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Dane County Sheriff's Office
Law Supplemental Narrative

Incident Number: 220041819 Report Sequence: 235

02-04-2022 Deputy Greg Leatherberry Search Warrant HYUNDAI TUSCON

INITIAL INFORMAITON:

On Friday February 4, 2022 I was working as a Deputy Sheriff for the Dane County Sheriff's Office, assigned to the Crime Scene Unit as a Crime Scene Investigator. I was working the 7am to 3pm shift wearing business casual attire operating crime scene unit vehicle number 63.

INCIDENT INFORMATION:

On Friday February 4, 2022 I had been requested to assist with the execution of a search warrant on a vehicle that was involved in an officer involved shooting on the previous day. Detective William Hendrickson had obtained a search warrant for the vehicle that was signed by Judge Bailey-Rihn on February 2, 2022.

The vehicle was at the Dane County Sheriff's Office indoor secure vehicle storage evidence cage located in the basement of the Dane County Public Safety Building.

I started my involvement with the search warrant at approx. 8:15 am. I observed that the evidence padlock was still in place and the vehicle contained in the warrant was in the secure cage stall. I opened the case area at approx. 8:26 am. I observed within the cage area a silvered colored Hyundai Tuscon with Wisconsin License plate 328-ZWE backed into the stall. I also observed on the ground by the vehicle a black bag that contained vehicle parts and glass debris.

DESCRIPTION OF VEHICLE EXTERIOR:

For the purpose of proper orientation and reader understanding all areas described with left or right directionality would be observed as if one was seated in the vehicle and facing the front of the vehicle. I observed that the front bumper of the vehicle was cracked in the area to the left of the license plate. I also observed an indentation area on the lower left front area of the bumper. There is a area above the license plate that is cracked and gouged. The license place trim is cracked with portions of the plastic missing. There is a defect to the front tow point cover on the right front side and a small defect to the bumper cover in this area. I observed what appears to be a dusty footwear pattern transfer onto the right front hood of the vehicle. There is also a dust like transfer on the left side of the hood.

I observed that there is a defect on the right front door outer door skin, the right front exterior mirror glass is broken, the right front door glass is broken with portions of the glass still in the track. There is a defect to the right front door trim along the top of the door near the mirror.

The glass window for the right rear door is missing with portions of the glass in the track area. There is paint damage to the right rear quarter panel.

The rear cargo area door is damaged to the left of the license plate and the rear bumper cover is cracked below the license plate.

There is a dent on the left rear wheel well area of the body below the gasoline tank access door. There is a defect to the left rear door window trim. The left

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rear door is missing glass and portions of glass remain in the track area. There is visible reddish brown staining on the left rear door in the area of the exterior door handle. The staining is consistent in appearance with blood.

There is a round defect to the "B" pillar on the driver's side of the vehicle. The left front, driver's door is missing the window glass. There is an elliptical defect on the left front side roof above the left front door to the rear of the "A" pillar.

PHOTOGRAPHS TAKEN:

I took digital images of the vehicle exterior with the departmental digital camera prior to opening the vehicle.

DESCRIPTION OF VEHICLE INTERIOR:

I opened the driver's front door and observed that the window glass was hanging into the interior side of the vehicle. The door glass on a motor vehicle is made with tempered glass sometimes it is referred to as safety glass. Tempered glass is a glass that is treated so should it break it shatters into small pebble like pieces. I took a closer look at the window glass that was hanging on the interior side of the vehicle and observed that portions of the tempered glass were hanging and attached to a window tint film. The window tint film was attached to the lower portion of the window glass still in the track of the vehicle. I observed there is a round defect in the door on the interior side that aligns with the "B" pillar area. I observed that on the floor board in the left front driver's compartment that there are pieces of broken translucent green glass. The broken glass is consistent in appearance with tempered window glass. I observed on the drivers floor area there is a black colored covid type medical face mask, and a black colored cellular phone with a coiled charging cord attached to the phone and to the center console DC charging access point. I observed on the front drivers seat area there is a large quantity of glass on in this area. The glass in this area has portions of the plastic window tint film attached to it. The driver's seat backrest reclined towards the rear of the vehicle. Located on the center console area is a package for Newport brand cigarette and some US coin currency. Located in the cup holder is a black colored covid type medical mask that is black in color. Located within the center console storage area are paper documents and phone type cords.

