



Barron County District Attorney

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REPORT ON THE OFFICER INVOLVED SHOOTING OF DYLAN J. HANCOCK

DISTRICT ATTORNEY'S NO CHARGING DECISION

The officer involved shooting of Dylan Hancock serves as a stark reminder of the enormity of what can, and in this instance did happen when a law enforcement officer is confronted with the use of or threatened use of deadly force. Law enforcement officers have the same privilege, as we all do, to act in self-defense and defense of others, and, when confronted with the use or threatened use of deadly force in the performance of their professional duties, to defend themselves and others by using force which is intended or likely to cause death or great bodily harm.

On July 14, 2021, Deputy Weigand fired two shots from his department issued rifle at Dylan Hancock, who had shouldered and was pointing a loaded AR rifle at Deputy Weigand. One of the bullets struck Dylan Hancock in the neck. Dylan Hancock survived. However, as result of his injuries, he is a quadriplegic.

As the Barron County District Attorney, it is my responsibility to determine, based on all the evidence, whether Deputy Anthony Weigand's use of deadly force was reasonable and, therefore, privileged under the law of self-defense and defense of others. I have concluded, on the basis of my review of the evidence gathered by the Wisconsin Department of Justice – Division of Criminal Investigation (DCI), that Deputy Weigand acted reasonably when he used deadly force to protect himself and other sheriff's deputies who had responded to the scene of the shooting.

For this reason, Deputy Weigand will not be charged with any crimes. Deputy Weigand was justified in his use of deadly force in response to the actions taken by Dylan Hancock that forced Deputy Weigand to make a split second decision to defend himself and other sheriff's deputies from death or great bodily harm.

WISCONSIN DEPARTMENT OF JUSTICE
DIVISION OF CRIMINAL INVESTIGATION

The Barron County Sheriff's Department turned over complete control of the officer involved shooting (OIS) to DCI. Agents with DCI immediately started their investigation. Deputies on scene returned to the Barron County Sheriff's Department on the night of July 14, 2021, at which time DCI agents began the process of interviewing the involved deputies and gathering information. DCI agents canvassed the neighborhood and obtained statements from persons who were at home and had firsthand information about what they saw or heard. DCI agents collected evidence, interviewed relevant witnesses, viewed and listened to video and audio taken from the squad and body cameras of involved deputies, reviewed the Barron County Dispatch Call Detail Report (CAD) of the incident, extracted data from Dylan Hancock's cell phone, spoke with Dylan Hancock's medical providers, and reviewed medical reports and notes.

The DCI investigative report was turned over to the Barron County District Attorney's office on August 13, 2021. In addition to reviewing the entire DCI investigative report, I viewed the video and audio that was taken from the squad and body cameras of involved deputies, most significantly the video and audio taken from Deputy Weigand's squad camera and body camera. I personally went to the scene and saw firsthand the location of the bedroom where Dylan Hancock was standing when he pointed the AR rifle at Deputy Weigand, the location of Deputy Weigand's patrol vehicle, Deputy Weigand's location when he arrived on scene, and the locations where other deputies and patrol vehicles were positioned when Deputy Weigand fired his rifle at Dylan Hancock.

DCI agents attempted to speak with Dylan Hancock at Regions Hospital in St. Paul, Minnesota. Dylan Hancock elected not to speak with DCI agents. All of the materials and electronic evidence gathered by DCI will be made available to the public with limited redaction to protect the personal information of witnesses and to comply with HIPPA rules and regulations.

DESCRIPTION OF OFFICER INVOLVED SHOOTING INCIDENT

On Wednesday, July 14, 2021 at approximately 6:47 PM, Barron County Sheriff Chris Fitzgerald received a call from A.J.W., requesting to speak with an officer regarding threats from Dylan Hancock, who is A.J.W.'s nephew. Sheriff Fitzgerald assigned Deputy Eric Sedani, Deputy Chris Welker, and Deputy Heather Hughes, to respond to A.J.W.'s complaint. Sheriff Fitzgerald advised the deputies that A.J.W. reported Dylan Hancock sent a picture on SnapChat of a firearm pointed at A.J.W.'s house. A.J.W. had concerns that Dylan Hancock may want to commit "suicide by cop."

