



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Offense Report BCI22-00378/1

Report Date: 07/11/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Involved Shooting - SHANE NETTERVILLE / Officer ADAM O'BRIEN
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

On July 8, 2022, Fargo Police Department officers responded to a call that a mini van was backed into an apartment garage occupied by three possible deceased individuals and a bullet hole in the windshield. Fargo Police Department officers made contact with the occupants of the van. The driver of the van drove towards Officer ADAM O'BRIEN while fleeing the scene. Officer ADAM O'BRIEN discharged his weapon, which resulted in the driver of the vehicle, SHANE NETTERVILLE, being struck and ultimately passing away at Sanford Hospital. The Fargo Police Department requested the North Dakota Bureau of Criminal Investigation (NDBC) investigate the shooting.

Distribution:

Jeramie Quam, NDBC Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Drew H. Wrigley, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Claire Ness, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - OCCURRED #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Offenses

Offense Type	Offense	Attempted/Committed	Statute	UCR Class
OTHER	Officer Involved Shooting	COMMITTED	NONE	NONE
OTHER	Aggravated assault-Law enforcement - Aggravated Assault	COMMITTED	12.1-17-02(1)(c)	13A

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Offense Report BCI22-00378/1

Report Date: 07/11/2022

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM - Continued

Relationship Information

Related Offense: VICTIM MARSY'S LAW NOTIFY/INVOKE NO of COMMITTED OTHER Aggravated assault-Law enforcement - Aggravated Assault (12.1-17-02(1)(c)) (13A)
Homicide Victim: NO
Hate Crime Victim: NO
Domestic Violence: NO
Victim Type: ADULT
Use Of Force: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Relationship Information

Related Offense: SUSPECT of COMMITTED OTHER Officer Involved Shooting (NONE) (NONE)
and Related Offense: SUSPECT of COMMITTED OTHER Aggravated assault-Law enforcement - Aggravated Assault (12.1-17-02(1)(c)) (13A)
Suspect Type: SUSPECT
Homicide Victim: NO
Hate Crime Victim: NO
Domestic Violence: NO
Use Of Force: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Offense Report BCI22-00378/1

Report Date: 07/11/2022

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Relationship Information

Related Offense: SUSPECT of COMMITTED OTHER Officer Involved Shooting (NONE) (NONE)
Suspect Type: SUSPECT
Homicide Victim: NO
Hate Crime Victim: NO
Domestic Violence: NO
Use Of Force: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Offense Report BCI22-00378/1

Report Date: 07/11/2022

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH - Continued

Personal Information - Continued

Hair Color: BLACK

Addresses

Relationship Address
HOME ADDRESS [REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #7 - WITNESS #4 - STANLEY, DEREK WILLIAM

Primary Information

Subject Name: STANLEY, DEREK WILLIAM
Record Type: PERSON
Bio: 31 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1990
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 511
Weight: 190
Eye Color: HAZEL
Hair Color: BLONDE

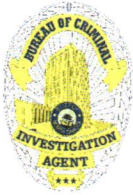
Addresses

Relationship Address
HOME ADDRESS [REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Analysis Information

Sick Or Injured: NO
Cargo Theft: NO
Alarm: NO
Location Type: APT/CONDO
Forced Entry: NOT APPLICABLE
Alcohol Related: NO
Drug Related: NO
Hate Crime: NO
Sex Crime: NO
Juvenile Crime: NO
Domestic Violence: NO
Senior Abuse: NO
Child Abuse: NO
Gang Related: NO
School Zone: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Offense Report BCI22-00378/1

Report Date: 07/11/2022

Analysis Information - Continued

Public Housing:	NO
Signature Act:	NO
Electronic Identification:	NO

Officers

LEO

BANET, SHAWN (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
FRANKLIN, SHELBY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
KELLY, TROY (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
MENDEZ, BARDO (FRANK) (WAHPETON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
RUMMEL, ARNIE (SOUTHEAST REGION / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
SANDERSON, ROBERT (GAMING / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
SHAW, JIM (CYBER CRIMES / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
SMITH, JESSE (CYBER CRIMES - FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
SOLBERG, KRISTI (SOCIAL SECURITY / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/1

Report Title: Officer Involved Shooting - SHANE NETTERVILLE / Officer ADAM O'BRIEN

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 2022

1. At 8:09 a.m., the Red River Regional Dispatch Center received a call from a reporting party that a minivan was backed into an apartment garage [REDACTED] located at [REDACTED] [REDACTED] Fargo, North Dakota (ND). The reporting party advised dispatch that the minivan was occupied by three individuals that were possibly deceased and that there was a bullet hole in the windshield of the van.
 2. Five minutes after being dispatched to the call, Officer ADAM O'BRIEN, Officer Dirk Theideman, and Officer Tyler Pool arrived at [REDACTED]. Officers made contact with the occupants of the minivan, the occupants of the van were later identified as SHANE NETTERVILLE (driver), Cody Dunn (front passenger seat) and Derek Stanley (rear passenger).
 3. Officer ADAM O'BRIEN was on the passenger side of the car and Officer Thiedeman and Officer Pool were on the driver's side of the vehicle giving SHANE NETTERVILLE, Cody Dunn, and Derek Stanley verbal commands. SHANE NETTERVILLE refused to comply with officers' commands and sped out of the garage quickly. While speeding out of the garage quickly, the minivan went towards Officer ADAM O'BRIEN. Officer ADAM O'BRIEN discharged his weapon one time resulting in SHANE NETTERVILLE being struck in the chest.
 4. After Officer ADAM O'BRIEN discharged his weapon, the minivan continued south between apartment buildings approximately 268 feet before crashing into a garage at [REDACTED] Fargo, ND. After the crashing into the garage, Cody Dunn and Derek Stanley fled the scene on foot.
 5. Officer ADAM O'BRIEN and Officer Thiedeman rendered first aid to SHANE NETTERVILLE until emergency medical services (EMS) arrived and took over care. SHANE NETTERVILLE was transported to Sanford Medical Center and later passed due to his injuries.
 6. This investigation continues. See supplemental reports for details of the investigation.
-

Description and Custody of Evidence:

1. None as a result of this report.
-

Attachments:

1. Dispatch Log (4 Pgs), 7-8-2022



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/2

Report Date: 07/11/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Photos and Officer Tyler Pool Interview
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: SANDERSON, ROBERT (GAMING / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

The Fargo Police Department requested assistance from the North Dakota Bureau of Criminal Investigation (NDBC) to investigate an officer involved shooting. This report outlined the duties of Special Agent (S/A) Robert Sanderson in assisting in the investigation. S/A Sanderson took photographs of officers involved in the shooting and also interviewed Fargo Police Department Officer Tyler Pool.

Distribution:

Jeramie Quam, NDBC Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - 105 25TH ST N

Primary Information

Address: 105 25TH ST N, FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/2

Report Date: 07/11/2022

Subject #3 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - MENTIONED #1 - KRINGLIE, JAMES

Primary Information

Exempt From Disclosure: YES
Subject Name: KRINGLIE, JAMES
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - MENTIONED #2 - WHITE, JESSECA

Primary Information

Exempt From Disclosure: YES
Subject Name: WHITE, JESSECA
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Officers

LEO
QUAM, JERAMIE (HILLSBORO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
SOLBERG, KRISTI (SOCIAL SECURITY / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/2

Report Title: Officer Photos and Officer Tyler Pool Interview

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 2022

1. Special Agent (S/A) Robert Sanderson was in Fargo, North Dakota (ND), for a Gaming investigation. At 8:30 a.m., when S/A Sanderson arrived at the North Dakota Bureau of Criminal Investigation (NDBCI) Fargo Office, S/A Sanderson was advised there was an officer involved shooting involving the Fargo Police Department (FPD).
2. At 9:23 a.m., agents were briefed about an officer involved shooting with the FPD. Duties were assigned at this briefing. S/A Sanderson and S/A Kristi Solberg were assigned to take photographs of the officers involved, take statements, and take into evidence any weapons used in the incident.
3. At 10:04 a.m., S/A Sanderson started taking photographs of Officer ADAM O'BRIEN in the Moser Conference Room at the FPD. See the attached photographs and photo logs.
4. S/A Sanderson had Officer ADAM O'BRIEN remove Officer ADAM O'BRIEN's two duty magazines from Officer ADAM O'BRIEN's duty belt. S/A Sanderson placed the duty magazines on the table. S/A Sanderson had Officer ADAM O'BRIEN remove Officer ADAM O'BRIEN's duty weapon from the holster and hand it to S/A Sanderson. S/A Sanderson depressed the magazine release and released the magazine from Officer ADAM O'BRIEN's duty weapon. S/A Sanderson placed this magazine on the table. S/A Sanderson pulled the slide to the rear, ejecting the bullet that was in Officer ADAM O'BRIEN's duty weapon. S/A Sanderson placed the bullet on the table next to the magazine that came from the duty weapon. S/A Sanderson made sure the weapon was empty of any bullets. It should be noted that S/A Sanderson wore black latex gloves during any manipulation of the magazines or weapon.
5. S/A Sanderson took photographs of Officer ADAM O'BRIEN's duty weapon, the duty magazine with one bullet that was inside the duty weapon, and the two duty magazines that were inside Officer ADAM O'BRIEN's duty belt. See the attached photographs and photo logs.
6. S/A Sanderson unloaded each magazine separately and counted the rounds inside each magazine. It should be noted the two duty magazines had 15 rounds inside each magazine. This would be the full capacity of those two magazines. The magazine that was in the weapon had 14 rounds. This would mean there was one round missing from a full magazine. A fully loaded magazine and one round in the chamber would total 16. Officer ADAM O'BRIEN's duty weapon had 15 rounds in the weapon.

