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**2022CV001027**

# Exhibit 5

Antrell Thomas, et al.

vs.

Jennifer Bias, et al.

Case No. 2022-CV-001027

EXPERT WITNESS REPORT BY BRIAN L. LANDERS

January 9, 2025

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**Scope of Service**

I have been retained by Winston & Strawn LLP, which represents the Plaintiffs in this case. I have been asked to opine on the impact of judicial delays on criminal evidence based upon my own experience and professional knowledge of my combined service in law enforcement, law enforcement training, and criminal justice education, specifically in the State of Wisconsin.

**Declaration of Service Terms**

I declare that the opinions stated in this report are my own and based on the materials I was provided for review and those documented in this report. I was not directed at any time to frame or alter my opinion either for or against any party in this case. I declare I had no contact with anyone in this case except for general communications with the attorneys involved in this case. I am being compensated \$150/hr. for case review, \$300/hr. for virtual testimony, and \$3,200/day for in-person appearances or testimony, plus travel time and reimbursements. I have no personal or professional knowledge or experience with any of the Defendants, Plaintiffs, or witnesses identified to me in this case.

## REPORT

### **Methodology**

The methodology used in this report is an objective analysis of the impact of time delays on criminal evidence based on a combination of my knowledge, education, and experience in criminal investigations and criminal evidence standards in law enforcement, specifically in the State of Wisconsin.

***Issue: Do time delays in criminal prosecution proceedings negatively impact the evidence in a case?***

***Finding: Yes.***

Evidence is broadly defined as “information that people base decisions on” (Garland, 2015). In the criminal justice world, such evidence is generally information collected by law enforcement or the defense and plays a critical role in charging decisions, plea negotiations, motions practice, bench and jury trials, and sentencing. The two primary types of evidence are **witness** and **physical** (National Institute of Justice, 2023).

This report is broken down into two sections: physical evidence and witness evidence. Each section will examine the impact time plays on the identification, collection, storage, and analysis of physical and witness evidence.

### **1. PHYSICAL EVIDENCE**

#### **Time Impact On Physical Evidence Identification and Collection**

Physical evidence is primarily collected by law enforcement officers. The ability of officers to identify and collect physical evidence is a tedious job that requires a combination of specific training, skill, and experience. The most common concern of physical evidence is evidence integrity.

*“Evidence Integrity: In any criminal investigation, the validity of information derived from examination of the physical evidence depends entirely upon the care with which the evidence has been protected from contamination. In other words, if the evidence has been improperly collected, handled, or stored, its value may be destroyed, and no amount of laboratory work will be of assistance. Therefore, it is important that items of evidence be collected, handled, and stored in a way that will ensure its integrity. In doing so, the likelihood is increased that useful information can be extracted by examination and that the item will be considered admissible in court proceedings.”* (Wisconsin Attorney General's Office, 2017)

Evidence integrity can be impacted by a wide range of factors, with collection and analysis being the two largest concerns. With increasing reliance on DNA and other trace evidence in so many crimes today, law enforcement is trained to collect comparison samples in such cases. The evidence collection technician must not only collect the Standard (the actual item to be tested), but also a Control (an object believed to be uncontaminated from the scene) (Swanson, Chamelin, Territo, & Taylor, 2019). The availability of both Standards and Controls are often jeopardized by human error, access, or both.

Crime scenes themselves are never sterile. They are homes, vehicles, wooded areas, public places, etc. Investigators are tasked with a duty to process the scene quickly to reduce contamination and try to get the scene back to normalcy as soon as possible and return its function to the rightful owner or operator. Crime scene processing may add as few as hours to upwards of days, depending on the type of case, the evidence to be collected, and the environment. And as meticulous as the evidence technician is, there is a degree of contamination they must contend with, as well as the knowledge that once they clear the scene, they lose any integrity they once held over the evidence.

For instance, a technician who processes a sexual assault at a hotel room knows that once they have collected the evidence, the room will most likely be thoroughly cleaned and re-rented to the next guest. A technician who processes a scene outdoors knows that Mother Nature will begin the process of reclaiming the scene as her own. It is just not possible to return to a scene in hours, days, weeks, or months later and be

able to gain the same perspective and integrity as its initial discovery and processing. Therefore, the race against time begins the moment the events have occurred.

“Comparison factors” are a key component of DNA and trace evidence collection that requires the gathering of known evidence with other samples used as a control for scientific examination (Wisconsin Association for Identification, 2019) (Garland, 2015). For evidence that relies on comparison factors, there must be a Standard and Control to demonstrate validity. An example would be taking a blood stain sample from the carpet along with another portion of the carpet with no observable staining as a control. If there is not a sufficient ability to collect both the Standards and Control of the physical evidence, the opportunity is almost guaranteed to be lost as time passes. Should delays in the court proceedings endure for weeks, months, or years, it is almost impossible for any investigator to return to a scene for additional identification of Standards or Controls.

Additionally, if the original technician failed to collect the Standards and Control in a sterile manner or from appropriate areas, the evidence could be contaminated. It would be very difficult, if not impossible, for the defense team to examine a crime scene under a similar lens to demonstrate contamination issues as more time passes. In my own law enforcement experience, I've had conversations with defense lawyers about crime scenes that were no longer accessible that prevented their ability to witness the scene or gather evidence for their clients. The scene itself may have accessibility barriers such as being destroyed, remodeled, repurposed, or changed ownership. Environmental factors also play a huge role, especially with the changes of seasons that occur in Wisconsin. The sooner the defense team could get access to the scene, the more likely it is that they would be looking at something like what the technician did and would be able to seek their own comparisons.

Another growing arena of physical evidence is that of digital evidence from computers, phones, tablets, vehicles, wearable devices, and social media. A delay in a criminal proceeding makes it easier for relevant devices and/or their digital contents to be lost, destroyed, altered, or erased. Communications, GPS markers, images, etc., of value may not be identified if the investigation lags or the prosecution lingers. This is mostly due to the priority of attention by the investigators, who may be onto new cases

and do not have time to focus on follow-up investigations if the case is uncertain or nowhere near a trial time. As a former law enforcement officer, I can personally attest to getting requests for identification and analysis of additional electronic evidence from the prosecutor's office months after the crime, only to find out the files or devices were no longer accessible. These issues also affect defense counsel and investigators, because defense counsel and investigators, unlike law enforcement, have limited access to digital information, making it more important that they get access to evidence promptly.

### **Time Impact on Physical Evidence Analysis**

Law enforcement may be assisted in the collection and analysis of evidence via public and private labs, scientists, audio and video professionals, and subject-matter experts. Law enforcement has a wide variety of resources available to them to help identify, collect, and analyze evidence to be provided to a prosecutor's office for charging determinations. However, those resources are often limited until a trial date is known.

In many cases, evidence that has been identified by law enforcement is not thoroughly reviewed or analyzed until a trial date is known or unless there are risks to the public. The Wisconsin State Crime Lab is the primary source for Wisconsin law enforcement, prosecutors, and defense teams in analyzing evidence. The Wisconsin State Crime Laboratory Bureau (WSCLB) sets the policies on evidence analyzation. The WSCLB lab has a long-standing policy that quantitative and qualitative analysis of suspected drug evidence will not be accepted until a trial date is known (Wisconsin State Crime Laboratory Bureau-1, 2019).