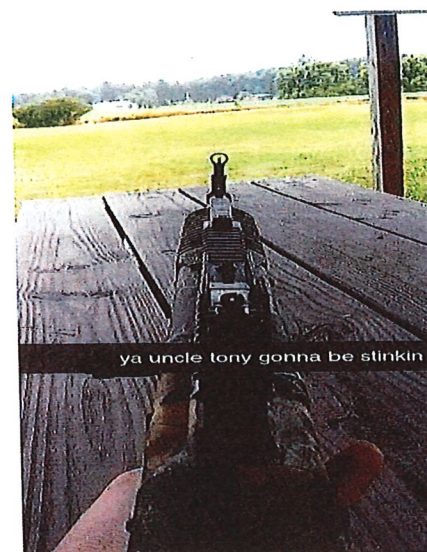
A more detailed understanding of what led A.J.W. to contact law enforcement emerged in the course of the DCI investigation. B.J.H., who is Dylan Hancock's cousin, informed DCI agents that Dylan Hancock had court earlier in the day on July 14, 2021. Dylan Hancock's court appearance on July 14, 2021, was in a

previously filed criminal case charging him with disorderly conduct.¹ Dylan Hancock began sending B.J.H. messages venting about how terrible the family was for turning him in. Dylan Hancock began saying things about B.J.H.'s sister and A.J.W., who he felt were the family members who had turned him in.

On July 14, 2021, after his court appearance, Dylan Hancock sent B.J.H. a photograph on SnapChat of a rifle pointed towards A.J.W.'s house taken at the Mikana public park. Dylan Hancock also sent B.J.H. a picture message on SnapChat with the same gun pointed at A.J.W.'s house. The picture message reads: "ya uncle tony gonna be stinkin." Dylan Hancock messaged B.J.H. that he drove by A.J.W.'s house and asked B.J.H. what house A.J.W. was in and if A.J.W. was home. The screenshots below show the photograph of the rifle pointed towards A.J.W.'s house and the picture message with the same gun pointed at A.J.W.'s house that Dylan Hancock sent to B.J.H.



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¹ In Barron County Case No. 21 CM 92, Dylan Hancock was charged with a single count of Disorderly Conduct after A.J.W. reported receiving threatening messages from Dylan Hancock. A.J.W. stated the threats were directed at the Mikana General Store and making the Mikana Fourth of July parade "look like a Las Vegas country music festival."

Dylan Hancock's initial appearance was held on May 11, 2021, and he was released on a \$1,000 signature bond. Dylan Hancock appeared by Zoom for a return hearing on July 14, 2021. A plea agreement was not reached and the case was scheduled for a jury trial on December 8, 2021.

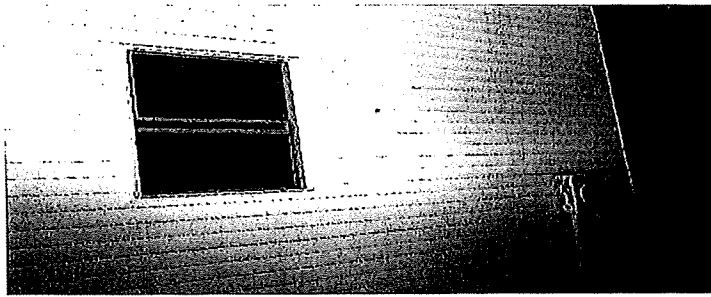
B.J.H. called A.J.W. and told him about the picture and Dylan Hancock driving by A.J.W.'s house. B.J.H. and A.J.W. decided they had to call law enforcement. That is when A.J.W. called law enforcement and spoke with Sheriff Fitzgerald.

Deputy Sedani drove to Mikana and made contact with A.J.W., at A.J.W.'s house. After speaking with A.J.W. about the picture of the gun pointed at his house, Deputy Sedani met with Deputy Welker and Deputy Hughes at the Mikana General Store and advised them of the situation. Deputy Sedani made phone contact with B.J.H., who sent him the Snapchat pictures Dylan Hancock had sent him. In the Snapchats, Dylan Hancock threatened B.J.H.'s sister and A.J.W.