7. S/A Sanderson completed an Evidence Inventory and Receipt form for the items taken from Officer ADAM O'BRIEN. See the attached copy of the Evidence Inventory and Receipt form.
 - A. Item #1 – Officer ADAM O'BRIEN's duty weapon, a Glock 22 .40 caliber with serial number XNX 727.
 - B. Item #2 – One Glock magazine with 14 rounds inside it and one round from the duty weapon.
 - C. Item #3 – Two Glock magazines with 15 rounds inside each magazine from Officer ADAM O'BRIEN's duty belt.
8. S/A Sanderson took photographs of Officer Tyler Pool and Officer Dirk Thiedeman. See the attached photographs and photo logs.
9. S/A Sanderson inspected Officer Pool and Officer Thiedeman's duty magazines and duty weapons. S/A Sanderson noted that all magazines had 15 rounds inside each magazine and the weapons had one round in the chambers.
10. S/A Sanderson and S/A Solberg drove back to the Fargo NDBCI Office. S/A Sanderson turned over the evidence to Supervisory Special Agent (SS/A) Jim Shaw to place in the evidence room at the Fargo NDBCI Office. The original Evidence Inventory and Receipt form was kept with the evidence.
11. At 12:32 p.m., S/A Sanderson and S/A Solberg went back to the FPD to interview Officer Pool and Officer Thiedeman. See S/A Solberg's report for Officer Thiedeman's interview.
12. S/A Sanderson and S/A Solberg interviewed Officer Pool in a private room with Officer Jesseca White present in the room. This interview was recorded using S/A Sanderson's digital recorder. See the attached recording for details. Officer Pool stated the following:
 - A. Officer Pool wanted to talk with agents.
 - B. Workday shift on the red team started at 6:00 a.m., in Beat 20.
 - C. Officer Pool was on an animal call when the call first came about dead bodies in a car.
 - D. Officer Pool called dispatch to clear Officer Pool from the animal call and put Officer Pool on the dead bodies call.
 - E. Officer Pool knew the area of where the call was located.
 - F. Officer Pool stated it took him a couple minutes to get to the call location because Officer Pool was by the FPD substation off of 40th Street and 10th Avenue. The dash camera was on while driving "code 3." Note: "code 3" meant to drive with lights and sirens on the marked patrol car.

- R. Officer Pool posted on the perimeter. Eventually, Officer Pool transported one of the suspects to the police department. Officer Pool believed it was the guy in the black shirt with the long hair.
13. S/A Sanderson walked through what Officer Pool had told S/A Sanderson. S/A Sanderson used S/A Sanderson's cell phone as a visual of the van to verify the incident with Officer Pool.
- A. According to Officer Pool, the van was backed into the garage.
- B. Officers were at the threshold of the overhead garage door.
- C. Officers gave commands and the van "lurched forward" but officers could not tell if the vehicle was put in park or just stopped.
- D. Officer ADAM O'BRIEN was on the east side, Officer Thiedeman and Officer Pool were on the west side. Officer Thiedeman went into garage to open driver's door. The van accelerated and that was when Officer Pool heard a gunshot.
- E. After the shot, the vehicle kept going across the street and crashed into a garage.
- F. Officer Pool thought "Officer ADAM O'BRIEN's position was directly in front of the passenger's side fender." Officer Pool stated, "as that vehicle sort of lunged forward, we tried to get out of the way a little bit." "But I also tried to creep in a little bit more but that's when Dirk (Officer Thiedeman) had opened the door, I stepped back because I was almost going to get hit by the vehicle and that door."
- G. It was a couple feet from the front of the van to where officers were standing. Officer Pool could not remember if it was a two stall, but there was not much else in the garage.
- H. Officer Pool wanted to clarify, "When I heard the gunshot that vehicle was already trying to leave." "He was trying to get out of there." "He was attempting to flee."
- I. Mainly, Officer ADAM O'BRIEN was giving the commands but Officer Pool gave commands as well. Officers were trying to get the passengers in the van to keep their hands up, the front seat passenger complied. Officer Pool did not see the passenger in the backseat. Officer Pool saw the driver's hands go up a couple different times, but the driver put his hands down to start the vehicle, Officer Pool heard the vehicle start at least twice, maybe a third time, but Officer Pool could not remember.
- J. Officer Pool delivered the other suspect to the FPD and then Lieutenant James Kringlie put Officer Pool in an office and that was where Officer Pool was until the interview.
14. S/A Sanderson gave Officer Pool a business card and notified Officer Pool that the case agent was S/A Jeramie Quam. S/A Quam may call Officer Pool later for follow-up questions.

- G. When Officer Pool arrived, Officer ADAM O'BRIEN and Officer Thiedeman were on scene standing outside a garage door and had their weapons drawn. Officer Pool drew Officer Pool's firearm.
- H. Officer Pool saw two males in the front of a red van but did not know the context of what other officers saw. Officers were giving commands to the people in the van to keep their hands up and step out of the vehicle.
- I. At that point, Officer ADAM O'BRIEN moved to the west side of the garage and Officer Thiedeman and Officer Pool were on the east side of the garage. Officer Pool had Officer Pool's gun drawn on the driver. Initially, the driver's and passenger's hands were up, but the driver's hands dropped to start the vehicle, then the driver's hands came up, then dropped to start the vehicle again. Officers gave commands to shut the vehicle off.
- J. Then, the vehicle moved forward towards Officer Pool. Officer Thiedeman attempted to open the driver's door. As the van was exiting the garage, Officer Pool heard a gunshot. The vehicle took off from the parking lot where it was at, crossed the street, and crashed into a garage across the street.
- K. "That's kind of where it gets a foggy, because the van kind of went forward a little bit, and I couldn't tell if it moved forward to get us to move or if the van stopped like when a vehicle is placed in park, it leans forward a bit." At that point, when the vehicle stopped that was when Officer Thiedeman went to open the driver's door. Officer Pool was unsure and stated Officer Pool would have to review the body worn camera footage. "I think as soon as that door went open, that's when the driver decided to take off."
- L. Officer Pool believed when the vehicle started going, that was when Officer Pool heard the gunshot.
- M. The vehicle drove with a slight turn to the right to get out of the driveway, went across the street, hopped the curb, and crashed into the garage. When the vehicle crossed the street was when Officer Pool called on the radio "shots fired."
- N. Officer Pool did not see who fired the shot.
- O. Officer Pool's body camera was on.
- P. After the van crashed into garage, Officer Pool saw two individuals running from the van. Officer Pool saw no passengers in the vehicle. Where the vehicle crashed, there was a pathway. Officer Pool ran down the pathway but lost his footing by the garbage dumpster and fell to the ground. Officer Pool saw a Hispanic or Native American male running away. Officer Pool saw another male. Both males ran west into another apartment building. One male was wearing a blue shirt and the other male wore a black shirt. Officer Pool tried to give descriptions of suspects over the radio.
- Q. Officer Pool ran back to where the vehicle crashed. Officer Pool saw officers giving first aid to the driver.

15. This case remains under investigation.
-

Description and Custody of Evidence:

1. The physical evidence is located the at Fargo NDBCI office.
 2. Photographs and photo logs were transferred into S/A Quam's digital file.
-

Attachments:

1. Digital Photographic Logs (4 Pgs), 7-8-2022
2. Evidence Inventory and Receipt Form (1 Pg), 7-8-2022
3. Officer Pool Interview
4. Photographs



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/3

Report Date: 07/11/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: [REDACTED] Interview
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: SMITH, JESSE (CYBER CRIMES - FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/19/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #3 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/3

Report Date: 07/11/2022

Subject #3 - WITNESS #1 - [REDACTED] - Continued

Primary Information - Continued

Bio: 52 yr. old, BLACK OR AFRICAN AMERICAN, MALE
Birth Date: [REDACTED] 1969
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 603
Weight: 235
Eye Color: BROWN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)

Subject #4 - WITNESS #2 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 35 yr. old, BLACK OR AFRICAN AMERICAN, FEMALE
Birth Date: [REDACTED] 1986
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)

Subject #5 - WITNESS #3 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 45 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1977

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/3

Report Date: 07/11/2022

Subject #5 - WITNESS #3 - [REDACTED] - Continued

Primary Information - Continued

Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO

Height: 507

Weight: 250

Eye Color: BROWN

Hair Color: BROWN

Addresses

Relationship

Address

HOME ADDRESS

[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Officers

LEO

MENDEZ, BARDO (FRANK) (WAHPETON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/3

Report Title: [REDACTED] Interview

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, Special Agent (S/A) Jesse Smith made contact with [REDACTED], the reporting party of the initial call at [REDACTED] Fargo, North Dakota (ND). [REDACTED] returned [REDACTED] and S/A Smith and S/A Bardo (Frank) Mendez transported [REDACTED] to the Fargo office of the North Dakota Bureau of Criminal Investigation (NDBCI).
2. [REDACTED] stated that he lived at [REDACTED]. [REDACTED] stated that [REDACTED] had previously served in the military.
3. [REDACTED] stated that he got up to take the garbage out and was going to walk his roommate [REDACTED] out. [REDACTED] stated that they exited the building to grab some stuff from [REDACTED] truck. [REDACTED] stated his truck was parked in the back of the building.
4. [REDACTED] stated that there was usually a lot of activity in Apartment [REDACTED]. [REDACTED] stated that he usually looked from the outside towards that apartment. [REDACTED] stated that last night [REDACTED] noticed that the blinds were closed and seemed normal. [REDACTED] stated that this morning (July 8, 2022) that some of the blinds were missing and it appeared that someone rummaged through the apartment. [REDACTED] stated that he had wondered what had happened up there, as people were always coming and going from that apartment.
5. [REDACTED] stated that he walked down with [REDACTED] and went to the dumpster and observed a red van backed into the garage of [REDACTED]. [REDACTED] stated he had seen the van there a few times before but never noticed anything odd about it.
6. [REDACTED] stated this time [REDACTED] saw a hole in the windshield that looked like a bullet hole. [REDACTED] stated he knew what a bullet hole looked like, and [REDACTED] saw three occupants of the vehicle slumped over. [REDACTED] stated he saw the driver, passenger, and someone in the backseat. [REDACTED] stated that the side door was open. [REDACTED] called to [REDACTED] to look at the van.
7. [REDACTED] asked [REDACTED] if he thought the occupants of the van were okay. [REDACTED] went to the garage next door got in her vehicle.
8. [REDACTED] stated that he continued to wonder about what was going on in the van when there was another short black lady that came by and started talking to [REDACTED] about cleaning. This lady was later identified as [REDACTED].