I observed the left rear passenger seat back is angled forward and the headrest is in contact with the headrest of the left front seat. I observed that there is broken black colored tempered type glass on the left rear passenger seat and on the left rear floorboard area. There is a snowbrush window scraper on the floor that is white and black in color. I also observed a brass colored spend cartridge casing. The casing was located between the left side of the seat and interior side of the door on the floor towards to rear of the vehicle. The casing was consistent with a casing from a rifle type firearm.

I observed that on the right front passenger's seat that there is more of the clear green tinted tempered window type glass along with portions of the window tint material. There is also a purse that is on the seat bottom that is open and has a large quantity of US paper currency visible. I observed that on the right front passenger floor board there is a red colored baseball type cap and more of the clear tinted green glass.

I opened the right rear passenger's door and observed that on the seat bottom

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was a case of Lipton brand tea in bottles. I also observed a large quantity of dark colored tempered window type glass on the seat bottom and on the floor.

I opened the rear lift gate to access the rear cargo area and observed that there were paper documents, a tan colored jacket and a yellow plastic bag in the cargo area.

MONEY AND DRUGS IN PURSE:

Once the overall photographs were complete the purse that was located on the right front passenger seat was removed and placed on a table covered with brown evidence paper. The purse is a Coach purse and is grey and black in color. The purse was found unzipped and a large quantity of money was removed from the purse, along with a cellphone, a black covid medical type mask, 2 red lighters, a vape pen, phone chargers a black pouch with a plastic bottle with a flip top and a an unknown yellow oil like substance and cotton batting type filler. A scale is also found within the purse. There are two zippered closures on the purse. The main larger storage area, and a zippered area on one side. There is an open pouch on the opposite side of the purse.

The money was later counted in the evidence room and contained \$1856.00 in U.S. Paper currency.

I observed in the open pouch that there are three plastic bags that are each containing a large quantity of white material. One of the bags contained an off white colored rock or chunk like substance. This bag was later weighed in the evidence room with a weight of 20 grams. The material was field tested and was conclusive for cocaine base. I also tested the same bag for Fentanyl and the test was inconclusive. The 20 grams of drug evidence was placed into evidence under evidence ID 44375

The second of the three bags also contained an off white colored rock or chunk like substance. The second bag was later weighed in the evidence room with a weight of 28 grams. The material was field tested and was conclusive for cocaine base. I also tested the same bag for Fentanyl and the test was inconclusive. The 28 grams of drug evidence was placed into evidence under evidence ID 44376

The third of the three bags contained a white colored powdery substance. This bag was later weighed in the evidence room with a weight of 23 grams. The material was field tested and was conclusive for Fentanyl. I also tested the same bag for cocaine base and the test was inconclusive. The 23 grams of drug evidence was taken as evidence under evidence ID 44377.

The scale from the purse was taken as evidence under evidence ID 44378.

The Samsung Cell phone from the purse is taken as evidence under evidence ID 44381.

The purse and the contents are taken as evidence under evidence ID 44382

SPENT CASING RECOVERED:

I recovered the spent/fired brass colored casing from the left rear passenger compartment. The head stamp on the casing reads "HORNADY" over "223 REM" The casing is taken as evidence and placed into evidence under evidence ID 44635.

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REMOVAL OF ITEMS FROM VEHICLE:

Special Agent Jason Salerno assisted with the removal of the items from the vehicle. The items were removed from the vehicle and placed on brown evidence paper and assembled on the paper based on the area of the vehicle that the items were taken from. I photographed the contents that was laid out on the evidence paper.

GLASS RECOVERED:

I used the departmental shop-vac like vacuum to remove the glass material that was inside the vehicle. The vehicle was divided into four areas, left front, left rear, right front, and right rear. The container portion of the vacuum was lined with a plastic liner to catch the vacuuming's with a new liner in place for each of the areas. The contents from the liners were placed into clear evidence bags and marked with the area designation. The bags of the vacuuming's were placed into evidence under evidence ID 44633. The plastic liners that were used were retained, packaged individually under evidence ID 44634.