On July 14, 2021 at 3:56 PM, Dylan Hancock messaged B.J.H., telling A.J.W. to run to Florida because he (Dylan Hancock) was going to stop by and "I tell ya after 8 drinks I can do anything." On July 14, 2021 at 7:42 PM, before deputies arrived on scene, Dylan Hancock sent B.J.H. another picture message, this time with a gun underneath his chin. The message read: "Still waiting ... send your sister over lol." B.J.H. was fearful that Dylan Hancock would kill his sister.

Deputy Sedani attempted to call and speak with Dylan Hancock on the phone, but the call rang and no one answered. At 7:46 PM, Deputy Sedani, Deputy Welker and Deputy Hughes drove to the house where Dylan Hancock was living with his father in Mikana, Barron County, Wisconsin. The front entrance of the house faces Hwy. 48/27th Street. The house has an attached garage which faces 26 7/8 Avenue. The layout of the house is such that Dylan Hancock's bedroom is the southernmost room in the house. The photograph below shows the window on the southern exterior of the house that looks into Dylan Hancock's bedroom. The window faces 26 7/8 Avenue.

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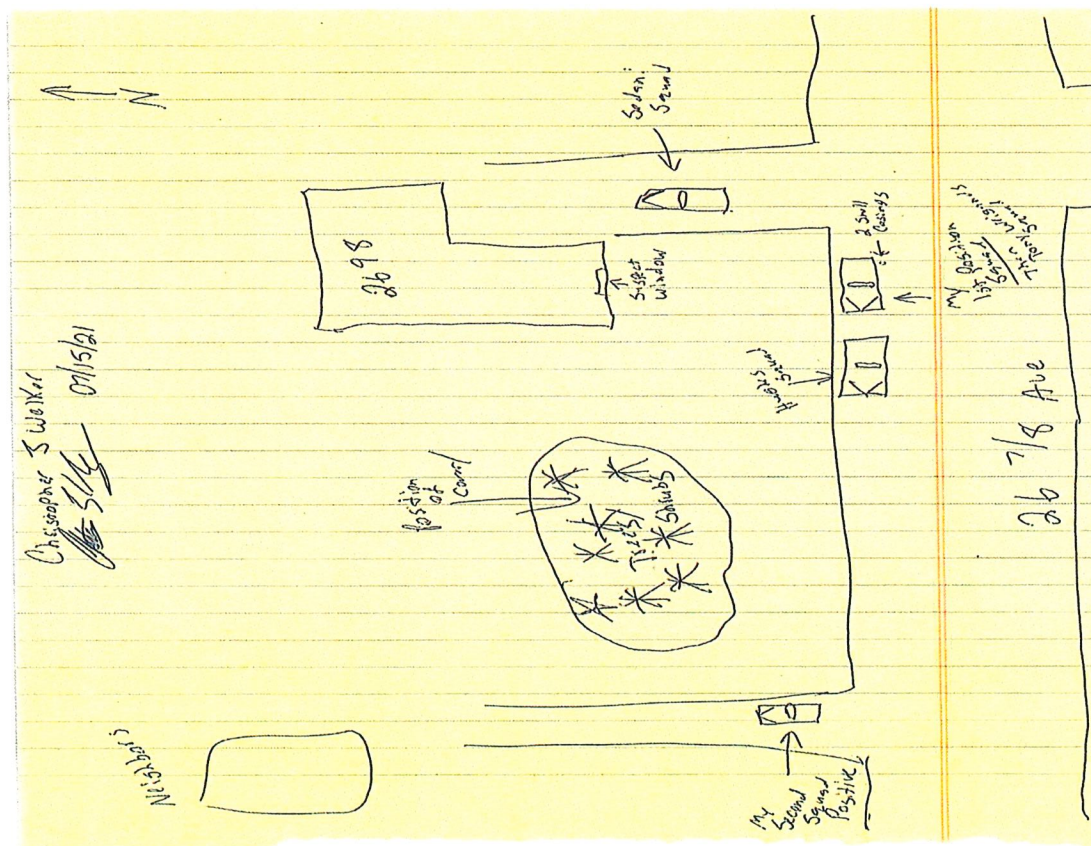
(Image 2 -- IMG_0048, South Window, Dylan Hancock's Bedroom)