9. [REDACTED] called law enforcement and [REDACTED] also thought [REDACTED] may have called as well. [REDACTED] stated by the time he hung up with 911, [REDACTED] already heard sirens.
10. [REDACTED] stated when the first officer (Officer ADAM O'BRIEN) showed up, Officer ADAM O'BRIEN had started walking along the garages cautiously. [REDACTED] stated that [REDACTED] was walking back to the building at this time and had stood in the doorway. This door faced north towards the garages. [REDACTED] stated the other two officers arrived and were moving along the garages and the first responding officer moved out a little bit in front of the garage.
11. [REDACTED] stated he could hear the first officer state "Let me see your hands." [REDACTED] stated the officer said this about five times. [REDACTED] stated then he heard the van start up. [REDACTED] stated, "The van must have had some power, because he shot out of that garage like a bullet leaving a gun." [REDACTED] then stated, "If that officer had not jumped out of the way, he would have been done." [REDACTED] stated that was then when [REDACTED] heard a pop pop.
12. [REDACTED] stated he went back into the building and then heard a bang noise, which must have been when the van crashed into the other building across the street. [REDACTED] stated that [REDACTED] later came back over and stated she had heard the gun shots and asked [REDACTED] what had happened.
13. [REDACTED] stated that the first responding officer (Officer ADAM O'BRIEN) was a good 10 feet in front of the other two responding officers. [REDACTED] again stated that the officers were moving cautiously from east to west in front of the garages. [REDACTED] stated that the first officer moved out wide and when the van went out of the garage [REDACTED] saw the officer jump out of the way.
14. [REDACTED] again reiterated, "If he wouldn't have jumped out of the way that quick, he would have been a done deal."
15. [REDACTED] stated that [REDACTED] had recorded a video after the shooting had occurred. [REDACTED] allowed S/A Smith to review and save that video. S/A Smith reviewed the video "IMG_5924."
- A. This was a 38 second video being recorded from [REDACTED] from the north door facing the garages. [REDACTED] was making the video with a female identified as [REDACTED] standing in front of [REDACTED].
- 1) [REDACTED] stated, "[REDACTED] the police had to shoot somebody. I believed he died so"
 - 2) [REDACTED] "I'm glad the police is okay too, because he wanted to kill the police."
 - 3) [REDACTED] "Yeah because he tried to run over the police, that's why they shot him."
 - 4) [REDACTED] "Ya he trying to kill the police too, so I am glad he is okay."

- 5) [REDACTED], "It's sad"
 - 6) [REDACTED] "Ya this happen, I was standing right there when this happened."
 - 7) [REDACTED], "God rest his soul."
 16. [REDACTED] stated, "It's sad that, you know, cause I could tell that cop didn't want to shoot him, because after he shot him he like grabbed his head you know. I don't think that he wanted to shoot that guy. But it was either him or that guy."
 17. S/A Smith took [REDACTED] to the NDBCI garage where the Sedona had been secured. [REDACTED] identified the bullet hole that [REDACTED] had seen that morning as the one hole that was lower and to the driver's side.
 18. S/A Smith asked [REDACTED] when the van was leaving the garage, how close did [REDACTED] think it was to the officer? [REDACTED] responded, "I'm not going to lie to you it was close. I mean, if he wouldn't. It was like split seconds if he wouldn't have jumped out of the way he would have got hit. He would have got hurt bad. Cause that van came out of there, I mean I couldn't believe how fast that van came on out of there. Ill I heard was it start then seen it like peeewww. Heard that pop pop, damn, then heard a bam."
 19. S/A Mendez asked [REDACTED] which way the officer jumped out of the way. [REDACTED] stated that the two officers were still on the driver's side of the van and the one officer would have been on the passenger's side of the vehicle. [REDACTED] stated that when the officer moved out of the way of them, he moved in a western direction and [REDACTED] heard the pop pop.
 20. This concluded the interview with [REDACTED]
-

Description and Custody of Evidence:

1. S/A Smith maintains custody of the Interview and video provided by [REDACTED]. A copy of the video recorded by [REDACTED] will be provided to those on distribution.
-

Attachments:

1. Interview of [REDACTED]



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/4

Report Date: 07/11/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Dirk Thiedeman Interview
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: SOLBERG, KRISTI (SOCIAL SECURITY / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 08/03/2022
Approved By: HARSTAD, STEVE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Kristi Solberg, NDBCI Bismarck, Bismarck, ND, w/attach
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - 105 25TH ST N

Primary Information

Address: 105 25TH ST N, FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/4

Report Date: 07/11/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - MENTIONED #1 - NORMANDIN, SCOTT

Primary Information

Exempt From Disclosure: YES
Subject Name: NORMANDIN, SCOTT
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/4

Report Date: 07/11/2022

Subject #7 - MENTIONED #2 - SHAW, THOMAS

Primary Information

Exempt From Disclosure: YES
Subject Name: SHAW, THOMAS
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Officers

LEO

SANDERSON, ROBERT (GAMING / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

QUAM, JERAMIE (HILLSBORO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/A

Report Title: Officer Dirk Thiedeman Interview

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, Special Agent (S/A) Kristi Solberg was in Fargo, North Dakota (ND), for a Social Security Fraud investigation. S/A Solberg arrived at the North Dakota Bureau of Criminal Investigation (NDBCI) Fargo Office at 8:30 a.m. S/A Solberg was advised that Fargo Police Department (FPD) had an officer involved shooting.
2. At 9:23 a.m., agents were briefed about the FPD officer involved shooting and duties were assigned. S/A Robert Sanderson and S/A Solberg were assigned to take photographs of officers involved, take statements, and take into evidence any weapons used in the incident.
3. On July 8, 2022, at 10:02 a.m., S/A Sanderson and S/A Solberg spoke with Officer ADAM O'BRIEN at the FPD. Officer ADAM O'BRIEN invoked Officer ADAM O'BRIEN's right to an attorney. S/A Sanderson took photos of Officer ADAM O'BRIEN, Officer ADAM O'BRIEN's firearm, magazines, and ammunition. See S/A Sanderson's report for details.
4. On July 8, 2022, at 10:25 a.m., S/A Sanderson and S/A Solberg spoke with Officer Tyler Pool at the FPD. Officer Pool invoked Officer Pool's right to an attorney. S/A Sanderson took photos of Officer Pool, Officer Pool's firearm, duty magazines, and ammunition.
5. On July 8, 2022, at 10:35 a.m., S/A Sanderson and S/A Solberg spoke with Officer Dirk Thiedeman at the FPD. Officer Thiedeman invoked Officer Thiedeman's right to an attorney. S/A Sanderson took photos of Officer Thiedeman, Officer Thiedeman's firearm, duty magazines, and ammunition.
6. On July 8, 2022, Supervisory Special Agent (SS/A) Arnie Rummel received a call from the FPD stating that Officer Thiedeman and Officer Pool requested to meet with special agents and wanted to provide statements. At 12:32 p.m., S/A Sanderson and S/A Solberg went back to the FPD.
7. On July 8, 2022, at 12:31 p.m., S/A Sanderson and S/A Solberg met with Officer Thiedeman at the FPD. S/A Solberg advised Officer Thiedeman that Officer Thiedeman was not under arrest, Officer Thiedeman was free to go at any time, that Officer Thiedeman did not have to talk to agents if Officer Thiedeman did not want too, and that it was up to Officer Thiedeman if Officer Scott Normandin was present for the interview or not. Officer Normandin was there as peer support. Officer Thiedeman consented to an interview and stated Officer Normandin could be present. The interview took place in a private office and was recorded using S/A Solberg's recorder. The following is a summary of Officer Thiedeman's interview.

