dimke and P.M. dropped to the ground.

Upon entering the small hallway (or doorway), Officer Lauer was concerned that Dimke or P.M. would be injured from the altercation that was becoming "out of control." Officer Lauer told P.M. to stop fighting numerous times yet P.M. ignored those commands and continued to resist. Principal Lee-Black confirms this stating that Officer Lauer pleaded with P.M. to not resist and to calm down but that P.M. continued to fight and tried to pull away from Officer Lauer.

Officer Lauer's decision to use force, specifically a takedown, was reasonable, based upon the totality of these circumstances, to both effectuate the arrest of P.M. and to prevent harm to himself and Principal Dimke.

V. Conclusion

Based upon the evidence reviewed and the applicable legal standards, no criminal charges will be brought against Officer Lauer.



www.forcescience.com

April 24, 2023

Winnebago County State Attorney's Office
400 W. State Street, #619
Rockford, IL 61101

SUBJECT: *Use of Force Investigation – Officer Bradley Lauer | September 21, 2021*

Mr. J. Hanley:

This memorandum responds to your request for a summary of our review of the September 21, 2021 use of force incident involving School Resource Officer Bradley Lauer and student [REDACTED] (PM) at Auburn High School in Rockford, Illinois.

In this review, we focused on the manner in which Ofc. Lauer forced PM to the ground. Specifically, we will address the mechanical aspects of the takedown and those conditions that may have influenced the speed, location, and force of impact.

Mechanics of a Takedown

To move a person from a standing position to a prone position (face down on the ground), an officer may attempt a variety of takedown maneuvers. The takedown attempt that was described by Officer Lauer in this case was merely a "trip," which could be performed by blocking a person's foot (or leg) and then shifting that person's bodyweight so that their center of gravity is moved over and beyond their supported leg. By blocking the foot or leg, the person being tripped is unable to reposition their foot to reestablish their base and balance, which allows gravity to pull their body to the ground.

In this case, although the officer described his attempted takedown as a "trip," the video depicts a slightly different result. While positioned behind PM, Ofc. Lauer appears to secure an "overhook" on PM's left arm (Ofc. Lauer's arm wrapping over the top of PM's left arm) and an "underhook" on PM's right arm (Ofc. Lauer's arm wrapping under PM's right arm). By quickly circling to his left, while pulling back on PM's left arm and lifting up on PM's right arm and shoulder, Ofc. Lauer is seen lifting PM off of the ground. Because PM was off the ground, it was not necessary to Ofc. Lauer to block PM's foot to prevent him from maintaining his base. Instead, Ofc. Lauer was able to rotate PM faster than PM could reestablish his base (get his feet back under his center of gravity). Without his feet underneath him, PM was forced from a standing position to a prone position.

To control the descent of their self and the person being thrown, the main actor must maintain their balance and center of gravity, as they execute the take down. However, in real-world dynamic force encounters (including wrestling take downs), there are factors that will influence the ability of the officer to maintain control of the speed of descent, location of impact, and force of impact. In this case, we witnessed factors that occurred during the split seconds of the takedown that likely impacted Ofc. Lauer's ability to control these speed and impact results.



Factors Impacting the Speed of Descent, Location of Impact, and Force of Impact

The takedown attempted by Ofc. Lauer, whether it required a trip or merely lifting and turning PM faster than he could regain his base, is capable of being executed so that the officer can control the speed of descent, the location of impact, and the force of impact. However, this control requires the officer to maintain his own center of gravity and balance. In this encounter, PM (as shown in the following frames) appears to be resisting Ofc. Lauer in ways that impacted Ofc. Lauer's ability to maintain sufficient control of PM's descent.

As Ofc. Lauer prepared to take PM to the ground, PM can be seen suddenly leaning forward (away) from Officer Lauer and pulling in the opposite direction of that chosen by Ofc. Lauer for the takedown. Likely to compensate for PM's forward momentum, it appears that Officer Lauer pulls PM into a closer position, lifts him up, and rotates him quickly and forcefully to the left (the direction of Ofc. Lauer's takedown).

(The video and commentary on the right of each frame are taken directly from Mike Albin's video analysis report.)

PHOTO 1



Officer Lauer's hips are sliding and moving to his left and away from juvenile PM.



PHOTO 2



Officer Lauer has captured the left arm of juvenile PM between his left arm and left side of his body while maintaining contact with juvenile PM by his left hand on the left scapula. Officer Lauer is quickly moving to his left and downwards. Juvenile PM's right arm is seen on the inside of Officer Lauer's right arm.

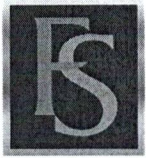
PHOTO 3



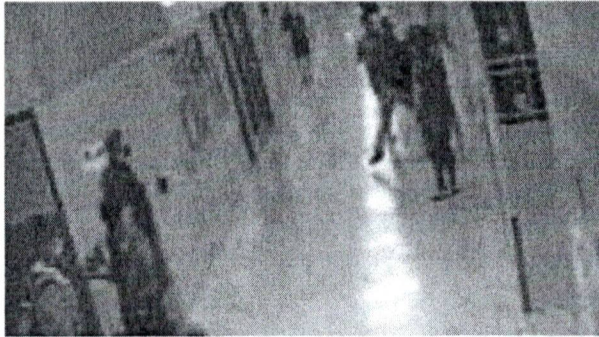
Officer Lauer is moving rapidly downward while juvenile PM has his head forward and backpack up over his neck and head area.