"Touch DNA" evidence is also common in both property and personal crimes. Touch DNA is defined as "an evidence item that has had limited casual contact with an individual. This would primarily include objects briefly touched by an individual's hand" (Wisconsin State Crime Laboratory Bureau-2, 2019). The guidelines for submitting touch DNA evidence to the Wisconsin State Crime Lab are also limited and may require a known court date or an authorization by the prosecuting attorney.



The Wisconsin State Crime Lab has also stopped the processing of tire track/tread analysis as well as hand-writing analysis (Wisconsin State Crime Laboratory Bureau Memo, 2013) (Wisconsin State Crime Laboratory Memo, 2019). These evidentiary tests are now referred to the FBI Crime Lab in Virginia, which has its own unique barriers and limitations to process. The FBI will not analyze/compare hand-writing documents unless the cases are relative to homicide or the value of the crime exceeds \$15,000 in loss (Wisconsin State Crime Laboratory Bureau Memo, 2013).

Digital evidence from computers, phones, and devices are not accepted by the Wisconsin State Crime Lab except for concerns of public safety or upon a letter from the prosecutor (Wisconsin Attorney General's Office, 2017). Considering the reliance many people have on their phones and computers, law enforcement is reluctant to seize these items unless necessary, and rarely seize these items if the item is not owned by the person accused of the crime.

Law enforcement may only request that screen shots are provided to them by the device owner, so the electronic device does not have to be seized and analyzed. This practice allows for an incomplete examination of the device contents, which may hold valuable exculpatory evidence for the accused. The longer the span of time between the crime and the trial, the more likely that such information may be lost or destroyed by the device owner.

From my own experience of investigating thousands of crimes, it was generally known that the Wisconsin State Crime Lab was not going to analyze some of the most common forms of evidence until a trial date is set, there was a risk to public safety, or there was authorization from a prosecutor. "Probative" evidence, meaning evidence in which a suspect is not known, also had further restrictions as to the seriousness of offense and the number of submissions that the lab would accept. Therefore, evidence often sat in a secure room with only preliminary field testing or casual observation by a law enforcement officer until a person was charged and a trial date was set.

The Wisconsin State Crime Lab does fantastic work but is stressed. It has continually limited what evidence it will accept and analyze based on the seriousness of the crime and proximity to the trial date. As part of my duties as an educator on specific courses on criminal investigation and evidence, I continue to monitor the policies and

practices of the Wisconsin State Crime Lab to be current in my advice to students. The general practice is that if no trial date is known, a wide range of criminal evidence will not be accepted without a special request from a prosecutor. That means that after the evidence is collected from the scene of the crime, it is likely remanded to storage until the case is set for trial.

### **Time Impact on Physical Evidence Storage**

When a crime is charged by a criminal complaint and no trial date is set, physical evidence typically remains in a secure locker or safe in a property room at the local police or sheriff's office. Oftentimes, these property rooms also serve as holding areas for recovered or abandoned property that must serve a legal timeframe for holding before they can be disposed. The combination of property rooms also serving as evidence rooms for many law enforcement agencies creates a space issue, and police look to remove items as soon as the law allows. It also increases the likelihood of evidence contamination.

Large items of evidence such as vehicles and furniture make it even more difficult for agencies to store them over longer periods of time. Thus, it is commonly acceptable for investigators to photograph large items of evidence, collect smaller samples from them, and then dispose or release the remaining item (International Association of Chiefs of Police, 2021). While this process is beneficial in terms of the amount of material one is handling and storing as evidence, it is detrimental should the item contain other evidence overlooked or ignored by the initial collecting agency. For example, instead of seizing an entire couch as evidence, only a swatch of fabric from the couch may serve as both Standard and Control. If multiple swatches from all areas of the couch are not taken, it would be probable that valuable evidence was not collected. Should the defense team seek to analyze that couch in the future, the likelihood of its continued existence or condition would be further endangered as time goes on.

There also are the various statutes of limitations, prosecutorial guidelines, and agency policies that guide how long evidence is to be held until trial. The Wisconsin Association for Identification produces a best practices document for the disposal of

evidence held by law enforcement (Wisconsin Association for Identification, 2019). There is recognition by the Wisconsin Association of Identification that evidence may take up a lot of room and cannot be conceivably held indefinitely by law enforcement, so they publish best practices for methods of disposing evidence, even prior to trial dates. This often includes a notice to the accused advising them that evidence will be destroyed, and it is the accused's responsibility to request the evidence be maintained for further testing or analysis within 90 days. This notice may be difficult for a defendant to understand or reply to if they are not represented by counsel or have full access to legal aid. In my time as a law enforcement officer, I've had defendants in cases that I investigated reach out to me because they were not assigned counsel or could not reach their public defenders and they were confused about a court document or status.

A major concern of the impact of time on evidence is natural degradation. As stated earlier, most law enforcement agencies in Wisconsin have property rooms that contain both evidence and non-evidence materials. This means that vital DNA evidence in a sexual assault or homicide could be placed next to non-evidentiary items like a found bicycle or a rain-soaked backpack recovered from a playground. The impact of light, temperature, and humidity are all major factors in how fast certain evidence degrades over time. The more diversity of items placed in a property room, the more the ambient air in that room is influenced by humidity, odors, and contaminants.

DNA touch evidence is especially crucial in many felony cases and has some of the highest sensitivity to environmental factors (Ramsey, 2022). DNA touch evidence is evidence that was touched by a suspect that may contain their DNA (Ramsey, 2022). In the largest study of environmental impact on DNA touch sample evidence, it was determined that DNA stability was impacted significantly on items exposed to UV light for a period of 24 hours (Ramsey, 2022). The integrity of DNA samples also reduced after only seven days, even when they were contained in stable light and humidity environments (Ramsey, 2022).

The fragility of DNA evidence, when not immediately preserved and analyzed, demonstrates a significant barrier to accurately match or rule out a potential suspect. Additionally, the fragility of DNA evidence over time, may possibly eliminate the ability of scientific identification of other contributors to an item which would be viable exculpatory

evidence for a defendant. Many jurors trust that DNA evidence is golden to link a suspect to a crime when in fact, the strength of the DNA's link to the crime is highly related to the time of collection and analysis. The longer it takes to prosecute a crime, the higher the chances of DNA evidence being undiscoverable or unreliable.

What is true is that we still do not know everything there is to know about DNA evidence. What is known is that DNA evidence has a high degree of degradation based on contamination, environment, and time (Bhojar, Mehar, & Chavalo, 2024). The impact of light, environment, and time causes DNA to break into smaller fragments and become shorter. The shorter, fragmented DNA makes it very difficult to develop a refined genetic profile of the contributor. If the case is dragged out for months or years, the DNA evidence may be less reliable and may broaden the likelihood of a genetic pool classification, in essence casting a wider net of how the contributor may fit into society (Bhojar, Mehar, & Chavalo, 2024). For example, the purity of DNA evidence could mean the difference between a suspect fitting the DNA classification traits of a white male, or more exactly as being a white male of Norwegian heritage with blonde hair, green eyes, with a known blood type and a health disorder. The fresher the DNA evidence is when it is tested, the better the analysis can narrow down the traits, and the pool of potential suspects shrinks immensely. This could be detrimental to a defendant who may now fit into a wider pool of people instead of a more exact, smaller pool in which they would not fit in with a fresher analysis of the sample.