Deputy Sedani parked his patrol vehicle in the driveway. Deputy Welker and Deputy Hughes parked their patrol vehicles on 26 7/8 Avenue on the side of the road nearest the house. As Deputy Sedani was walking up to the front door, he heard Deputy Welker and Deputy Hughes talking with a subject. Deputy Sedani walked around to the south side of the house and observed Dylan Hancock talking through the screen window shown above. Deputies attempted to get Dylan Hancock to come out of the house and speak with them. Dylan Hancock refused. Deputy Sedani and Deputy Hughes then started to walk to the front of the residence while Deputy Welker continued speaking with Dylan Hancock through the screen window.

Deputy Welker requested Dylan Hancock to come outside numerous times so deputies could speak with him about the photograph with the gun that was pointed at A.J.W.'s house. Dylan Hancock told deputies he had several firearms in the house. Dylan Hancock said he had been drinking alcohol that day, and that his father was also in the house. As Deputy Welker continued to speak with Dylan Hancock, he observed Dylan Hancock reach to his right. When he did so, Deputy Welker observed Dylan Hancock raise a rifle in a vertical position in his right hand. Deputy Welker observed a distinct raised front sight on the firearm, which was the same as the rifle pointed at A.J.W.'s house in the photograph Deputy Sedani had previously shown to Deputy Welker.

Deputy Welker drew his department issued handgun and ordered Dylan Hancock to drop the gun. Dylan Hancock did not drop the gun and began walking backwards in the room away from the window and toward the doorway farthest from the window. As Dylan Hancock got near the doorway, he lowered the rifle to a position where Deputy Welker could no longer see it. Deputy Welker ordered Dylan Hancock to come to the window, but he refused. The rifle remained well within the reach of where Dylan Hancock was standing. Deputy Welker ordered Dylan Hancock to step away from the gun. Dylan Hancock refused and then asked Deputy Welker what Deputy Welker would do if he (Dylan Hancock) grabbed the gun. Deputy Welker continued to tell Dylan Hancock to drop the gun and that deputies just wanted to talk with him.

Deputy Welker requested the Emergency Response Team (ERT). Deputy Welker returned to his patrol vehicle and drove to a driveway west of the house. Deputy Welker grabbed his department issued rifle and made his way on foot to a position of cover/concealment in a tree line southwest of the window that Dylan Hancock was talking from. Deputy Welker heard on his portable radio that ERT was being called out. The diagram below was drawn by Deputy Welker and shows the initial position where his patrol vehicle was located and the location where Deputy Weigand parked when he arrived on scene.



The following is a summary of the audio and video from Deputy Welker's body camera between the time of his initial contact with Dylan Hancock and when Deputy Welker returned to his patrol vehicle:

19:46:36 Deputy Welker arrived on scene and makes contact with Dylan Hancock through the open south facing window. Deputy Welker was in full uniform standing in the front yard. Dylan Hancock can be seen in the window. The ceiling light in the bedroom is turned on. Deputy Welker asked Dylan Hancock if he wanted to come out and speak with them. Dylan Hancock replies, "no," and that his First Amendment rights were being violated.

Deputy Sedani was standing in the front yard in full uniform talking with Dylan Hancock as well. Deputy Sedani told Dylan Hancock they wanted to talk with him about a photograph he took. Dylan Hancock said he didn't know about a photograph. Dylan Hancock said his father was in the house.

Deputy Hughes can be seen standing in the front yard also in full uniform.

Dylan Hancock said the only person who would have known about the photograph was B.J.H. Dylan Hancock admitted he was in a park earlier that day but had an air-soft pistol at the time. Dylan Hancock continued to refuse to come outside to speak with deputies. Dylan Hancock said he did not recognize the deputies on scene, but knew they were with the Barron County Sheriff's Office.