OBSERVATIONS OF DASHBOARD AREA:

I observed that dashboard area has glass across the top area. The glass ranged in size from a dust like material to the larger popcorn like pieces. I observed on the dashboard at the left side of the dashboard there are small copper color pieces. The pieces are resting on the dashboard and 2 of the pieces are embedded into the dash surface. The copper colored pieces are consistent in appearance with small pieces of a projectile that has fragmented after striking an intermediate object. The fragments are collected under evidence ID 44637.

SUSPECTED BLOODSTAINS OBSERVED:

I observed areas of staining on the dashboard in the area of the radio and above the glove compartment. I observed areas of staining on the passenger seat back at the tight side near the door. I observed a stain on the interior plastic "B" pillar cover. There are stains on the rear seat and on the interior and exterior of the left rear door. The stains were photographed and then photographed with a scale.

Photo Marker 1 was placed next to the reddish brown stain on the radio. The stain is a transfer type stain and is approx. 29mm by 17mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 2 was placed next to the reddish brown stain on the radio. The stain is a transfer type stain and is approx. 35mm by 12mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 3 was placed next to the reddish brown stain on the right heater dial face and sides. The stain is a transfer type stain, the stain on the face of the knob is approx. 15mm by 12mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 4 was placed next to the reddish brown stain on the dashboard to

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the right of the heater control knob. The stain is a transfer type stain and is approx. 30mm by 15mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 5 is placed next to the reddish brown stain on dashboard by the glovebox. The stain is a transfer type stain and is approx. 6mm by 8mm. The stain is tested for blood using luminol which has a negative reaction for blood. The stain was not collected.

Photo Marker 6 is placed next to the reddish brown stain on dashboard by the glovebox. The stain is a transfer type stain and is approx. 30mm by 9mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 7 is placed next to the reddish brown stain on driver right interior door speaker grate. The stain is tested for blood using luminol which has a negative reaction for blood. The stain was not collected.

Photo Marker 8 is placed next to the reddish brown stain on right interior "B" pillar. The stain is a transfer type stain and is approx. 75mm by 25mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 9 is placed next to the reddish brown stain on right front seat. The stain is a transfer type stain and is approx. 105mm by 20mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 10 is placed next to the reddish brown stain on the steering wheel. The stain is a transfer type stain and is approx. 10mm by 4mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 11 is placed next to the reddish brown stain on the interior side of the left rear door, near the door handle. The stain is a transfer type stain and is approx. 15mm by 20mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 12 is placed next to the reddish brown stain on the interior side of the left rear door, near the upper edge. The stain is a transfer type stain and is approx. 15mm by 12mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 13 is placed next to the reddish brown stain on the left rear seat cushion. The stain is a transfer type stain and is approx. 11mm by 15mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 14 is placed next to the reddish brown stain on the left rear seat bottom cushion. The stain is a transfer type stain and is approx. 30mm by 3mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 15 is placed next to the reddish brown stain on the rear seat bottom middle cushion. The stain is a transfer type stain and is approx. 30mm by 12mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 16 is placed next to the reddish brown stain on the left rear door

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on the exterior side near the door handle. The stain is a transfer type stain and is approx. 35mm by 15mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 20 is placed next to the reddish brown stain on the middle rear seat bottom cushion. The stain is a transfer type stain and is approx. 20mm by 10mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 21 is placed next to the reddish brown stain on the middle rear seat bottom cushion front edge. The stain is a transfer type stain and is approx. 5mm by 3mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 22 is placed next to the reddish brown stain on the right rear seat bottom cushion. The stain is a transfer type stain and is approx. 25mm by 10mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 23 is placed next to the reddish brown stain on the right rear seat bottom cushion. The stain is a transfer type stain and is approx. 20mm by 16mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 25 is placed next to the reddish brown stain on the right rear seat back cushion. The stain is a transfer type stain and is approx. 15mm by 5mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 26 is placed next to the reddish brown stain on the right front seat back. The stain is an impact type stain that has a downward gravitational pull. The stain is approx. 35mm by 10mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 27 is placed next to the reddish brown stain on the right rear seat back cushion. The stain is transfer type stain that is approx. 12mm by 30mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 28 is placed next to the reddish brown stain on the right front seat back. The stain is transfer type stain that is approx. 30mm by 20mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

Photo Marker 29 is placed next to the reddish brown stain on the right rear exterior door to the rear of the front edge. The stain is an impact type stain that is approx. 4mm by 6mm. The stain is tested for blood using luminol which has a positive reaction for blood. The stain was collected as evidence.