The source of DNA evidence can produce an exact match to a suspect's profile, but oftentimes that requires almost perfect collection, comparison, and speedy analysis of the evidence and of the suspect's sample. In the real world of criminal evidence, there is almost always a degree of contamination and degradation from the crime itself, environment, human error, and the passage of time. My own experience of working cases with DNA evidence produced only general profiles of suspects, not exact matches. The perception of DNA evidence versus the reality is often tarnished by what people and jurors may see on TV or in movies. Rarely does DNA evidence analysis produce an exact suspect, and time degradation is the biggest barrier to such.

DNA degradation is also more prone to degradation and contamination by the handling of evidence, which may become more frequent if the trial date is not set in a

timely manner. As stated previously, property rooms are constantly being entered and items removed, replaced, and reorganized. The more the evidence is handled, the more disruption to the sample and faster the degradation occurs. DNA degradation is hard to quantify, as it is an ongoing process from the initial deposit, and there is no universal method of quantifying degradation. What is universally agreed upon is that degradation and contamination lessen the strength of the DNA profile and could lead to erroneous matches and compromised results (Bhojar, Mehar, & Chavalo, 2024).

The process of how all evidence is stored for longer periods may also be a barrier for overall evidence integrity. Evidence that is checked into a police property room is typically placed on a shelf and left there until a trial date is known or the case is adjudicated. The evidence package may not be refrigerated, or secured in a room that is temperature-, light-, and humidity-controlled. The National Institute of Justice makes recommendations on long-term evidence storage to help maintain integrity for further analysis. This storage matrix is shown below for a visual representation:

#### LONG TERM STORAGE CONDITIONS MATRIX

TYPE OF EVIDENCE	FROZEN	REFRIGERATED	TEMPERATURE CONTROLLED	ROOM TEMPERATURE
Liquid Blood	Never	Best		
Urine	Best			
Dry Biological Stained Items			Best	
Bones			Best	
Hair			Best	Acceptable
Swabs with Biological Materials			Best (Dried)	
Vaginal Smears			Best	
Feces	Best			
Buccal Swabs			Best	
DNA Extracts	Best (Liquid)	Acceptable (Liquid)	Acceptable (Dried)	

(Weber, 2016)

Should a policing agency lack resources, space, knowledge, or practice to store evidence for longer periods of time, the higher the probability that evidence becomes compromised. Mold, corrosion, and bacteria may develop on the items collected, liquids may dry up, and chemical decomposition may alter the trace elements needed for a quality scientific examination. This creates a situation where the evidence can no longer be used for proper evaluation at a lab, or the evidence becomes unstable and probabilities of matching them to the victim or suspect are lessened. The longer evidence waits for a trial date, the greater its integrity and reliability come into question.

## **2. WITNESS EVIDENCE**

### **Time Impact on Witness Evidence**

Besides the impact of time on physical evidence, there is also the time component effect on the identification, collection, and analysis of witness evidence. One of the first duties of a law enforcement officer during a criminal investigation is to locate the suspect. Police act on probable cause, which is a lessened burden of proof than beyond reasonable doubt. Police may take a person into custody and seek a criminal complaint based on the known, but not total, amount of evidence. Additional evidence may come by way of witnesses to the event, which is often done by canvassing and follow-up interviews.

Canvassing is a physical survey of the scene and area around the scene looking for witnesses. Canvassing is often done within hours or days of the event to try to identify and interview those who were present. During canvassing, only initial statements are taken and often are bullet-point notes the officer makes in a notepad based on what people said. Follow-up interviews occur as police get more information on the case, persons involved, and persons possibly present or with valuable information. Follow-up interviews may also be done with those initially canvassed for more detailed accounts of what they witnessed. Law enforcement may be less likely to conduct follow-up interviews until a trial date is set, as they often lack the time and

resources to do so. It is inevitable that the longer a case waits to be tried, the less copious and reliable witnesses are.

The general reliability of a witness has several factors: age, competency, association to the accused, location, physical limitations or positioning, trauma of the event itself, and overall memory (Wisconsin Department of Justice, December 2011). As time passes from the date of the event, each one of these factors may impact the witness's reliability.

Much like physical evidence, witness evidence also has a potential for contamination due to the passage of time. Witness contamination may prevail as the witness has time to evaluate what they saw and attempt to gain information about the crime from other witnesses, media, social media, and their own ability to recall details (Kindschi-Gosselin, 2019). It is expected that most people willing to talk to investigators about the event want to be helpful, but it is also known that in their attempt to do so, they may rely on information that is not from their own observation or is influenced from others. Many witnesses want to help and therefore seek out other means to confirm what they saw or heard; this is how witness evidence is easily contaminated. As more time passes from the date of the crime, the more contaminated the reliability of the witness may be. Studies have shown that self-contamination of witnesses by seeking information about the case has led to higher confidence rates of testifying about the incident, even though what the witness was testifying to was inaccurate (Gustafsson, 2022).

The availability of a witness also has a significant impact on the case. Over time witnesses may move away, die, decline in health and competency, or decide they no longer want to be a witness. A valid way to capture the freshest and hopefully most reliable witness evidence is through the use of recording devices by the investigator during the time of the initial witness account. However, each agency has its own policies and practices on when and for how long to keep digitally recorded evidence.

From my own experience, many law enforcement officers still do not use recording devices when interviewing witnesses in the field, unless the witnesses are juveniles. The officers may utilize a squad or body camera to capture a witness statement to help them recollect details in a written report. However, the use of body



cams is independent to the agency as to their availability and when they are activated. Agencies may only require their officers to activate their cameras on only high-risk calls while other agencies may require their officers to record all contacts and events. There is simply no standard across the board, and even when agencies require recordings of all contacts, it is incumbent on the officer to remember to turn the device on.

It is also my observation and experience that agency investigators do not routinely wear body cameras or have dash-mounted cameras in their police vehicles. Most attention given to police cameras focuses on patrol and tactical situations regarding the use of force and pursuits. Investigators are typically called to the scene after it has been secured; therefore, the tactical and possible force incidents are most likely over. Investigators are also typically not involved in traffic enforcement and pursuits. Thus, it is not common for investigators to have video recording devices on their clothes or in their vehicles. Therefore, field interviews of witnesses by detectives have an even lesser chance of being recorded by a body camera or squad camera and what is said is often recorded solely via handwritten notes. I have also found that should the agency investigators actually use a body or squad camera; they are not under the same review and scrutiny as that for patrol officers. As such, the video files may not be saved in a manner consistent with the day-to-day digital files or may not even be known to digital evidence control personnel. Investigators, in general, are given more freedom in their recordkeeping and case management than patrol officers.

Wisconsin law requires that the electronic body camera recordings are only to be kept for 120 days (ss. 165.87) unless they are evidence of specific crimes (Wisconsin State Legislature, 2019). Therefore, it is conceivable that a witness could provide information to a law enforcement officer that is captured on a body cam, but then the recording is deleted after 120 days as deemed not worthy to save. This could also hold true for a person who is accused of a crime and their initial statement to police or activity is wiped away after 120 days, but then they are later charged.

In a 2020 survey of 436 law enforcement agencies in Wisconsin, less than half (48%) used body cameras (Wisconsin Department of Justice, 2020). Of those surveyed, most reported that the largest barriers to body camera use were cost and ability to maintain the digital evidence (Wisconsin Department of Justice, 2020). This



demonstrates that digital recording retention practices of potential witness evidence in Wisconsin are inconsistent and time-sensitive.