Deputy Sedani asked Dylan Hancock if Deputy Sedani spoke with Dylan Hancock's father would he (Dylan Hancock) come out of the house. Dylan Hancock said he would not come out against his will. Deputy Sedani then walked toward the east side of the house to make contact with Dylan Hancock's father. Dylan Hancock moved away from the open window and out of sight while Deputy Welker remained in the front yard.

19:51:45 Deputy Welker moved to his left to better see into the window and then ordered Dylan Hancock to, "Hey put that down! Put it down!," while drawing his handgun. Dylan Hancock yelled approximately five times saying, "Go for it!" or "Go for it bro!"

19:51:52 Deputy Welker communicated to the other deputies on scene that "He's got a gun." Deputy Welker continued to order Dylan Hancock to put the gun down. Dylan Hancock did not comply.

Dylan Hancock began yelling at Deputy Welker several times, "You have violated my rights!" Deputy Welker continued to tell Dylan Hancock to put the gun down but he did not comply. Dylan Hancock said, "You have your gun and I have mine!"

Deputy Welker told Dylan Hancock, "We don't want to do this. Just put it down." Deputy Welker re-holstered his handgun in an attempt to diffuse the situation while Deputy Sedani still had his hand gun drawn and was covering the window.

19:53:26 Dylan Hancock said he didn't have a gun but would protect himself if he felt threatened. Deputy Welker said they weren't threatening him and just wanted to talk to him.

19:53:58 Dylan Hancock yelled at Deputy Welker several times, "What would happen if I pointed a gun at you?!" Dylan Hancock became more and more agitated. Dylan Hancock was yelling at this point, "Think about it! Think about it! I'm tired of your guy's shit!"

Deputy Sedani communicated over his police radio that they were talking with Dylan Hancock through the window, but that he was still near the gun.

Dylan Hancock said, "no" he wasn't stepping away from his gun and told Deputy Welker to step away from his gun.

19:55:33 Deputy Welker told Deputy Sedani they needed to get farther away from the house, back off and surround the house.

19:56:13 Dylan Hancock yelled at Deputy Welker, "I told you I'm drunk right now so leave me alone!"

Deputy Welker told Dylan Hancock they were backing off. Dylan Hancock continued to yell at Deputy Welker as he walked back to his patrol vehicle.

Deputy Hughes also drew her firearm and pointed it toward the window. Deputy Hughes repositioned herself to the passenger side of Deputy Sedani's patrol vehicle.

Deputy Sedani made contact with Dylan Hancock's father at the front entrance of the house. Dylan Hancock's father told Deputy Sedani that Dylan Hancock had an AR rifle and a hunting rifle in the house. Deputy Hughes relayed this information over the radio.

Deputy Andrew Krahenbuhl heard on his police radio that Barron County deputies had a subject at gunpoint in Mikana. Deputy Krahenbuhl and Deputy Weigand, who were both at the Barron County fairgrounds, responded to Mikana from the fairgrounds in emergency mode, along with Deputy Jeffrey Wolfe, who, on his way home at the end of his shift, also heard on his police radio the information being relayed by Deputy Hughes and Deputy Sedani. Deputy Krahenbuhl and Deputy Weigand are current members of the ERT. Deputy Wolfe was assigned to the ERT from 2014 through 2019.

Deputy Krahenbuhl and Deputy Weigand arrived on scene at the same time. Deputy Krahenbuhl parked his patrol vehicle just east of the driveway to the house. Deputy Weigand pulled around Deputy Krahenbuhl and parked his patrol vehicle in front of Deputy Krahenbuhl just west of the driveway. The location where Deputy Weigand parked his patrol vehicle placed him in direct line of sight with the window where Deputy Welker had seen Dylan Hancock holding the rifle.

Deputy Krahenbuhl grabbed his department issued rifle and took up a position on the east side of the house in the general area where Deputy Sedani and Deputy Hughes were also positioned.