- A. On July 8, 2022, Officer Thiedeman worked the day shift and was assigned to Beat 15. Officer Thiedeman's shift started at 6:00 a.m. Officer Thiedeman was dispatched to a call on Beat 21 for possibly three deceased individuals in a van in a garage at [REDACTED] Fargo, ND. Officer Thiedeman drove from his location south on 25th Street, took a right on 17th Avenue South, and turned north on 34th Street. Officer Thiedeman observed Officer ADAM O'BRIEN's squad car in front of Officer Thiedeman on 34th Street.
- B. Officer Pool cleared from a call and stated that Officer Pool was en route to the call at [REDACTED] Fargo, ND.
- C. Officer Thiedeman and Officer ADAM O'BRIEN pulled into the parking lot of [REDACTED] and parked along a row of garages. There was one garage door open, which was Garage [REDACTED]. Officer ADAM O'BRIEN and Officer Thiedeman approached the open garage. Officer ADAM O'BRIEN drew Officer ADAM O'BRIEN's weapon and began giving commands to the individuals to show their hands. Officer Thiedeman drew Officer Thiedeman's firearm and "shouldered up" next to Officer ADAM O'BRIEN, who was standing on the edge of the open garage. Officer ADAM O'BRIEN moved slightly to Officer Thiedeman's left so Officer Thiedeman had a view of the vehicle, which was backed into the garage. The males in the van could see the officers as they approached.
- D. Officer Thiedeman observed three individuals in a van. Officer ADAM O'BRIEN continued to give commands to the individuals to show the individuals hands. The driver appeared to be staring at the officers but did not appear to be listening to what the officers were saying. When Officer ADAM O'BRIEN told the driver to put the driver's hands up, the driver reached down awkwardly with his right hand and put the car in gear. Officer Thiedeman yelled for the driver to take the keys out of the ignition.
- E. Officer Pool arrived, and the officers spread out. Officer Thiedeman was by the driver's side; Officer Pool was by the passenger side; and Officer ADAM O'BRIEN was more in front of the vehicle. The driver of the vehicle started the vehicle, put it into drive and the vehicle "lurched forward" a foot or two. The driver applied the brake but did not put the vehicle in park. The driver did that a couple of times with the vehicle. Officer ADAM O'BRIEN and Officer Thiedeman were yelling at the driver to stop the vehicle and to turn off the vehicle.
- F. Officer Thiedeman approached the driver's side door and tried to open the door in an attempt to get the driver out of the vehicle "so the vehicle would stop, as it was aiming at officers."
- G. Officer Thiedeman heard a gunshot, and the vehicle took off fast and went southbound. Officers gave chase on foot. The vehicle crashed into a garage south of 15th Avenue South.
- H. Two males exited the vehicle and ran south. Officer Thiedeman could see the driver was still in the vehicle. Officer Pool pursued the male passengers on foot. Officer ADAM O'BRIEN and Officer Thiedeman approached and cleared the vehicle. Officer ADAM O'BRIEN gave commands to the driver. Officers could see

the driver's right hand but not the left hand, which was in between the driver's seat and the door. The driver was not responding to commands.

- I. Officer ADAM O'BRIEN observed there was nothing in the driver's left hand, so Officer ADAM O'BRIEN removed the male from the vehicle. Officer Thiedeman asked Officer ADAM O'BRIEN about the gun shot. Officer ADAM O'BRIEN stated Officer ADAM O'BRIEN was the one who shot because the driver was about to run Officer ADAM O'BRIEN over.
- J. Officer Thiedeman applied pressure to the driver's wound. Officer Thiedeman asked other officers for a trauma kit. Emergency medical services (EMS) arrived a short time later. The male was randomly breathing, and EMS transported to male to the hospital.
- K. The male was wearing a fanny pack, which was removed. Officer Thiedeman opened the fanny pack to see if it contained identification for the male. A driver's license for a male with the last name of NETTERVILLE was located inside.
- L. Officer Thiedeman observed a pipe laying on the floor of the vehicle.
- M. Officer Thiedeman gave Officer ADAM O'BRIEN a ride to the FPD. Upon arrival, officers went to the lieutenant's office. Officer ADAM O'BRIEN and Officer Thiedeman were separated and put into private offices with a peer support officer.
- N. Officer Thiedeman stated Officer Thiedeman was focused on the driver of the vehicle's movements "especially once (Officer ADAM) O'BRIEN was kinda in the line of the vehicle." The driver's eyes were wide, and the driver's movements were stilted. The passengers were also staring at officers. Officer Thiedeman did not recall the individuals making any statements during the incident.
- O. When officers approached the garage, Officer ADAM O'BRIEN posted at the opening of the garage where the garage door and wall met. Officer Thiedeman was along the wall behind Officer ADAM O'BRIEN and could not see the vehicle. Officer ADAM O'BRIEN moved over to the left, approximately three to four feet, to make room for Officer Thiedeman to be able to see the vehicle in the garage. When Officer ADAM O'BRIEN moved over, it kind of put Officer ADAM O'BRIEN out in front of the vehicle. Officer ADAM O'BRIEN was out in the open with no cover.
- P. When Officer Thiedeman reached for the driver's door, the driver started to drive. Officer Thiedeman stated "(Officer ADAM) O'BRIEN would have been in front of the vehicle and that's when the gun went off." Officer Thiedeman thought Officer Thiedeman still had a hold of the driver's door when Officer Thiedeman heard the gun shot.
- Q. Officer Thiedeman believed the car was moving when the shot was fired, and that Officer ADAM O'BRIEN jumped out of the way.
- R. Officer Thiedeman's body camera had been in sleep mode, so Officer Thiedeman turned it on. Officer Thiedeman drew his gun prior to noticing that the

body camera was not recording. Officer Thiedeman did not drive code to the call and the vehicle dash camera turned on once Officer Thiedeman drew his weapon.

8. On July 8, 2022, S/A Sanderson and S/A Solberg met with Officer Pool for an interview. See S/A Sanderson's report.
9. After Officer Tyler's Pool's interview, S/A Solberg asked Officer Thiedeman if S/A Solberg could do a follow-up interview to which Officer Thiedeman agreed. The follow up interview took place on July 8, 2022, at 1:22 p.m.
10. The following is a summary of the follow up interview.
 - A. Officer Thiedeman did not see who fired the gun and heard one shot in total.
 - B. The garage was a single stall with a couple of feet of space on each side of the van.
 - C. Officer Thiedeman stated the driver "floored it to take off" from the inside of the garage.
11. On July 8, 2022, at 2:07 p.m., S/A Sanderson and S/A Solberg met with Sergeant Tom Shaw at the FPD to obtain copies of vehicle dash camera footage and body camera footage for Officer ADAM O'BRIEN, Officer Pool, and Officer Thiedeman. An Evidence Inventory and Receipt form was completed. Upon arrival at the Fargo NDBCI office, S/A Solberg signed the footage over to S/A Jeramie Quam. The original Evidence Inventory and Receipt form was given to S/A Quam. A copy of the Evidence Inventory and Receipt form is attached.

Description and Custody of Evidence:

1. None as a result of this report.
-

Attachments:

1. Evidence Inventory and Receipt Form (1 Pg), 7-8-2022
2. Audio Recording of Officer Dirk Thiedeman Interview
3. Audio Recording of Officer Dirk Thiedeman Follow Up Interview



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/5

Report Date: 07/11/2022

Primary Information

Description: [REDACTED]
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: SMITH, JESSE (CYBER CRIMES - FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/19/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 35 yr. old, BLACK OR AFRICAN AMERICAN, FEMALE
Birth Date: [REDACTED] 1986
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)

Officers

LEO
SHAW, JIM (CYBER CRIMES / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/5

Report Date: 07/11/2022

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/5

Report Title: [REDACTED]

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, at approximately 6:00 p.m., Special Agent (S/A) Jesse Smith and Supervisory Special Agent (SS/A) James Shaw made contact with [REDACTED] at [REDACTED] in Fargo, North Dakota (ND). [REDACTED] was interviewed in the vehicle of S/A Smith.
2. [REDACTED] stated that she was sent over to that area to clean and to get apartments ready for new tenants.
3. [REDACTED] said she was in that area around 7:30 a.m. [REDACTED] checked in with management and she saw a police officer pull into the wrong building and turn around and drive to a different building. [REDACTED] saw the police pull up next to the garage and she stood there and watched.
4. [REDACTED] said she saw a guy that lived in that building go dump his garbage. [REDACTED] said the guy went back into the building and then she saw the three police cars show up.
5. [REDACTED] stated that she was recording the police when they showed up, but when [REDACTED] heard the gun shot, [REDACTED] hand trembled and [REDACTED] accidentally deleted the video. [REDACTED] stated that she was using Snapchat to record the video and instead of pushing save she accidentally pushed the X.
6. [REDACTED] stated she was right there on the scene when they came. [REDACTED] stated that she heard the police tell them to put their hands up. [REDACTED] stated that the police were very loud when giving commands.
7. [REDACTED] stated that she heard the car start and was about to run the cop over and that was when they pulled the trigger.
8. S/A Smith asked [REDACTED] in her opinion, if the vehicle was going to run over the cop. [REDACTED] responded, "Yep, I know that he was about to kill him. He was about to kill him."
9. [REDACTED] then saw the van go across the street and two people ran. [REDACTED] saw the police render cardiopulmonary resuscitation (CPR) to the driver.
10. S/A Smith asked if [REDACTED] saw the cops go to the garage and then give commands and [REDACTED] stated, "From where I was standing, you could see it all."