The lack of consistent use and management of digital evidence for witness interviews by law enforcement may compound the issue of witness identification and reliability for the defense attorney. By the time the defense counsel is aware of a recording due to delays in appointment or prosecution, the evidence may very well have been erased. This could destroy any opportunity for the defense to identify potential witnesses for themselves or offer exculpatory/rebuttal evidence.

## **Conclusion**

I can recall from my own experience that it took numerous cases years to come to trial. During that time, my own memories of specific events and details were challenged, but at least I had the resources of my police reports to provide recall and testimony. Witnesses, victims, and defendants often do not have any form of self-recorded aids to help them with recall. I have also experienced countless times of victims and witnesses losing their will to offer testimony against the accused because of delays in prosecution. Those witnesses held valuable information that could have identified the proper suspect or exonerated a person accused in a crime as well.

I've had the misfortune of reporting to the prosecutor that physical evidence was lost or contaminated due to the length of time it took for the case to come to trial. I've also had numerous experiences of prosecutors and defense attorneys asking for additional physical or witness evidence months and even years after a crime occurred. In some cases, I could not produce the requested evidence due to the delays in prosecution and no longer having access to the item or person.

I recognize that no matter how much is done in trying to identify, collect, analyze, and preserve evidence, time is its biggest enemy. The methods and resources available for evidence sciences have made tremendous growth but are still at the mercy of the court process and judicial delays. There is no doubt that time negatively impacts the identification and integrity of evidence. Even the most diligent and experienced investigators are challenged by time. When trials cannot occur in a timely manner,

whether due to delays in appointment of council or action/inaction by the prosecutor, physical and witness evidence suffer. It is my opinion that delays in a criminal proceeding have a probable negative impact on the evidence to include availability, degradation, contamination, and overall integrity.

My findings and opinions are based to a reasonable degree of professional certainty based on my education, experience, and training in law enforcement and criminal justice. I reserve the right to supplement my report or alter my findings should more information be made available to me for review.

Report By:

A handwritten signature in black ink, appearing to read "Brian L. Landers", written in a cursive style.

Brian L. Landers

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## EXPERT QUALIFICATIONS ADDENDUM

### Employment

I am the owner of LandersCRT, LLC, a consulting firm that specializes in consulting and expert testimony specific to areas of public safety, police practices, and use of force. I started LandersCRT in 2013, and previously worked as a consultant and trainer with BlueboardIT, LLC, which I co-owned. BlueboardIT, LLC was a company that offered web-based learning management systems to public and private clients who wanted to train employees via a web-based application. Part of my duties with BlueboardIT was also to consult for law enforcement agency clients on training initiatives, policy development, and remediation training.

I have provided expert witness services and testimony to both public and private entities. I have consulted for and provided testimony as an expert witness in cases decided or pending in Federal and State Courts regarding law enforcement practices, training, policies, arrests, investigations, and the use of force. I have provided these services to both plaintiffs and defendants in both criminal and civil proceedings throughout the United States. I've been a keynote speaker at state and national conferences on the topics of workplace violence, personal safety protocols, criminal investigations, use of force issues, and critical incident events.

I also am employed full-time as a criminal justice professor with Madison College, based in Madison, Wisconsin. I have been employed by Madison College since 2002, starting as a part-time instructor in the law enforcement academy. I was hired in 2010 as a full-time faculty member and assigned to a program director position in 2011. As a program director, I assisted with the scheduling, curriculum, instructor management, and student issues in the criminal justice department. I was named director of both the State of Wisconsin 520 hour Basic Law Enforcement Academy, the 720 hour Basic Law Enforcement Academy, and the 160 hour Basic Jail Academy at Madison College from 2011 through 2016. I opted to vacate my program director position in 2017 to allow me to spend more time with my family, reduce my travel time, and return to teaching as my primary duty.

As a faculty member, my employment has included instruction in both degree and non-degree offerings. In the degree credit criminal justice program, I instruct courses such as Juvenile Law, Community Policing Strategies, Report Writing, Criminal Investigations, Intro to Corrections, Constitutional Law, Criminology, Professional Development, College Success, Professional Communications, Criminology, Ethics, Police-Community Relations, Interview and Interrogations, Traffic Theory, Criminal Investigation Theory, and Emergency Management. In non-degree offerings, I have served as a Master Instructor for Defensive and Arrest Tactics (DAAT), and Master

Instructor for Scenario-Based Training. I was also responsible for coordinating and assisting instructors in the delivery of all basic, advanced, and specialized training in force-related training. This includes training from the basic law enforcement academy, to advanced hands-on and weapons training for current law enforcement, correctional officers, and security officers. I have personally trained and educated over 3,000 students at Madison College.

As a faculty member, I also advise criminal justice students on academic progress and career readiness. I serve as the lead faculty member in evaluating and teaching portfolio courses for credit for prior learning tracks, am a mentor in the students of color mentoring program and faculty of color mentoring program, and also instruct and supervise students in Madison College's Honors Program. I have been honored with three "Golden Apple" awards as a distinguished faculty member by my students.

I possess a law enforcement instructor status with the Wisconsin Dept. of Justice Training and Standards Bureau as well as tactical instructor status in tactical areas of Vehicle Contacts, Firearms, Defensive and Arrest Tactics, and Tactical Response. I am certified by the Wisconsin Technical College System to teach in criminal justice degree programs and general credit/liberal arts degree programs. I also hold a recognized designation as a Constitutional Law instructor for the State of Wisconsin.

In 2011 I joined the Wisconsin Criminal Justice Coordinator's Council. This council is made up of leaders and supervisors of all criminal justice programs and law enforcement academies in the Wisconsin Technical College System. In 2013, I was elected by my peers as the Vice President of the Council. In 2015, I was elected to be the President of the Council. This council serves as the voice of criminal justice and law enforcement-related training for students to the Wisconsin Department of Justice, Wisconsin Technical College System, the Higher Learning Commission, and the public.

## **Law Enforcement Experience**

My law enforcement career began in 1992, when I was hired as a police officer for the City of Wisconsin Dells Police Department. I completed the law enforcement basic training academy in Madison in 1993. In 1995, I was promoted to K-9 Handler, where I handled dual-purpose police K-9 trained in apprehension, tracking, drug detection, and building/area searches. In 2003, I was promoted to Sergeant, and in 2008, I was promoted to Lieutenant. During my career at the police department, I received numerous commendations for exemplary service, bravery, community engagement, and three life-saving awards. I also served as the commander of the drug unit, search warrant execution team, honor guard, and lead agency trainer.

Working for the City of Wisconsin Dells I have been exposed to a high variety of police calls for service, and investigations. A significant portion of my duties was to conduct criminal investigations to include personal and property crimes. I was the lead investigator on major felonies to include death investigations, sexual assaults, arson,

and serial crimes. I was also a certified Criminal Evidence Technician and completed advanced training on investigations, evidence, and crime scene management. I retired from my department in excellent standing as a Lieutenant at the end of 2010 to accept the full-time faculty position with Madison College.