While en route, Deputy Weigand heard additional radio broadcasts from the deputies on scene that the suspect (Dylan Hancock) was in possession of an M4 rifle and a hunting rifle of some kind; that Dylan Hancock did not have the gun at some point but it was nearby; and Dylan Hancock wanted to die by law enforcement. Deputy Weigand's squad video camera was activated due to him operating in emergency mode when he drove his patrol vehicle to Mikana. Deputy Weigand activated his department issued body-worn video camera when he arrived on scene. Additionally, Deputy Weigand's squad camera continued to record after he arrived on scene.

Upon arrival, Deputy Weigand observed Deputy Hughes standing in the driveway near the passenger side of a marked patrol vehicle with her hand gun drawn. Deputy Weigand parked just west of the driveway and behind another marked squad (Deputy Hughes' patrol vehicle).

Deputy Weigand exited his patrol vehicle with his department issued rifle and made it "call ready," which means he worked the action to insert a live round of ammunition into the chamber. Deputy Weigand focused his attention to the south and west sides of the house but he did not know where Dylan Hancock was at that time. Deputy Weigand observed the window on the south side of the house was open and he could see the room was illuminated by a ceiling fan light.

Deputy Weigand moved back and forth from his patrol vehicle to the marked squad that was parked in front of him (Deputy Hughes' patrol vehicle) for concealment and cover. After Deputy Weigand arrived on scene, another deputy identified the south window as the suspect's (Dylan Hancock's) bedroom.

Dylan Hancock started yelling and screaming from inside the bedroom window when Deputy Weigand arrived. Dylan Hancock began a "countdown" starting at three minutes. Dylan Hancock then announced the two minute mark, then the one minute mark, and then announced the 30 second mark. Deputy Weigand relayed the countdown over the police radio to dispatch and other deputies on scene. Deputy Weigand was preparing himself for what might happen around the 30 second mark due to the countdown. Deputy Weigand had taken a position of cover behind the engine block of his patrol vehicle near the driver's side front quarter panel around the time that Dylan Hancock announced the 30 second mark.

Shortly thereafter, Deputy Weigand observed Deputy Wolfe arrive on scene and park his patrol vehicle behind Deputy Weigand's marked squad. Deputy Weigand peered over the hood of his patrol vehicle toward the house and immediately saw the suspect (Dylan Hancock) in the bedroom window. Deputy Weigand could see that Dylan Hancock had a rifle shouldered in a shooting position and was aiming down the sights at him. Deputy Weigand was unsure of Deputy Wolfe's location at that time.

Deputy Weigand ducked down behind his patrol vehicle and communicated over the radio to dispatch and other deputies on scene that the suspect (Dylan Hancock) was pointing a rifle at him. While crouched behind his squad, Deputy Weigand shouldered his rifle and raised up above the hood of his truck to visually locate Dylan Hancock. When he did so, Deputy Weigand immediately observed Dylan Hancock in the bedroom window in the same shooting position with the rifle pointed at Deputy Weigand.

At that moment, Deputy Weigand feared Dylan Hancock was going to shoot Deputy Weigand and/or Deputy Wolfe. Deputy Weigand also feared for the lives of Dylan Hancock's father, who Deputy Weigand believed was still in the house, other deputies at the scene, and persons living in the residential neighborhood. Deputy Weigand fired his rifle two times and then momentarily ducked behind his squad for cover and concealment. Dylan Hancock was no longer visible in the window when Deputy Weigand peered over the hood of his patrol vehicle after Deputy Weigand fired his rifle.

The following is a summary of the audio and video from Deputy Weigand's body camera between the time he arrived on scene and when he made contact with Deputy Wolfe:

20:04:57 Deputy Weigand arrived on scene and exited his patrol vehicle which was parked directly in front of and to the south of Dylan Hancock's bedroom. Deputy Weigand grabbed his department issued rifle and initially took up a position of cover near the front driver's side of his squad. Shortly thereafter he moved to a position of cover behind Deputy Hughes' squad which was parked in front of Deputy Weigand's patrol vehicle.

20:06:14 Deputy Weigand returned to a position of cover behind his patrol vehicle again.

20:06:32 Deputy Weigand communicated to dispatch on his portable radio that Dylan Hancock announced that law enforcement had two minutes to leave. Dispatch asked him to repeat, which he did.