11. S/A Smith asked [REDACTED] if [REDACTED] thought the vehicle was going to hit the police and [REDACTED] responded, "He was coming to hit him not thought he was coming to hit them."
 12. S/A Smith asked, "He was going to hit them?" [REDACTED] responded, "He was going to run them over, they were right there."
 13. [REDACTED] gave S/A Smith her iPhone in attempt to recover the video that was deleted. S/A Smith was able to utilize Graykey to obtain a full filesystem extraction. S/A Smith reviewed the data and was unable to recover the deleted video from [REDACTED] iPhone.
 14. S/A Smith had previously obtained the video that had been recorded by [REDACTED] after the shooting had occurred.
 15. This concluded the interview with [REDACTED]
-

Description and Custody of Evidence:

1. S/A Smith maintains custody of the Interview and video provided by [REDACTED]. Copies of the video provided by [REDACTED] will be provided to those on distribution.
-

Attachments:

1. Recorded Interview of [REDACTED]



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/6

Report Date: 07/12/2022

Primary Information

Description: Scene and Vehicle Processing
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: BANET, SHAWN (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Shawn Banet, NDBCI Jamestown, Jamestown, ND
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Address #2 - ACTIVITY LOCATION #2 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/6

Report Date: 07/12/2022

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Date Deceased: 07/08/2022 00:00

Addresses

Relationship

Address

HOME ADDRESS

[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Officers

LEO

KELLY, TROY (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

FRANKLIN, SHELBY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

MENDEZ, BARDO (FRANK) (WAHPETON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

KRAFT, SCOTT (GRAFTON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

SMITH, JESSE (CYBER CRIMES - FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

RUMMEL, ARNIE (SOUTHEAST REGION / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

SHAW, JIM (CYBER CRIMES / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

QUAM, JERAMIE (HILLSBORO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/6

Report Title: Scene and Vehicle Processing

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 2022

1. Special Agent (S/A) Shawn Banet and S/A Troy Kelly were requested to assist with the investigation of a reported officer involved shooting in the area of the 3400 block of 15th Avenue South in Fargo, North Dakota (ND).
2. Upon arrival to the area of the 3400 block of 15th Avenue South, S/A Banet observed the following:
 - A. The scene was a residential area consisting of apartment buildings and garages.
 - B. The area around the scene was taped off with yellow police tape, numerous law enforcement vehicles, and law enforcement officers both in the area of scene and positioned in various locations controlling access to the scene. The scene appeared to be spread between both the areas of [REDACTED] and [REDACTED]
 - C. A maroon Kia Sedona van bearing Corwin Auto dealer plates appeared to have driven up on to the curb, through a wooden fence, and was positioned with the front driver's side protruding into the northwest corner of Garage [REDACTED] located at [REDACTED]. The Kia Sedona van appeared to be turned off with both the driver's door and rear passenger's sliding door ajar.
 - D. The Kia Sedona van appeared to have damage to the passenger rear side sliding door, rear driver's side corner panel, two defects in the windshield with spider cracking surrounding the area of the defects.
 - E. On the ground in the area around the Kia Sedona van, S/A Banet observed the following items:
 - 1) An open black bag with medical items protruding out of the bag located north of the north garage wall.
 - 2) A black and white shoe located near north of the north garage wall to the east of the Kia Sedona van.
 - 3) An open black bag with a North Dakota identification card for SHANE NETTERVILLE laying on top of a brown wallet located to the north of the black and white shoe to the east of the Kia Sedona van's driver's door.
 - 4) A pair of blue and black sunglasses.

- 5) A black wire located to the east of the Kia Sedona van's driver door.
- 6) A black headband with headlamp located to the west of the Kia Sedona van's rear passenger sliding door.
- 7) A black cell phone located to the west of the Kia Sedona van's front passenger side tire.
- 8) A white Columbia baseball style cap located to the west of the Kia Sedona van's front passenger side tire.
- 9) A piece of maroon trim located to the west of the Kia Sedona van.
- 10) Numerous pieces of broken wood appearing to be consistent with the wooden fence and garage.

F. S/A Banet observed the following through the open doors and windows of the Kia Sedona van:

- 1) Keys in the ignition appearing to be in the accessory position.
- 2) The gear shifter appeared to be in the drive position.
- 3) A glass smoking device was located on the driver's floorboard.
- 4) A black and red cell phone located on driver's floorboard.
- 5) A balled-up piece of tinfoil located on the driver's floorboard.
- 6) A cell phone located on the rear passenger side seat.
- 7) A red Under Armor bag located on the rear driver's side seat.
- 8) A black Under Armor bag located behind the rear driver's side seat.

G. S/A Banet observed the following in the area in and around [REDACTED]
[REDACTED]

- 1) The door for Garage [REDACTED] appeared to be laying stacked along the west wall of the garage.
- 2) The garage appeared to contain numerous household items to include tables, mirrors, drawers, nightstands, garbage, boxes, and other various items.
- 3) On the ground to the south of the Garage [REDACTED] S/A Banet observed what appeared to be consistent with a piece of a copper bullet jacket.

- 4) On the ground leading out of Garage [REDACTED] and proceeding in the direction of the Kia Sedona van, S/A Banet observed tire acceleration marks.
3. S/A Banet was assigned the role of scribe to document photographs that were taken by S/A Kelly, see S/A Kelly's report and photo log for full details of photographs that were taken by S/A Kelly.
4. At approximately 1:51 p.m., agents executed a search warrant on the Kia Sedona van. It was determined that agents would collect any evidence that was located outside the Kia Sedona van, document the damage and defects, and remove the van from the scene to be further processed at a controlled location. Upon the completion of the initial processing of the Kia Sedona van, S/A Shelby Franklin placed integrity seals on the doors of the Kia Sedona van prior to its removal and relocation to a controlled location.
5. During the execution of the search warrant, S/A Banet located the following item (for further description and location of items seized as a result of the execution of the search warrant, see the associated Evidence Inventory and Receipt form):
 - A. A black "T-Mobile" jet pack located on the floor under the driver's seat near the rear passenger floorboard.
6. At approximately 2:10 p.m., a search warrant was executed on Garage [REDACTED] located at [REDACTED] Fargo, ND. During the execution of the search warrant, S/A Banet did not locate any items that were seized.
7. All items located by S/A Banet were turned over to the evidence custodian S/A Bardo (Frank) Mendez.
8. This investigation continues.

Description and Custody of Evidence:

1. All items seized remains in the custody of the case agent S/A Jeramie Quam.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/7

Report Date: 07/13/2022

Primary Information

Description: Scene Processing
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: KELLY, TROY (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

On July 8, 2022, Special Agent (S/A) Troy Kelly assisted S/A Jeramie Quam with processing the scene of an officer involved shooting related to the Fargo Police Department.

Distribution:

Troy Kelly, NDBCI Jamestown, Jamestown, ND, w/attach
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Address #2 - ACTIVITY LOCATION #2 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/7

Report Date: 07/13/2022

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship Address
HOME ADDRESS [REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Property #1 - Methamphetamine

Primary Information

Property Class: SEIZED
Property Type: DRUG OR DRUG PARAPHERNALIA
Description: Methamphetamine
Date Seized: 07/08/2022
Drug Type: METHAMPHETAMINE
Quantity: 0.25
Drug UOM: GRAM
Stated Value: \$50.00
Submitted To: None
Collected Date/Time: 07/08/2022 00:00

Comments

Drug quantity/value may be approximate.
Storage location: NDBCI Evidence Room Fargo

Officers

LEO

BANET, SHAWN (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
KRAFT, SCOTT (GRAFTON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
FRANKLIN, SHELBY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
MENDEZ, BARDO (FRANK) (WAHPETON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
QUAM, JERAMIE (HILLSBORO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/7

Report Title: Scene Processing

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, at 9:20 a.m., Special Agent (S/A) Troy Kelly and S/A Shawn Banet were requested, by Supervisory Special Agent (SS/A) Arnie Rummel, to respond to Fargo, North Dakota (ND), to assist the Fargo Police Department with an officer involved shooting involving a Fargo Police officer.
2. On July 8, 2022, at 10:50 a.m., S/A Kelly, S/A Banet, and SS/A Rummel arrived at the North Dakota Bureau of Criminal Investigation (NDBCI) office in Fargo, ND. Upon arriving at the NDBCI office, the agents met with other agents and briefed on the incident.
3. The agents were advised that other agents would be applying for search warrants related to the scene. Agents were given assignments for assisting with the investigation. S/A Kelly, S/A Banet, and S/A Scott Kraft were tasked with processing the scene of the incident.
4. S/A Kelly and S/A Banet proceeded to the 3400 block of 15th Avenue South, Fargo, ND.
5. Upon arriving at the scene, the agents were walked through the scene. The scene was comprised of two main locations. One location was in the parking lot/garages of [REDACTED] Fargo, ND, and the second location was north of the first location and was the parking lot/garages of [REDACTED] Fargo, ND.
6. At the [REDACTED] location, S/A Kelly observed that the area had been cordoned off with yellow tape. Inside the area was a red/maroon Kia Sedona with Corwin Auto dealer placards. The vehicle was located partially in the parking lot and on a sidewalk. The vehicle appeared to have come to rest after sheering off a fence post and crashing into the garage units. There was damage to the corner of the garage units to include multiple wooden studs missing from the walls of Garage [REDACTED]. The Kia Sedona had damage to the vehicle to include defects in the front windshield.
7. S/A Kelly observed items on the ground around the Kia Sedona, to include medical items, a black bag with SHANE NETTERVILLE's identification card, and a shoe on the driver's side of the vehicle. S/A Kelly observed a headlamp, a cell phone, and a Champion ball cap on the ground on the passenger's side of the vehicle.
8. At the [REDACTED] location, S/A Kelly observed that the area had been cordoned off with yellow tape. Inside the area were multiple garages, to include Garage [REDACTED] and two Fargo Police Department vehicles. One vehicle was a marked patrol vehicle (Unit 60), and the second vehicle was an unmarked vehicle (Unit 52).