## **Appointments**

My skills and commitment to law enforcement training were recognized through my appointments to several state committees. I was appointed by the Wisconsin Department of Justice to the Law Enforcement Ethics Advisory Committee in 2000 and helped develop the first state-approved ethics and decision-making curriculum to be used by all Wisconsin law enforcement academies and agencies. In 2003 I was appointed by the Wisconsin Department of Justice Tactical Advisory Committee, which developed training protocols and curriculum for all force-related law enforcement training in Wisconsin to include Defensive Tactics, Tactical Response, and Firearms. I also served on the curriculum development team for the Wisconsin Department of Justice on expanding tactical response curriculum to unify police response to active shooter events in our state. Lastly, I was honored to serve the State of Wisconsin Legislature on a special advisory committee on 911 and emergency telecommunications, which resulted in expanding funding and required training for 911 centers throughout Wisconsin.

## **Elected Official Experience**

I was elected to the Columbia County (WI) Board of Supervisors, representing District One of the City of Wisconsin Dells in 2006, 2008, and 2010. As a county board supervisor, I was appointed to the Recycling and Solid Waste committee (2006-2008), the Management and Information Services committee (2006-2011), and the Human Resources Committee (2008-2011). I resigned from the board in good standing in January 2011, when my teaching duties at Madison College conflicted with daytime board meetings.

In 2011, I was elected Mayor of the City of Wisconsin Dells and was re-elected in 2013 and 2015. As Mayor I provided leadership on all goals, policies, and objectives of the city. I also have statutory authority over the police and fire departments, and serve on the Finance Committee, Public Safety Committee, Legislative Committee, Public Works Committee, Dells-Delton EMS Committee, Dells-Delton Sewerage Committee, and chair the city's Personnel Committee and Parking Committee. I chose not to run for a fourth term as Mayor to spend more time with my family and to expand my consulting business. My Mayoral term concluded on April 17, 2018.

## **Education**

My education includes being a 1989 graduate of Wisconsin Dells High School and then entering two years of associate degree studies in Police Science at Madison College. I later graduated summa cum laude from Mount Senario College with a Bachelor's of Science in Criminal Justice and a minor in Pre-Law (2002). I earned my Master's Degree with honors from American Military University in 2017 in Public Administration with an emphasis on Organizational Management. My capstone thesis was on the relationships between ministerial use of force de-escalation policies and their effect on officer safety. This thesis has been published and received national acclaim for its investigative research and finding.

Since 2001, I have earned 44 doctoral credits from Walden University and Liberty University in psychology and completed two residencies in forensic psychology. My research focus is on mental health crisis and law enforcement use of force.

### **Instructor Certifications**

Agency Policy Instructor- WI DOJ.  
Civilian Conceal Carry Instructor- State of Wisconsin.  
Community Resources Instructor- WI DOJ.  
Constitutional Law Instructor- WI DOJ.  
Crimes Instructor- WI DOJ.  
Crisis Management Instructor- WI DOJ.  
Domestic Instructor- WI DOJ.  
Field Drug Identification and Testing Instructor- WI DOJ.  
Firearms Certifier- Wisconsin Department of Regulation and Licensing.  
Firearms Instructor- WI DOJ.  
Interview and Interrogation Instructor- WI DOJ.  
Juvenile Law Instructor- WI DOJ.  
Master Instructor of Defensive Tactics- Wisconsin Department of Justice.  
Master Instructor of Scenario-Based Training- Wisconsin DOJ.  
Policing Strategies Instructor- WI DOJ.  
Professional Orientation Instructor- WI DOJ.  
Report Writing Instructor- WI DOJ.  
Scene Management Instructor- WI DOJ.  
Tactical Response Instructor- WI DOJ.  
Taser Instructor- Taser International.  
Traffic Crash Investigations Instructor- WI DOJ.  
Traffic Laser Instructor- Kustom Radar.  
Traffic Law Enforcement Instructor- WI DOJ.  
Vehicle Contacts Instructor- WI DOJ.  
Wisconsin Technical College Teaching Certification- WTCS.

### **Advanced and Specialized Training**

Active Shooter Dynamics- U.S. Dept. of Homeland Security.



Advanced Drug Investigator- Wisconsin DOJ.  
ALICE- Basic Response to Active Shooter  
Basic First Aid/CPR/AED for Adult/Child/Infant- American Red Cross  
Basic Workplace Security Awareness- FEMA  
Cyber Security Training- Madison College  
De-escalation Techniques- Target Solutions  
Definition of Deadly Force-WI DOJ  
Diversity and Bias- Madison College  
Domestic Abuse Response and Investigations- WI DOJ.  
Drug Endangered Children In a Rural Environment- WI DOJ  
Drug Interdiction Specialist- NHTSA.  
Drug Unit Supervisor- Wisconsin Dept. of Justice  
Evidence/Crime Scene Technician- Wisconsin Dept. Of Justice  
FBI Law Enforcement Executive Development- Federal Bureau of Investigations.  
Firearms & Toolmark Identification Certification- National Institute of Justice.  
FEMA- ICS 100, 700  
FEMA- Evacuation planning and reunification  
FEMA- Community Resources and NGO training  
FEMA- Workplace Security Certificate  
FEMA- Security Surveillance  
Field Evidence Technician- Wisconsin DOJ.  
Field Training Program Coordinator- MATC- Madison.  
Honor Guard Commander School- Wisconsin State Patrol.  
Hostage Negotiator- FBI.  
Identifying Deceptive Behavior-Washington D.C. Metro Police/ NCTC.  
In-Custody Death Investigation- In-Custody Death Institute.  
Incident Command- FEMA.  
Interview and Interrogation- Madison College  
Juvenile Mistreatment and Sexual Assaults- Wisconsin Dept. of Justice  
K-9 Criminal Apprehension Training- Sundogs K-9 Training Center.  
K-9 Drug Detection- Sundogs K-9 Training Center.  
K-9 Search and Evidence Collection- Sundogs K-9 Training Center.  
K-9 Unit Administrator- Eden and Nay, International K-9 Conference.  
Law Enforcement Officer Killed and Assaulted Training- FBI.  
Multi-hazard Planning for Childcare- FEMA  
Officer-Involved Shooting Investigations- Broward County Sheriff's Office/ FVTC.  
Preparing for Mass Casualty Incidents in Schools- FEMA  
Response to Active Shooter- MATC.  
Safety Restraint Chair Certification- Restraint Chair, Inc.  
Search Warrant Execution- NYPD/ NE Counter-Drug Training Center (NCTC).  
Sexual Assault Investigations- Herzig College.  
Supervision of Police Personnel- Wisconsin Dept. of Justice  
Surveillance Photography- NCTC.  
Use of Force Reports and Testimony- Los Angeles County Sheriff's Office.