DEFECTS OBSERVED:

I observed a defect to the left rear door rubber window edge the defect appears to have a pattern impression in it and it extends to the painted surface. This defect area is marked with photo marker 17 and photographed.

I observed a defect to the left rear rubber window edge forward of the defect

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marked with the number 17. The defect is a piece of the window rubber missing. The defect is marked with photo marker 18.

I observed a defect to the body below the gasoline cap access door. The defect is approx. 25mm by 3mm. The defect is marked with photo marker 19.

I observed a defect on the right front interior door above and forward of the door handle. The defect contains a small copper colored fragment and is marked with photo marker 30.

I observed a defect to the rear of the defect marked with marker 30. The defect is a small 2mm by 3 mm hole in the door covering material. There is a bump to the right of the defect that appears to have an object trapped under the door covering material. This defect is marked with photo marker 31

I observed a copper colored fragment on the interior edge of the door cover to the rear of marker 31. The copper colored fragment is marked with evidence marker number 32.

I observed a small copper colored metal fragment embedded into the door cover to the rear of the defect marked with marker 33.

I observed a defect to the door covering material on the right front door in the area of the door handle. There is also a defect to the door handle trim on the right front door. The defect has a half moon appearance to the upper edge this is marked with evidence marker number 34. There is a defect to the handle cover just below the defect marked number 34 that is a continuation of that defect. The defect perforates the interior door panel passes through the door and exits the outer door skin. The exterior defect is later marked with photo marker letter D.

The metal fragments were collected packaged separately and placed into evidence under evidence ID 44637.

I observed a defect on the right rear passenger seat that was at the outer edge the defect was a cut to the seat material that was approx. 24mm in length. The defect was marked with evidence marker letter 24.

SEARCH OF VEHICLE WITH ATF K-9.

I had made contact with Special Agent Jason Salerno and had requested assistance of him and his K-9 partner Sandy to search the interior of the car. The purpose of the search using the AFT Explosives Detection K-9 was to search the interior of the vehicle for any items that could not easily see that contained gunpowder or burnt gunpowder. One of the items we were looking for was the handgun that was reported to have been seen during the initial contact by the officers that was not found within the vehicle at the scene search. In addition to the firearm we were also searching for additional fired cartridge cases that may have landed in areas that are not easily accessed such as the dash windshield directed air vent and the dashboard air vent. No additional items of evidence related to firearms were located by the K-9 search. See report completed by AFT special Agent Jason Salerno.

VEHICLE SECURED:

The vehicle cage area was secured and the purse that was taken as evidence was transferred to the evidence room.

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EVIDENCE:

I maintained custody and control of the purse that was recovered from the front seat of the Hyundai. The purse was taken to the evidence room. The paper currency was removed from the purse and placed in the money counter. The money counter records the type of note, the serial number and also images the serial number. The money counter provides a printable report on the value and currency breakdown. Six (6) One Dollar Bills, Two (2) Five dollar Bills, Two (2) Ten Dollar Bills, Ninety One (91) Twenty Dollar Bills were recorded for a total sum of \$1856.00 in U.S. paper currency. The paper printable report is added to the case as an attachment. The money was placed into evidence under evidence ID number 44374.

I removed some loose coins from inside the purse with a total value of \$2.48. The money was placed into evidence under evidence ID 44379.

I removed a small scale from the purse. The scale is commonly used for weighing drugs. The scale is black in color and is approx. 2 inches by 5 inches in length. The scale was placed into evidence under evidence ID 44378.

I removed four key fobs from the purse and placed them into evidence under evidence ID number 44380.

I removed a Samsung Cellular telephone from the purse. The cellphone was on and had battery power. I contacted Detective Tim Blanke and asked him what he would like down with the phone as far as powering off or have it remain on. I entered the phone into evidence under evidence ID number 44381. Detective Blanke responded to the evidence room and took custody of the phone at approx. 5:20 pm.

The drug evidence that was removed from the purse was weighed and tested as previously described in this report. The drug evidence was placed into evidence under this case number and subsequently reassigned a separate case number of 220079734 for tracking and testing at the Wisconsin State Crime Laboratory.

END OF REPORT

Deputy Greg Leatherberry
Crime Scene Investigator
Dane County Sheriff's Office

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