20:07:20 Deputy Weigand communicated to dispatch on his portable radio that Dylan Hancock announced they had one minute to leave. Dispatch acknowledged him.

20:08:06 Deputy Weigand communicated to dispatch on his portable radio that Dylan Hancock announced they had 30 seconds to leave.

Deputy Weigand's patrol vehicle is running but Dylan Hancock can still be heard yelling from within the house.

20:11:03 Deputy Weigand communicated over his portable radio that, "He's got a gun pointed at us! He's got a gun!"

20:11:07 Deputy Weigand yelled, "Drop the gun!" and then fired two shots from his rifle.

20:11:11 Deputy Weigand communicated over his portable radio, "312 Barron shots fired!" Dispatch acknowledged him.

20:11:28 Deputy Weigand asked Deputy Wolfe where he was at. Deputy Weigand moved to the south across 26 7/8 Avenue to a position of cover behind a truck near Deputy Wolfe. Deputy Weigand yelled to Deputy Wolfe, "He's got a fucking AR pointed at us!" After taking cover, Deputy Weigand told Deputy Wolfe, "He had an AR pointed at me!"

20:11:57 Deputy Weigand told Deputy Wolfe he couldn't see the window anymore and again told Deputy Wolfe that he (Dylan Hancock) has an AR.

When Deputy Wolfe arrived on scene, he heard a deputy radio that there were thirty seconds remaining in the countdown. Deputy Wolfe was in the process of retrieving his department issued rifle from the rear seat of his patrol vehicle when he heard two gunshots. At that time, Deputy Wolfe did not know who or where the shots had been fired.

Dylan Hancock's father exited the house with two rifles and placed them on a bench outside the house shortly after Deputy Weigand fired his rifle. He advised that Dylan Hancock was down in the bedroom. Deputies entered the residence and located Dylan Hancock, who was laying on the floor. Deputies rendered medical aid to Dylan Hancock until EMS first responders arrived. Dylan Hancock was air lifted to Regions Hospital. Dylan Hancock's BAC was .09 when he was admitted to the hospital.

Dylan Hancock's father told DCI agents that, when he went into Dylan Hancock's bedroom and grabbed the two rifles that he then took outside, the .223 caliber rifle was in the closet. The 10mm rifle was lying across Dylan Hancock's legs on the floor where he fell.

Deputy Sedani took possession of both rifles, cleared both weapons and placed them in his patrol vehicle for safekeeping. The .223 caliber rifle is a Spike's Tactical, Snowflake, Cal-Multi, Mod-ST15. The .223 caliber rifle was loaded with one round chambered and a magazine containing 29 rounds of 223 REM for a total of 30 rounds. The 10mm rifle is a Hi-Point Firearms, Cal-10mm, Mod 1095. The 10mm rifle had a magazine inserted, but a round was not chambered. There were two additional magazines mounted to the stock. The three magazines contained a total of 28 rounds of Sig 10mm ammunition.

DCI searched Dylan Hancock's bedroom pursuant to a search warrant. DCI agents located a Sig 10mm round on the bedroom floor. On the closet shelf in Dylan Hancock's bedroom, DCI agents located four rifle magazines containing 223 REM rounds. The round counts in the magazines were 30, 30, 31, and 44 for a total of 135 rounds.

DCI agents collected both of Dylan Hancock's rifles and ammunition as items of evidence. The Wisconsin State Crime Laboratory in Milwaukee examined and test fired both rifles and found them to be mechanically functional.

SELF DEFENSE AND DEFENSE OF OTHERS

Deputy Weigand intentionally shot Dylan Hancock after he observed Dylan Hancock with a rifle shouldered in a shooting position and aiming down the sights at him. Deputy Weigand ducked down behind his patrol vehicle when he saw the rifle pointed directly at him. Deputy Weigand did not immediately fire his rifle. Only after Deputy Weigand raised up above the hood of his patrol vehicle and observed Dylan Hancock in the same shooting position and yelled for him to drop the gun did Deputy Weigand fire his rifle. The location of the Hi-Point 10mm rifle across Dylan Hancock's legs on the floor where he fell when Dylan Hancock's father went into the bedroom and grabbed the rifles and took them outside after Dylan Hancock was shot, demonstrates to me beyond any shadow of a doubt that Dylan Hancock was pointing the rifle directly at Deputy Weigand as he described.