## **Keynote Speaker**



- Access Community Health Presentation- “Threat Assessment and Response for Employees.”
- Adams County Community Presentation- “Active Shooter Preparedness”
- Adams-Friendship School District- “Transportation Employee Threat Response.”
- Covance Labs- “Training Technology for Private Security”
- Great Lakes Higher Education- “Corporate Response To Threats and Active Shooters”
- Great Lakes Higher Education- “Fingerprinting Training and Background Checks”
- Infraguard Annual Conference Keynote- “Because There Are Bad People Out There” (What we can learn in ourselves by raising special needs children.”
- International J-1 Employer’s Conference- “Helping Those In Need.”
- Madison College- “Conceal Carry Training”
- Madison College- “Employee Self Defense”
- Madison College- “Woman’s Self Defense”
- Midwest Conference of Financial Aid Administrators- “Dangers in Our Schools”
- Midwest Railroad Association- “Challenges Facing Today’s Rail Lines”
- NAACP- “The Facts of Force”
- State of Wisconsin Dept. of Regulation & Licensing- “Dangers in the Workplace”
- Wisconsin Dells School District- “Dangers of Active Shooters”
- Wisconsin Home Energy Conference- “Dangers in the Workplace”
- Wisconsin Home Energy Conference- “Personal Safety Initiative and Self-Defense”
- Wisconsin Identification Conference- Presentation on Unmanned Aerial Vehicles.
- Wisconsin Juvenile Justice Conference- “Personal Safety”
- Wisconsin Municipal Courts Conference- “Leadership in City Government”

## Media Interviews

- Blue Lives Network- Podcast interview on police de-escalation policies.
- Capital Newspapers- Interviewed on drones in public safety.
- Capital Newspapers- Interviewed on police recruitment.
- Capital Newspapers- Interviewed on social pressures against law enforcement.
- My Statesman Newspaper (Austin, TX)- Interviewed on de-escalation policies.
- Police One. Com- Interviewed on use of force de-escalation policies.
- The Clarion Newspaper (Madison, WI)- Interviewed on police and community trust.
- The Clarion Newspaper (Madison, WI)- Interviewed on Tasers on college campuses.
- International Business News- Interview on Taser deployments and use of force.
- WISC TV- Madison- On air interview on police Tasers and police training.
- Wisconsin Public Radio- Guest on traffic safety.
- WISCTV- Madison- Morning show guest to discuss police response to active shooters.
- WISCTV- Madison- On air interview on officer-involved shootings.
- WISCTV- Madison- On air interview on police de-escalation policies.
- WISCTV- Madison- On air interview on police vs. security officer training.

- WISCTV- Madison- On air interview on threats of violence against populated areas.
- WISCTV- Madison- Special segment on police communications with people of special needs.
- WISCTV- Madison-Interviewed on Castle Doctrine.
- WISCTV- On air interview on decline of police applicants.
- WISCTV- On air interview on fugitive manhunt procedures.
- WISCTV- On air interview on mass casualty shootings.
- WISCTV- On air interview on police “de-militarization” concepts.
- WISCTV- On air interview on the credibility of school threats.
- WISCTV-Madison- On air interview on police force reviews and consultants.
- WISCTV- Madison- On air interview on police policies and pursuits.
- WISCTV-Madison- On air interview on taser and firearm training.
- WISCTV-Madison- On air interview on police shootings.
- WKOW TV- Madison- On air interview on self-defense.
- WKOWTV- On air interview on Wisconsin changes to police shooting investigations.
- WKOWTV-Madison- On air interview on deadly force options for police.
- WMTV-Madison- On air interview on home safety practices.
- WMTV-Madison- On air interview on personal safety.
- WMTV-Madison- On air interview on taser and firearms training.
- WKOW TV-Madison- On air interview on police chase policies.
- WISCTV-Madison- On air interview on policing hiring and retention issues.

## **Curriculum Development**

- Basic Police Dispatch Course- Madison College (2013)
- Building A Course Roadmap- Madison College (2021)
- Childcare Center Workplace Violence for Administrators- Madison College (2018, 2019)
- Childcare Center Workplace Violence for Employees Training- Madison College (2018)
- Choosing the Appropriate Tool from the Instructor Toolbox- Madison College (2021)
- Civilian Conceal Carry Training Manual- WI DOJ. (2010)
- Conceal Carry Considerations for Law Enforcement- Madison College (2012-Present)
- Creating and Assessing Measurable Outcomes- Madison College (2021)
- Criminal Investigations Theory (Degree Credit)- Madison College (2018)
- Criminology (Degree Credit)- Madison College (2019)
- Crisis Response for Law Enforcement-Madison College (2012)
- Critical Incident Training for Hospitality Leaders- Madison College (2018, 2019)
- Defensive and Arrest Tactics Course for Law Enforcement- Wisconsin Dept. of Justice. (2004, 2008, 2012)
- Dells Area Response Emergency Exercise (2020)- Madison College
- Domestic Violence in the Workplace- Madison College (2020)

- Drone Basics- Madison College (2017)
- Electronic Control Device Manual- WI DOJ (2004, 2008, 2010)
- Evacuating and Sheltering for the Workplace- Madison College (2020)
- Firearms Training Manual- WI DOJ. (2004, 2008, 2012)
- First Line Police Supervision for Law Enforcement, Correctional Officers, & Telecommunicators Madison College (2014, 2015, 2018)
- Focus on Quality- Madison College (2021)
- Force Issues for Today's Law Enforcement- Madison College. (2011-Present)
- Force Transition Course for Law Enforcement, Security, and Correctional Officers- Madison College. (2015)
- Formulating Grading Policies to Achieve Learning Outcomes-Madison College (2021)
- Introduction to Corrections (Degree Credit)- Madison College. (2010, 2011, 2012, 2016)
- Introduction to Criminal Justice (Degree Credit)- Madison College. (2010, 2011)
- Juvenile Law (Degree Credit)- Madison College. (2010, 2011, 2018)
- Learning to Take the Learner's Perspective- Madison College (2021)
- Medically Significant Behavior Calls- Madison College (2013)
- Private Sector Security Course (Degree Credit)- Madison College (2018)
- Professional Development for Public Safety (Degree Credit)- Madison College (2017)
- Public Safety Drone Applications- International Law Enforcement Educators & Trainers Association (2015)
- Report Writing (Degree Credit)- Madison College (2016)
- Self Defense and Force Issues for Security Personnel- Covance Labs. (2008)
- Self Defense for Campus Security Personnel- Madison College (2010, 2012)
- Small Business Security Practices – Madison College (2019)
- Split Cell Active Shooter Concepts-Madison College. (2011-Present)
- Split Cell Active Shooter Tactics for Law Enforcement- Columbia County (WI) Chiefs Association. (2008, 2009)
- Tactical Response for Law Enforcement- WI DOJ. (2004, 2008, 2012, 2015)
- Taser Civilian User Course- Taser International (2010)
- Threat Assessment for Workforce-Madison College (2020)
- Three Steps To Introduce Your Online Course- Madison College (2021)
- Total School Safety for K-12 Decision Makers- Madison College (2018)
- Traffic Theory (Degree Credit)- Madison College (2016)
- Unmanned Aerial Device for Public Safety Operations- Madison College. (2014-Present)
- Use of Force Investigations for Law Enforcement, Security, and Corrections. (2012- Present)
- Use of Force Investigations for Police Supervisors- Madison College. (2012-Present)
- Workplace Violence Scenario Training- Access Community Health (2017)
- Workplace Violence for Employees and Employers- Madison College (2020)
- Focus on Quality Online Course Building- Madison College (2021)

- Three Steps to Mitigate Civil Exposure in Police Use of Force Incidents- Madison College (2021).
- School Safety and Threat Mitigation- Wingra School. (2022)

## **Publications**

“An Analysis of A Nation-Wide Use of Force De-Escalation Policy And The Impact On Officer Safety.” American Public University. (2017)

“Are de-escalation policies dangerous?”- *Police Magazine*. October 2017.

“De-bunking de-escalation”- *Law and Order Magazine*. Hendon Publishing, August 2017.

“Put Statistics to Work”- *Law and Order Magazine*. Hendon Publishing, October 2016.

“The Facts of Officer-Involved Shootings”- *Law and Order Magazine*. Hendon Publishing May, 2015.