As Officer Lauer pulls and lifts PM to counter PM's resistance, there is a weight shift away from Ofc. Lauer. This weight shift is the result of PM quickly leaning forward causing the weight of his head, upper body, and weighted back pack to move away from Ofc. Lauer. Once Ofc. Lauer made the decision to execute the takedown, it is unlikely that he could have perceived the weight shift, considered the influence it would have on his ability to control the takedown, and adjust or stop his action in time to avoid the influence that PM's resistance would have on the rate of descent, location of impact, and force of impact.

It would be expected that PM's sudden weight shift would change the distance that his head and body would travel during the takedown. The further PM was from Ofc. Lauer, the more difficult it would be to control the rate of descent and impact. This concept is likely familiar to the layperson who understands that carrying a heavy box is easier when held closer to the body and not leaning forward ("lift with back straight").



As can be seen in the following PHOTO 4



Officer Lauer is leaning backward and rotating to his left.

In PHOTO 5 and PHOTO 6, Officer Lauer can be seen with his legs straight and his upper torso resisting being pulled to his right. The straight leg is consistent with attempting to develop sufficient momentum to overcome the resistance and use his own bodyweight to initiate the turn and takedown.

PHOTO 5



Officer Lauer's right arm and elbow are moving up and over juvenile PM to the left side of Officer Lauer.

PHOTO 6



Officer Lauer's right forearm and wrist are seen on the right shoulder area of juvenile PM as his upper body continues to move left and further from his hips while rotating to his left side. Juvenile PM continues to maintain his head forward with his backpack over his head and neck area.



In the following PHOTO 7, Officer Lauer's left foot makes contact with the ground which would be consistent with an attempt to control the impending fall.

PHOTO 7



Officer Lauer's left knee and foot turn and rotate counter-clockwise and left as his hips also rotate in the same direction. Officer Lauer's shoulders are to the left of his hips and his torso is approximately 40 degrees to his left side.

In PHOTO 8, Officer Lauer's upper body is above PM's. It is important to note that Officer Lauer's left knee appears to first contact the ground, which is consistent with an attempt to control the rate of descent and impact. It would be expected that Ofc. Lauer's knee would have born much of the impact of the fall.

PHOTO 8



Officer Lauer's upper body is over juvenile PM who is head down near the ground. Juvenile PM's right leg has moved to the opposite side of the hallway and is planted on the ground as he is bent over at the waist with his head down and backpack over his head with his hips up.



In PHOTO 9, we see evidence that the momentum of the throw impacted Ofc. Lauer's ability to control the rate of descent and location of impact. The officer's left knee is firmly on the ground and his upper body and left shoulder area are making contact with the floor, while his left arm is on the back area of PM. This would be some indication that Ofc. Lauer did not intentionally choose the speed and intensity of the takedown but was rather pulled over and to the ground by the unexpected weight shift away from his center.

PHOTO 9



Juvenile PM's hips and legs go to the ground. Officer Lauer's left arm is over the back area of juvenile PM who is on the ground. Officer Lauer's right leg is extended back toward the hallway that he came from.

In PHOTO 10, Officer Lauer's body except for his right leg has now impacted the floor and he is beside PM. Ofc. Lauer is seen rolling away from PM and onto his left side. Officer Lauer's redirection of his body (he did not land on PM) is additional evidence that the officer did not intend the loss of control that resulted during the takedown. It would be expected that by not landing on PM, Ofc. Lauer significantly diminished the force of the takedown.

PHOTO 10



Officer Lauer's torso impacts the floor next to juvenile PM as he rolls to his left side. Officer Lauer's portable radio falls to the ground.

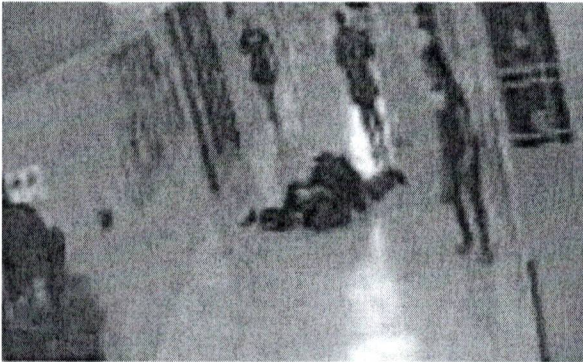


FORCE SCIENCE®

CONSULTING
DIVISION

In PHOTO 11, Officer Lauer can be seen rolling onto PM into effecting the final phase of the control action he attempted to accomplish with the take down, which apparently and inadvertently were subverted by PM's attempt to pull away from and resist the takedown.

PHOTO 11



Officer Lauer continues to move counter-clockwise around to the back of juvenile PM with juvenile PM's right arm overtop of Officer Lauer's right arm.

Included in the appendix is my brief biography. Thank you for the opportunity to consult with you on this matter. Please contact me if I can provide any more information.

Sincerely,

Dr. William Lewinski
Force Science, Ltd.