9. S/A Kelly observed that an apparent copper bullet jacket fragment on the ground in front of Garage [REDACTED]. The copper jacket fragment had been marked by placing a photographic scale/ruler near the copper jacket fragment. S/A Kelly observed that the overhead door to Garage [REDACTED] was open and possibly removed, due to an overhead door laying inside the garage on the ground against the west wall. S/A Kelly observed that there were a few items inside the garage, to include some furniture and boxes.
10. S/A Kelly also observed tire marks that were visible at the concrete threshold of Garage [REDACTED] and continued past the yellow tape into the asphalt alley, in the direction where the Kia Sedona was located.
11. After walking through the two locations, S/A Kelly began documenting the scene through photographs of the area and the two locations. While S/A Kelly was taking photographs, S/A Kraft arrived at the location with the NDBC's Crime Scene truck. S/A Kelly and S/A Banet walked S/A Kraft through the locations and then S/A Kraft began documenting the scene through the use of a Leica laser scanner.
12. While taking photographs of the Kia Sedona, S/A Kelly was able to view parts of the interior of the Kia Sedona due to the open driver's door and the passenger side rear sliding door. S/A Kelly was able to photograph parts of the interior of the Kia Sedona.
13. While photographing the interior of the Kia Sedona, S/A Kelly observed small glass particles on the dash of the vehicle, along with apparent copper bullet jacket fragments that appeared embedded in the passenger side dashboard. S/A Kelly also observed a cell phone and alleged methamphetamine smoking device on the driver's floorboard, a cell phone on the rear passenger's side seat, a red Under Armor bag on the rear driver's side passenger's seat, and a black Under Armor bag behind the rear the driver's side passenger seat.
14. S/A Kelly also observed defects on the interior passenger's side. These defects included a small defect in the upper front passenger interior door panel, near the "B" pillar, defects in the plastic molding of passenger side "B" pillar, and a small defect in the plastic seatbelt molding near the base of the rear passenger's side seat, near the sliding door.
15. S/A Kelly also observed apparent blood on the driver's seat. S/A Kelly observed a reddish-brown stain that appeared as a swipe on the side of the driver's seat near the door. S/A Kelly also observed two reddish-brown stains that appeared as drops on the top of the driver's seat with one being nearest the backrest and the other closer to the floorboard.
16. After documenting the scene and waiting for approval of the search warrants, S/A Kelly examined the defects in the front windshield of the Kia Sedona. S/A Kelly attempted to sequence the defects, but due to the vehicle being moved from where the officer fired into the vehicle, the vehicle going over a curb, the vehicle striking a fence post, and the vehicle striking Garage [REDACTED] S/A Kelly was unable to sequence the defects in the windshield.
17. After attempting to sequence the defects in the windshield, S/A Shelby Franklin and S/A Bardo (Frank) Mendez arrived at the scene to assist with processing the scene.

18. A short time later, S/A Kelly was informed that search warrants had been granted for the Kia Sedona and Garage [REDACTED] S/A Jeramie Quam arrived on scene with copies of the search warrants.
19. The agents began with the scene located at [REDACTED] S/A Kelly placed evidence tent markers next to the items and photographed the items. S/A Mendez logged the items on to an Evidence Inventory and Receipt form. The items were collected and later released to S/A Quam.
20. While collecting items from the exterior of the Kia Sedona, it was observed that there was a single silver colored shell casing at the base of the Kia Sedona's windshield under the windshield wiper arm. S/A Kelly placed an evidence tent marker, photographed the casing, and collected the casing.
21. Upon collecting the casing, S/A Kelly observed that the casing was a "FEDERAL 40 S&W" casing.
22. It was decided that the Kia Sedona would be secured and towed to the NDBCI office for processing the interior of the vehicle.
23. After securing the vehicle and awaiting a tow truck, the agents began processing the location of Garage [REDACTED]
24. S/A Kelly again placed evidence tent markers and photographed items located at the location. In addition to the copper bullet jacket fragment, agents also located a piece of foil with residue, that appeared consistent with opioid paraphernalia, and various indicia with names on the indicia. S/A Kelly photographed the indicia, and the indicia was left at the scene. S/A Mendez logged the items collected on an Evidence Inventory and Receipt form, separate from the Evidence Inventory and Receipt form that items from the area of the Kia Sedona were logged on. A copy of the search warrant and Evidence Inventory and Receipt form were left inside of Garage [REDACTED] The items seized from Garage [REDACTED] were later released to S/A Quam.
25. After processing the garage, a tow truck arrived and the Kia Sedona was taken to the NDBCI office in Fargo, ND. S/A Franklin followed the tow truck to the NDBCI office.
26. Once the Kia Sedona was taken to the NDBCI office, the agents continued to process the interior of the vehicle.
27. Upon processing the interior of the vehicle, agents located additional alleged drug paraphernalia throughout the vehicle to include foil with residue on the driver's floorboard and front passenger floorboard, a grey box with miscellaneous items with residue, and alleged methamphetamine in a shoe in the black Under Armor bag that was located behind the rear driver's side passenger seat.
28. Agents also located a knife under the front passenger's floor mat and a T-Mobile portable internet device under the driver's seat.
29. Agents also collected the previously mentioned items at this time, to include the alleged methamphetamine smoking device and cell phone from the driver's floorboard, the cell

phone from the rear passenger side seat, the copper bullet jacket fragments from the dashboard, and wet swab samples taken from three locations on the driver's seat.

30. S/A Kelly photographed the items collected, along with items that were left inside the vehicle. Other items S/A Kelly photographed included a handwritten note that was located in the driver's backrest pocket, a syringe cap under the driver's seat, tools that were located in the red Under Armor bag, a cordless drill on the rear passenger side floorboard, jewelry in the cargo area, and a pair of women's shoes in the cargo area.
31. S/A Mendez logged these additionally collected items on the Evidence Inventory and Receipt form that was started at the scene of [REDACTED]
32. After the items were collected, photographed, and logged, S/A Kelly attempted to determine if the defects in the windshield, moldings, and door panel were bullet defects by attempting to determine flight paths by using trajectory rods.
33. S/A Kelly began with the defects in the "B" pillar molding due to this molding having two possible bullet defects of secondary or tertiary impact points. Upon placing trajectory rods in these defects in the "B" pillar, S/A Kelly observed that the defects in the "B" pillar did not appear to be associated with either defect in the windshield, assuming nothing was struck in the front passenger seat that was no longer in the seat. S/A Kelly also observed that if the defects in the "B" pillar were cause from a bullet entering the pillar from the front passenger side, S/A Kelly would expect there to be a defect in the rear passenger sliding door associated with this trajectory, unless the sliding door was open. If a bullet entered the pillar from the rear passenger side, S/A Kelly would expect there to be a defect in the windshield associated with this trajectory, assuming nothing was struck in the front passenger seat that was no longer in the seat.
34. S/A Kelly observed that both defects in the windshield were concave on the interior side of the windshield, indicating that both defects were created from an object entering the passenger compartment of vehicle from the outside. Without a secondary impact point inside the vehicle for either defect in the windshield (and being unable to sequence the defects in the windshield), S/A Kelly was unable to determine which defect in the windshield was from the Fargo Police officer firing into the vehicle.
35. S/A Kelly was later shown body camera footage from the Fargo Police officer who fired into the vehicle and was able to clearly see that the defect closest to the center of the windshield existed prior to the officer firing his weapon.
36. For additional details of the photographs taken by S/A Kelly and items collected during the processing of the scene, refer to S/A Kelly's photographic log (Attachment #1) and the Evidence Inventory and Receipt forms (Attachment #2).

Description and Custody of Evidence:

1. All items seized during the execution of the search warrants at [REDACTED] Garage [REDACTED] Fargo, ND, and a Kia Sedona remain in the custody of the NDBC, Fargo, ND.

2. Photographs taken by S/A Kelly during the execution of the search warrants at [REDACTED] [REDACTED] Fargo, ND, and a Kia Sedona remain in the custody of S/A Quam, NDBCI, Hillsboro, ND.
-

Attachments:

1. S/A Kelly's Photographic Log (11 Pgs), 7-8-2022
2. Evidence Inventory and Receipt Forms (3 Pgs), 7-8-2022



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/8

Report Date: 07/14/2022

Primary Information

Description: [REDACTED] Interview
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: BANET, SHAWN (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Shawn Banet, NDBCI Jamestown, Jamestown, ND, w/attach
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 52 yr. old, BLACK OR AFRICAN AMERICAN, MALE
Birth Date: [REDACTED] 1969
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 603
Weight: 235
Eye Color: BROWN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/8

Report Date: 07/14/2022

Subject #2 - WITNESS #2 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 45 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1977
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 507
Weight: 250
Eye Color: BROWN
Hair Color: BROWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Officers

LEO
SMITH, JESSE (CYBER CRIMES - FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/8

Report Title: [REDACTED] Interview

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 2022

1. At approximately 5:14 p.m., Special Agent (S/A) Shawn Banet and S/A Jesse Smith conducted an audio recorded interview of [REDACTED]. The following is a brief summary of the interview (for further details, see the attached audio recording):
 - A. [REDACTED] stated that on the morning of July 8, 2022, [REDACTED] was leaving for work around 7:40 a.m., which was when [REDACTED] and [REDACTED] were walking out to their garage.
 - B. [REDACTED] stated that when walking to [REDACTED] garage, [REDACTED] saw that Garage [REDACTED] was open with three people slumped over in the van.
 - C. [REDACTED] stated that [REDACTED] thought it looked like the vehicle had a bullet hole in the front windshield.
 - D. [REDACTED] stated that [REDACTED] did not recognize the three persons from inside the vehicle.
 - E. [REDACTED] described the persons in the vehicle as the following:
 - 1) All three persons in the vehicle appeared to be males.
 - 2) The two males in the front seats did not have shirts on.
 - 3) The male in the front passenger seat had longer dark hair.
 - 4) The male in the backseat was positioned in the center of the middle row.
 - 5) The three males were described as tanned white people or Native American.
 - 6) One of the males had shorter (almost shaved) hair.
 - F. [REDACTED] stated that the passenger side sliding door was open.
 - G. [REDACTED] stated that [REDACTED] pointed out that the shades on Apartment [REDACTED] were damaged as they walked by the apartment prior to walking to the garage.