“Lobby for Your Protection Before A Major Incident” *Officer Magazine*. Endeavor Business Media, February, 2023.

“Focus on Transition With De-Escalation Training”- *Officer Magazine*. Endeavor Business Media, March, 2023.

“Safeguarding Your Family When Accusations Occur”- *Officer Magazine*. Endeavor Business Media, May, 2023.

“Remember the Lessons Your Mom Taught You”- *Officer Magazine*. Endeavor Business Media, August, 2023.

“Time to Now to Reduce Mistake of Fact Shootings” – *Officer Magazine*. Endeavor Business Media, April, 2024.

“Don’t Cut Corners in K-9 Sniffs” – *Officer Magazine*. Endeavor Business Media, June, 2024.

## **Professional and Personal Affiliations**

Association of American Educators

American Psychological Association

American Society of Evidence-Based Policing

Forensics Expert Group – Registrant

Fraternal Order of Police

Global Institute for Forensic Research

International Law Enforcement Educators and Trainers Association

International Association of Chiefs of Police

International Association of Correctional and Forensic Psychology

National Sheriffs' Association

Police Forensic Psychology Association

TASA Expert Witness Registry

Thomson Reuters Professional Witness Registry

Wisconsin Law Enforcement Training Officers Association

Wisconsin Musky Alliance

Wisconsin Psychology Association

## **EXPERT WITNESS ADDENDUM**

### **EXPERT WITNESS ADDENDUM**

Michael B. Kingsley v. Stan Hendrickson, et al., Case No. 12-3639

I testified as an expert witness for the plaintiff, Michael Kingsley, in US District Court (Western Wisconsin) in a case related to the use of force on Mr. Kingsley.

State of Wisconsin v. Charles J. Fabry. Case: 2013CF000609

I was retained as an expert witness in Wisconsin Circuit Court (Brown County) for the use of force on Charles Fabry. The case settled.

State of Wisconsin v. Jeremy J. Imhoff. Case: 2014CM000026, 2015CF000096

I was retained by the Dane County District Attorney's Office as an expert witness in use of force for the prosecution of Mr. Imhoff. The case was settled just prior to trial.

Michael B. Kingsley v. Stan Hendrickson et al., Case No 3:10-cv-00832

I testified as an expert for the plaintiff, Michael Kingsley, in US District Court (Western Wisconsin) in a case related to the use of force and Taser use on Mr. Kingsley. The original trial was successfully appealed by the plaintiff to the United States Supreme Court and was remanded down back to the original court of jurisdiction.

Katie Austin v. United States of America et al., Case No 15-CV-1207.

I was the defense expert hired by Coyne, Schultz, Becker, and Bauer, in the US District Court (Eastern Wisconsin) in a case related to the use of force by contracted security officers on Ms. Katie Austin. I testified in deposition on May 3, 2017. The matter was dismissed in summary judgement.

Estate of Christopher Davis v. Juan Ortiz, Walworth County (WI), et al. AI2:18-CV-

01846. I was retained by Cade Law Group as the plaintiff's expert in a case involving a passenger in a vehicle that was shot and killed by a deputy during a drug investigation. I testified in deposition on July 26, 2019.

Jimmy L. Harris v. City of Milwaukee (WI), et al. 14CV1002. I was retained by Cade Law Group as the plaintiff's expert in the US District Court (Eastern Wisconsin) involving the improper stop, detention, frisk, and use of force on a motorist in the City of Milwaukee. I testified in the jury trial in March, 2020. The jury found in favor of the plaintiff and awarded over \$2 million.

Estate of Marco Gomez v. Village of Forest Park (IL) & Daniel Miller, 18C910. I am retained as the plaintiff's expert by Action Injury Law in a case pending in US District Court (Northern Illinois). The case involves the shooting death of a suspect in a stolen vehicle. I testified in deposition in August, 2020 and February, 2021.

Akil Carter v. City of Wauwatosa (WI), 19-CV-1422. I am retained by Bertrand Law on behalf of the plaintiff in US District Court (Eastern Wisconsin) regarding the detention and force used on a passenger in a motor vehicle. I testified in deposition for this case in July 2022.

Stephen Mark Davidson et al vs. Floyd County, Iowa et al., Case: 6:20-CV-2019. United States District Court (Eastern Iowa). I was retained as an expert in this case regarding the police practices of a drug-related search warrant to the home and body of Mr. Davidson. I testified in deposition on 09/28/20.

Jacob Blake v. Sheskey (WI) 2021-CV-00038. I was retained as the plaintiff's expert in 2020 by the law firm Salvi, Schostok, and Pritchard regarding the officer-involved shooting of Jacob Blake in Kenosha, Wisconsin.

The Estate of Isiah Lewis vs. Edmond (OK) Police Department. I was retained in 2020 by attorney Action Injury Law, in the pending civil suit in US District Court (Northern Oklahoma) regarding the officer-involved shooting of Isiah Lewis by Edmond, Oklahoma law enforcement officers. My review found that the officers were justified in using deadly force.

White v. Kansas City (MO). Case 4:21-cv-00404 I am retained by Hubbard & Kurtz, who are representing the plaintiff, in a case involving the accidental shooting of a homeless man by the Kansas City Police Department.

The Estate of Marc Nevarez vs. City of Chicago (IL). I was retained by Thedford Law Group in 2021 to review the shooting death of Marc Nevarez by a City of Chicago Police Officer, for the potential of a civil rights violation suit. My review found the officer was justified in using deadly force.

Jason Pero vs. Ashland County (WI) and Brock Mrdjenovich, 20 CV 984. United States District Court (Western District of Wisconsin). I was retained by Axley Brynelson Law in 2021 on behalf of the defense in the matter of an officer-involved shooting death of



Jason Pero by Deputy Mrdjenovich of Ashland County, WI. I prepared an expert report for the defense and the case was dismissed in summary judgement in December 2021.

Estate of Daunte Wright v. Brooklyn Center (MN). I am retained by the plaintiff's attorney, Romanucci and Blandin, in a case involving a motorist shot and killed by a law enforcement officer who mistook her handgun for a taser. Case is pending.

The Estate of Shannon Payne vs. Dane County Sheriff's Office (WI), 20CV-0512. United States District Court (Western District of Wisconsin). I was retained in 2021 by Cade Law Group on behalf of the plaintiff who died in custody at the Dane County (WI) jail. Case is pending.

Lucas Williams vs. City of Fort Wayne (IN). I am retained as the plaintiff's expert by Geiselman & Brown, in a case regarding the use of crowd control tactics during a civil rights protest. I testified in deposition 04/05/23.

Denzel Taylor vs. City of Sikeston (MO). I am retained as the plaintiff's expert, Donlan-Brand, in a case regarding the use of deadly force on Denzel Taylor. I testified in deposition 06/28/23.

Kurtz v. Steven Kunnath, et al Case No. CV-20-138 (MT). I am retained as the plaintiff's expert by Jami Rebsom Law regarding the use of physical force by the police on Mr. Kurtz in Livingston, MT. Expert report filed in January 2022 and defendants settled with plaintiffs in May, 2022.

Sikon v. Carroll County (OH). 20-CV-674. I am retained as the plaintiff's expert by Spangenberg, Shibley, and Liber in the shooting death of a suspect who attempted to flee arrest. I testified in deposition December, 2022.