Deputy Weigand was not only concerned about his own safety, but that of the other deputies at the scene, most significantly Deputy Wolfe who Deputy Weigand knew had arrived on scene only 10-15 seconds before Deputy Weigand saw Dylan Hancock shoulder his rifle in a shooting position. At that point, Deputy Weigand did not know where Deputy Wolfe was, only that Deputy Wolfe's squad was parked directly behind Deputy Weigand's patrol vehicle.

Deputy Weigand also correctly believed that Dylan Hancock's father was in the house and might also be in danger. In addition, Deputy Weigand had reasonable concerns about the safety of persons living in a residential area in close proximity to where he was positioned in front of the window facing 26 7/8 Avenue.

A person is privileged to act in self-defense or defense of others by use of deadly force which is intended or likely to cause death or great bodily harm if the person has a reasonable belief that it is necessary to use deadly force to protect the person defending himself or herself, or others from death or great bodily harm. The reasonableness of a police officer's actions in the performance of his or her professional duties is to be determined from the standpoint of an ordinary and prudent police officer having the knowledge and training of the officer who acts in self-defense or defense of others under the circumstances that existed at the time. Police officers, by the very nature of their professional duties, are often forced to make split-second judgments about how to respond in circumstances that are tense, uncertain and rapidly evolving.

Police officers are trained under what circumstances the use of deadly force may be justified. Police departments have use of force policies and procedures that officers are trained to follow. In this instance, Sheriff Fitzgerald requested an independent review of the July 14, 2021 officer involved shooting incident to determine if any violations of departmental policies occurred. The independent shooting review panel, made up of law enforcement firearms instructors and law

enforcement administrators, found no violation of departmental policy. The independent panel concluded Deputy Weigand followed all Training and Standards use of force procedures and his use of deadly force on July 14, 2021 was justified to protect the deputy and others.

This finding by the independent shooting review panel reinforces my own independent determination after reviewing the DCI investigative report that Deputy Weigand acted reasonably when he used deadly force to repel the danger that Deputy Weigand confronted when Dylan Hancock shouldered the rifle he was holding and aimed it directly at Deputy Weigand.

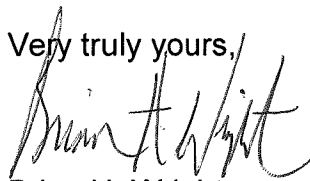
The fact that the rifle Dylan Hancock aimed at Deputy Weigand did not have a round in the chamber is of no significance to my belief that Deputy Weigand acted reasonably. The rifle Dylan Hancock was aiming at Deputy Weigand had an attached magazine and two additional magazines mounted to the stock containing a total of 28 rounds of ammunition. Dylan Hancock had the ability to chamber a round and fire at Deputy Weigand within seconds. The reasonableness of Deputy Weigand's use of deadly force in this instance is not dependent on his knowing whether or not the rifle Dylan Hancock was pointing at him was loaded. Deputy Weigand responded to an agitated subject who refused to comply with repeated requests by deputies to drop the gun he was holding and step outside.

The reasonableness of Deputy Weigand's use of deadly force is further buttressed by the information the deputies on scene communicated over the police radio that Deputy Weigand heard and was aware of when he arrived on scene. The video and audio from Deputy Welker's body camera and Deputy Weigand's body camera show just how impulsive, angry, unpredictable and dangerous Dylan Hancock had become by the time Deputy Weigand arrived on scene.

CONCLUSION

For the foregoing reasons, no criminal charges will be filed against Deputy Weigand. There is no mistaking the tragic circumstances Dylan Hancock now finds himself in. However, those circumstances are not because of any unreasonable action taken by Deputy Weigand when he used deadly force to defend himself and others on the night of July 14, 2021.

Very truly yours,

A handwritten signature in black ink, appearing to read "Brian H. Wright", written over a horizontal line.

Brian H. Wright

cc: Barron County Sheriff's Department