H. [REDACTED] stated that [REDACTED] got home on July 7, 2022, around midnight and saw a maroon vehicle pull up and back into Garage [REDACTED]

I. [REDACTED] stated that [REDACTED] saw a shorter white male walk from the area of the garage while carrying a DVD player box.

2. During the interview, S/A Banet and S/A Smith brought [REDACTED] out to the garage where the Kia Sedona van was secured and was advised by [REDACTED] that it was the same vehicle as she had seen back into the garage around midnight, along with the same vehicle that the three males were inside earlier in the morning. [REDACTED] was able to identify that the defect in the window that was closest to the center was the same defect that [REDACTED] had seen in the van when [REDACTED] had seen the three males in the vehicle.
 3. This investigation continues.
-

Description and Custody of Evidence:

1. The original digital copy of the audio recording of the [REDACTED] interview remains in the custody of the case agent, S/A Jeramie Quam.
-

Attachments:

1. Audio Recording of the [REDACTED] Interview



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/9

Report Date: 07/15/2022

Primary Information

Description: Scene and Vehicle Search Warrants
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/14/2022 00:00
Reporting LEO: FRANKLIN, SHELBY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/18/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/9

Report Date: 07/15/2022

Officers

LEO

DENAULT, MATTHEW (ND HIGHWAY PATROL - FARGO)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/9

Report Title: Scene and Vehicle Search Warrants

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, at approximately 8:55 a.m., a request for assistance was received from the Fargo Police Department to the North Dakota Bureau of Criminal Investigation (NDBCI) in regard to an officer involved shooting that had occurred in the area of [REDACTED]. As a result, at least one person was struck by a discharged firearm. The victim of the gunshot wound was later identified as SHANE NETTERVILLE. SHANE NETTERVILLE later died due to the injuries on July 8, 2022.
2. Special Agent (S/A) Shelby Franklin was tasked with acquiring several search warrants in response to the active investigation.
3. On July 8, 2022, at approximately 12:36 p.m., S/A Franklin applied for and was granted a search warrant for [REDACTED] Garage [REDACTED] in Fargo, North Dakota (ND), by the Honorable Judge Tristan Van de Streek. The search warrant was executed at 2:10 p.m., and closed at 2:21 p.m.
4. On July 8, 2022, at approximately 1:19 p.m., S/A Franklin applied for and was granted a search warrant for the maroon Kia Sedona, with vehicle identification number (VIN) [REDACTED] by the Honorable Steven Marquart. The search warrant was executed at 1:51 p.m., and closed at 4:25 p.m.
5. On July 8, 2022, at approximately 1:45 p.m., S/A Franklin arrived at [REDACTED] in Fargo, ND. This was where the maroon Kia Sedona was located. S/A Franklin received a walk-through of the entire scene, before being assigned to collect evidence. At approximately 3:00 p.m., S/A Franklin accompanied the maroon Kia Sedona as it was towed to the NDBCI office in Fargo, ND.
6. On July 12, 2022, at approximately 10:04 a.m., S/A Franklin applied for and was granted a second search warrant for the maroon Kia Sedona, with VIN [REDACTED] to access and download the Airbag Control Module (ACM) by the Honorable Susan Bailey. It should be noted that while applying for this search warrant, it was discovered that the Vehicle Identification Number (VIN) for the search warrant obtained on July 8, 2022, was incorrect by one letter.
7. S/A Franklin executed the search warrant on the maroon Kia Sedona on July 12, 2022, with Trooper Matthew Denault, of the North Dakota Highway Patrol, at approximately 3:23 p.m. The search warrant was closed at approximately 4:00 p.m. A certified Kia technician later examined all components of the Airbag Control Module but was unable to glean any information.
8. All three search warrants were returned to the Clerk of Court on July 14, 2022.

9. Investigation to continue.
-

Description and Custody of Evidence:

1. All evidence will be held at the NDBCI office in Fargo, ND.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/10

Report Date: 07/15/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer ADAM O'BRIEN Interview
Occurrence From: 07/13/2022 00:00
Occurrence To: 07/13/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/19/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - 218 NORTHERN PACIFIC AVE

Primary Information

Address: 218 NORTHERN PACIFIC AVE, FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/10

Report Date: 07/15/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship Address
HOME ADDRESS [REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/10

Report Date: 07/15/2022

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH - Continued

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #7 - MENTIONED #1 - FRIESE, MARK ALLAN

Primary Information

Subject Name: FRIESE, MARK ALLAN
Record Type: PERSON
Bio: WHITE, MALE
Juvenile: NO

Officers

LEO
WIMER, KELLY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/10

Report Title: Officer ADAM O'BRIEN Interview

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 13, 2022

1. Special Agent (S/A) Kelly Wimer and S/A Jeramie Quam met with Officer ADAM O'BRIEN and Officer ADAM O'BRIEN's attorney, Mark Friese, at Vogel Law Firm. Prior to the interview, S/A Quam provided Officer ADAM O'BRIEN and Attorney Friese a copy of Officer ADAM O'BRIEN's body worn camera video and Officer ADAM O'BRIEN's in car camera video. Officer ADAM O'BRIEN and Attorney Friese reviewed the video in a separate room and returned a short time later. Attorney Friese returned the video recordings back to S/A Quam.
2. Prior to the interview starting, S/A Quam confirmed with Officer ADAM O'BRIEN and Attorney Friese that Officer ADAM O'BRIEN was waiving his Miranda rights. During the interview, Officer ADAM O'BRIEN provided the following information. The following is a summary of the interview and not verbatim. See Officer ADAM O'BRIEN's recorded interview for details.
3. Officer ADAM O'BRIEN had worked for the Fargo Police Department for 11 years. Prior to that, Officer ADAM O'BRIEN worked at Scheels in loss prevention and was in the National Guard Military Police Unit for eight years. Currently, Officer ADAM O'BRIEN was assigned to the day shift at Fargo Police Department, which was from 6:00 a.m., to 4:00 p.m.
4. On July 8, 2022, Officer ADAM O'BRIEN was working his normal day shift. Officer ADAM O'BRIEN was at the West Acres substation when the call came out about a vehicle in a garage with what appeared to be three deceased individuals inside. Officer ADAM O'BRIEN left the substation and traveled to the location of the reported incident. Once Officer ADAM O'BRIEN arrived in the area, Officer ADAM O'BRIEN received additional information from the caller and/or reporting party that there were what appeared to be a bullet hole in the vehicle.
5. When Officer ADAM O'BRIEN arrived on scene, Officer ADAM O'BRIEN parked one to two garages to the east of Garage [REDACTED]. While Officer ADAM O'BRIEN walked toward the vehicle, Officer ADAM O'BRIEN saw what appeared to be a bullet hole in the windshield. It should be noted that the minivan was backed into the garage and there was no garage door. Due to safety concerns of not knowing where the bullet hole came from, Officer ADAM O'BRIEN drew his sidearm and aimed his sidearm at the vehicle.
6. After pointing his weapon at the vehicle, Officer ADAM O'BRIEN noticed the passenger of the vehicle starting to wake up. Officer ADAM O'BRIEN then started yelling commands, "show me your hands." Officer ADAM O'BRIEN saw that there was a driver in the vehicle and somebody moving around in the backseat.

7. Officer ADAM O'BRIEN moved out a little bit to get a better view of the driver and rear passenger when the driver started the vehicle. Officer ADAM O'BRIEN gave additional commands to shut the vehicle off, which the driver complied with. The driver of the vehicle again started the vehicle. Officer ADAM O'BRIEN moved to the other side of the vehicle (passenger side), so that Officer ADAM O'BRIEN would not be in his partners' line of fire.
8. When Officer ADAM O'BRIEN was on the other side of the vehicle, the driver of the vehicle slowly started to pull forward towards "us." At this time, Officer ADAM O'BRIEN and the other officers continued to give verbal commands. Officer ADAM O'BRIEN was unsure where the other officers were but knew the officers were to Officer ADAM O'BRIEN's right (driver's side of vehicle).
9. As the vehicle continued to come out of the garage, Officer ADAM O'BRIEN saw that the tires were turned towards Officer ADAM O'BRIEN. The vehicle then "took off" and Officer ADAM O'BRIEN heard the tires "screech." Officer ADAM O'BRIEN then fired one round at the driver of the vehicle. The vehicle continued between apartment buildings, across the road, and hit a garage.
10. Officer ADAM O'BRIEN and the other officers ran towards the crashed vehicle. Officer ADAM O'BRIEN saw the passenger get out of the van and run. Officer Tyler Pool pursued that individual. Officer Dirk Thiedeman and Officer ADAM O'BRIEN stayed with the vehicle.
11. Officer ADAM O'BRIEN gave the driver of the vehicle (SHANE NETTERVILLE), who was seated in the driver seat commands to show his hands. Eventually, Officer ADAM O'BRIEN went to the driver's side of the vehicle and removed SHANE NETTERVILLE from the driver's seat and placed SHANE NETTERVILLE on the ground where Officer ADAM O'BRIEN and Officer Thiedeman started life saving measures until FM Ambulance arrived and took over. Officer ADAM O'BRIEN was then brought back to Fargo Police Department by Officer Thiedeman.
12. S/A Quam asked Officer ADAM O'BRIEN if Officer ADAM O'BRIEN remembered when he got the initial information from dispatch regarding the bullet hole in the windshield. Officer ADAM O'BRIEN stated he believed he got the information right when he arrived on scene.
13. S/A Quam asked Officer ADAM O'BRIEN if prior to giving any commands, were the occupants of the vehicle awake. Officer ADAM O'BRIEN said that when Officer ADAM O'BRIEN first was able to observe the vehicle, Officer ADAM O'BRIEN could only see the front passenger (Cody Dunn). Cody Dunn started to wake up and that was when Officer ADAM O'BRIEN started giving verbal commands. When Officer ADAM O'BRIEN saw the bullet hole in the windshield, Officer ADAM O'BRIEN was concerned because Officer ADAM O'BRIEN did not know if the bullet hole was caused from a bullet leaving or entering the vehicle or if the occupants of the vehicle may have the firearm that caused the damage to the windshield. These concerns prompted Officer ADAM O'BRIEN to draw his sidearm.
14. S/A Quam asked Officer ADAM O'BRIEN what he was thinking or what was his thoughts were as the vehicle drove slowly out of the garage with the wheel pointed towards

Officer ADAM O'BRIEN and when the vehicle accelerated quickly. Officer ADAM O'BRIEN said he was scared and thought the vehicle was going to run Officer ADAM O'BRIEN over or one of the other officers. Officer ADAM O'BRIEN was also scared that he or Officer Pool or Officer Thiedeman would be caught under the tire, which would result in a lot of injury or being killed.