Kramer v. Dekalb (IL). I am retained as the plaintiff's expert, Duncan Law Group, to review the case of a mentally impaired man who was wielding a sword and was shot and killed by law enforcement. Case is pending.

Bernard Kersh v. City of Chicago 20-L-001518. I am retained by the plaintiff's attorney, Hart, McLaughlin, and Eldridge, involving the use of physical force on Bernard Kersh by Chicago Police Department. I testified in deposition November, 2022, and the City of Chicago settled with the plaintiff in June, 2023.

Joseph Walker v. City of Milwaukee et al. 20-CV-0487. I am retained by the plaintiff's attorney, OVB Law, involving the use of deadly force on an alleged unarmed citizen by Milwaukee Police officers. I testified in deposition on 09/29/23 and trial on 11/30/23. The jury found in favor of the plaintiff in the amount of \$2 million.

Espino v. Mistretta. I am retained by Conybeare Law Office to review the arrest tactics of a Hartford (MI) police officer upon Mr. Espino. Case is pending.



State v. Flannery (WI). I was retained by Kuchler & Cotton to review officer's use of force and tasing of Dennis Flannery in the State of Wisconsin. My review offered an opinion the officers were justified in their force actions.

Cheyenne Finley v. William White, et al (IL). I am retained by Schultz and Myers to review a case regarding a juvenile injured by a police officer during a school bomb threat. Case is pending.

Lawrence Montoya v. City of Denver (CO). 16cv1457. I am retained by the law firm of Fisher and Brialysen to opine on police procedures when writing affidavits. I testified in deposition 06/09/23.

Cordova v. Albuquerque (NM). 14-2083. I am retained by the law offices of Ryan Villa to opine on police tactics in an officer-involved shooting.

Estate of Ryan Mitchell v. City of Waupun Police Department (WI) 21-CV-322. I am retained by the law firm, Von Briesen & Roper, on behalf of the defense to opine on the actions of an officer during a mental health investigation. Case was dismissed in summary judgment.

Woodard v. Schopp, Bahling, et al 22-CV-0005827. I am retained by Cade Law Group to opine on the actions of Wisconsin State Troopers investigating a disabled motorist. Expert report filed January, 2023.

Pierce v. Robbins. I am retained by Conybeare Law Offices to opine on the use of force on an inmate in the Berrian County (MI) Jail. I testified in deposition on December 13, 2023.

Demond Harris v. City of LaCrosse (WI) 23-CV-62. I am retained by Davey & Goldman, LLC to opine on the detention and use of force of Mr. Harris.

Kevin Marshall v. City of Lincoln (NE). I am retained by Powers Law, LLC to opine on the crowd control tactics of area law enforcement during a 2020 protest.

Estate of Amy Joy Wakefield v. Southwest Central Dispatch Center (IL). Case 23-143). I am retained by Wise-Morrissey to opine on the dispatching and response procedure of a medical emergency.

Justin Sandoval v. Atemajac, Inc. (NE) C119-2345. I am retained by Powers Law on behalf of the plaintiff regarding the use of deadly force by private security at a nightclub.

Standley v. City of Chicago. I am retained by HME Legal to opine on an officer striking and seriously injuring a pedestrian with a squad car. I testified in deposition on 08/29/23. The matter settled in favor of plaintiff in October, 2023.

Boone v. Ottawa County Dispatch (MI) 1:23-CV-00015. . I am retained by Nolan and Shafer to opine on the dispatching procedures of a domestic-related homicide.

Keyshawn Johnson v. Albuquerque Police (NM). I am retained by Taylor Smith and Associates to review and opine on the shooting death of Mr. Johnson.

The Estates of Brett Rosenau v. Albuquerque Police (NM). I am retained by Taylor Smith and Associates to review and opine on SWAT tactics that led to the inhalation death of a juvenile inside a home that chemical and stun munitions were deployed on.

The State of New Mexico vs. Ryan Downing. I was retained by Mitchell Law Offices, representing the defendant, to review and opine on Downing's use of deadly force during a physical assault. My report led to a dismissal of homicide charges for the defendant.

Michael Lewis et. al. v. City of Rosenberg et. al., 4:22-cv-02593 (TX). I am retained by the National Police Accountability Project to review the police practices involving a high-risk traffic stop and physical detention on a disabled individual.

The Estate of Jordan Pruyn vs. Columbia (MO) Police Department. I was retained by Spangler Ward to review the shooting death of Jordan Pruyn during a tactical stand-off. My review found the officers complied with their training and policy on using deadly force.

Reyes v. Albuquerque Police (NM). Case 10013. I am retained by Ellis and Estes on behalf of the plaintiff to opine on the shooting of an unarmed man during a warrant execution.

Emanuel Fair v. Redmond Police, et al (WA). Case 0-207124. I am retained by Galanda Broadman, LLC to opine as to the investigation practices by members of the Redmond Police Department that led to the wrongful conviction of Emanuel Fair for a homicide.

Olson-Villanueva vs. Town of Bernalillo (NM). Case 10014. I am retained by Soto Law Offices on behalf of the plaintiff to opine on the police practices of an unlawful arrest and detention for a violation of a restraining order.

Justin Blake vs. County of Kenosha (WI) Case 22-CV-970. I am retained by Motley Legal Service on behalf of the plaintiff to opine on the use of a restraint chair in jail.

Damiso Lee v. Wauwatosa Police (WI). I was retained by the plaintiff's attorney, Sulton Law, to review the shooting of a juvenile. My review found the officers acted within policy and training in their use of deadly force.

Estate of Timothy Green v. Olympia Police Department (WA). I was retained by plaintiff's attorney, Galanda Broadman, to review the shooting death of Timothy Green. My review found the officers acted within policy and training in their use of deadly force.

Jennifer Vaughn v. Karl Turek 2:24 cv 00213 (WI). I am retained by plaintiff's attorney, Sulton Law, to opine on the use of force on Mrs. Vaughn during a domestic disturbance arrest.

Deese v. Houston County (GA). I am retained by Virginia Josey Law on behalf of the plaintiff to opine on the shooting death of Mr. Deese.

Campolla v. Albuquerque (NM). CV-2024- 02847. I am retained by Smith and Markanovic on behalf of the plaintiff to opine on in-custody death after an arrest.

Celina Roybal et al vs. City of Rio Rancho (NM). I am retained by Prince, Schmidt, Baca, and Woods on behalf of the plaintiff, to opine on an officer-involved shooting resulting in the death of the plaintiff's husband.

Estate of Brent Alselben vs. Sibley County (NM). I am retained by Meshbeshier & Spence on behalf of the plaintiff to opine on the officer-involved shooting death of the plaintiff.

Estate of David Curry v. Chicago (IL) Police Department. I am retained by Jon Erickson Law on behalf of the plaintiffs to opine on the non-lethal use of force that resulted in the death of Mr. Curry.

Bailey v. Jennings County (IN). 4:22-CV-00038TWP. I am retained by Knight, Hoppe, Kurnik & Knight on behalf of the defendants to opine on the use of a police K-9 in the apprehension of Mr. Bailey.

Thomas et al. v. Bias (WI) 22-CV-1027. I am retained by Winston & Strawn LLP to opine on the impact of prosecutorial delays on criminal investigatory evidence.

Dimitri Calvert v. Springville PD (AR). I am retained by Phil Votaw Law on behalf of the plaintiff who was shot and killed by law enforcement during a mental health crisis.