15. S/A Quam asked Officer ADAM O'BRIEN why Officer ADAM O'BRIEN only fired one round. Officer ADAM O'BRIEN said he only fired one round because that was all he felt safe doing because Officer ADAM O'BRIEN knew there were other occupants in the vehicle besides the driver and that because the vehicle was moving, Officer ADAM O'BRIEN feared that firing more rounds into the vehicle may have resulted in the other occupants being injured.
16. S/A Wimer asked that at any time while giving verbal commands to the occupants of the vehicle, did Officer ADAM O'BRIEN see any concerning movements in the vehicle. Officer ADAM O'BRIEN said he did not remember the driver making any movements other than when the driver had his hands up, he would reach down to start the vehicle, turn off the vehicle and again start the vehicle. Officer ADAM O'BRIEN could not see the back passenger very well and could not see what the back passenger was doing. Officer ADAM O'BRIEN was more fixated on the driver because the vehicle started and Officer ADAM O'BRIEN was watching the direction the vehicle was moving.
17. Attorney Friese asked Officer ADAM O'BRIEN if during the course of Officer ADAM O'BRIEN's 11 years of experience, had Officer ADAM O'BRIEN investigated car/pedestrian accidents and the damage that a car could do to a person. Officer ADAM O'BRIEN stated that he had investigated car/pedestrian accidents and knew that cars could do significant damage to a person.
18. Attorney Friese asked Officer ADAM O'BRIEN if Officer ADAM O'BRIEN believed that a car could be used as a deadly weapon. Officer ADAM O'BRIEN answered "yes absolutely." Attorney Friese asked when Officer ADAM O'BRIEN shot into the vehicle, did Officer ADAM O'BRIEN feel it was necessary to protect himself and backup officers from possible death or serious bodily injury. Officer ADAM O'BRIEN answered "yes."
19. Attorney Friese asked Officer ADAM O'BRIEN that after the car went past Officer ADAM O'BRIEN, was the car still a threat to Officer ADAM O'BRIEN. Officer ADAM O'BRIEN said that once the vehicle was past him the vehicle was no longer a threat.
20. Attorney Friese asked Officer ADAM O'BRIEN how quickly did all of this unfold. Officer ADAM O'BRIEN stated it felt like it was seconds.
21. Attorney Friese asked Officer ADAM O'BRIEN if he formulated an opinion that the driver of the vehicle was trying to flee from Officer ADAM O'BRIEN, trying to harm Officer ADAM O'BRIEN, or both. Officer ADAM O'BRIEN said he thought it was both and that the driver was trying to hit officers in an attempt to get away. Officer ADAM O'BRIEN also said he felt the driver had no concern and the driver was going to run officers over if he had to.
22. Attorney Friese asked Officer ADAM O'BRIEN if he had alternatives to using force under the circumstances. Officer ADAM O'BRIEN said, "at that point in time I don't."

23. Attorney Friese asked Officer ADAM O'BRIEN what type of call did Officer ADAM O'BRIEN think he was responding to. Officer ADAM O'BRIEN said he thought they were responding to multiple people that were in a vehicle and were dead or needed medical assistance.
24. S/A Wimer asked Officer ADAM O'BRIEN if Officer ADAM O'BRIEN remembered placing his hand on the vehicle when he was on the passenger side of the vehicle. Officer ADAM O'BRIEN said he did not remember putting his hand on the vehicle but does remember kicking his legs back to create some distance from the vehicle because the vehicle tires were turned towards Officer ADAM O'BRIEN.
25. S/A Wimer asked Officer ADAM O'BRIEN why he focused his attention on what direction the vehicles tires were pointing. Officer ADAM O'BRIEN said, "It was the fact that he started the vehicle, I just saw it because it was on my side of the vehicle to where I was at, I could see the tires like point right at me or in my general vicinity."
26. At the conclusion of the interview, S/A Quam asked Officer ADAM O'BRIEN if there was anything that S/A Quam did not ask that Officer ADAM O'BRIEN would like to add. Officer ADAM O'BRIEN said it was a very tense situation and that Officer ADAM O'BRIEN thought they were going to get hit by a car, really hurt, or somebody was going to get killed.

Description and Custody of Evidence:

1. S/A Quam remains in custody of the recorded Interview.

Attachments:

1. Recorded Interview with Officer ADAM O'BRIEN



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/11

Report Date: 07/15/2022

Primary Information

Description: SHANE NETTERVILLE Autopsy and Preliminary Autopsy Report
Occurrence From: 07/09/2022 00:00
Occurrence To: 07/09/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/19/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - 1451 44TH AVE S

Primary Information

Address: 1451 44TH AVE S UNIT #G, GRAND FORKS, NORTH DAKOTA 58201 UNITED STATES

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/11

Report Date: 07/15/2022

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/11

Report Title: SHANE NETTERVILLE Autopsy and Preliminary Autopsy Report

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 9, 2022

1. 9:00 a.m. – Special Agent (S/A) Jeramie Quam attended the autopsy of SHANE NETTERVILLE at the University of North Dakota (UND) Forensic Pathology Center. Prior to the autopsy being conducted, S/A Quam observed a bullet defect in SHANE NETTERVILLE's right chest. During the autopsy, an intact bullet projectile was located in SHANE NETTERVILLE's left lung. S/A Quam took possession of the intact bullet projectile as evidence.

JULY 10, 2022

1. The fax machine at the Fargo North Dakota Bureau of Criminal Investigation (NDBCI) office received Dr. Mary Sens' Preliminary Autopsy report. See the attached preliminary autopsy report for details.
-

Other Personnel Assisting:

Dr. Mary Sens, Forensic Medical Examiner, UND Forensic Pathology Center

Description and Custody of Evidence:

1. S/A Quam took custody of the intact bullet projectile, which was placed into evidence at the Fargo NDBCI office.
-

Attachments:

1. Evidence Chain of Custody (1 Pg), 7-9-2022
2. Preliminary Autopsy Report (2 Pgs), 7-9-2022



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/12

Report Date: 07/18/2022

Primary Information

Description: 911 Call
Occurrence From: 07/18/2022 00:00
Occurrence To: 07/18/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/19/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, HILLSBORO, NORTH DAKOTA UNITED STATES

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 52 yr. old, BLACK OR AFRICAN AMERICAN, MALE
Birth Date: [REDACTED] 1969
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 603
Weight: 235
Eye Color: BROWN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/12

Report Date: 07/18/2022

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/12

Report Title: 911 Call

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 2022

1. The Red River Regional Dispatch Center received a call from a reporting party later identified as [REDACTED]. [REDACTED] informed dispatch that [REDACTED] was taking some trash out of his apartment and noticed that his neighbor's apartment (Apartment [REDACTED]) blinds were disheveled and appeared to be broken off.
 2. [REDACTED] also informed dispatch that in Garage [REDACTED] there was a red van with three people slumped over and that [REDACTED] did not know if they were dead or were sleeping. [REDACTED] also told dispatch that there was a hole in the windshield that looked like a bullet hole. It should be noted that [REDACTED] initially told dispatch that it was Garage [REDACTED] and later corrected dispatch with the correct garage number of [REDACTED].
 3. [REDACTED] said he knew his neighbors in Apartment [REDACTED] were in the process of moving out and that last night the blinds in the sliding glass door looked fine, this morning the blinds were missing and torn up, and there were now three people slumped over in a van in Garage [REDACTED].
 4. During the 911 call, [REDACTED] told the dispatcher that [REDACTED] thought the three individuals in the van may have just fallen asleep because one of the occupants turned his head a little. At this time, [REDACTED] was watching the van from his apartment.
-

Description and Custody of Evidence:

1. S/A Quam remains in custody of the original 911 call. Copies will be provided to those on distribution.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/13

Report Date: 07/18/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: **Witness Interviews / Medical Records**
Occurrence From: **07/08/2022 00:00**
Occurrence To: **07/08/2022 00:00**
Reporting LEO: **MENDEZ, BARDO (FRANK) (WAHPETON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)**
Report Status: **Approved**
Report Status Date: **07/20/2022**
Approved By: **RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)**

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - 105 25TH ST N

Primary Information

Address: **105 25TH ST N, FARGO, NORTH DAKOTA 58102 UNITED STATES**

Address #2 - ACTIVITY LOCATION #2 [REDACTED]

Primary Information

Address: **[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES**

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: **YES**
Subject Name: **O'BRIEN, ADAM**
Record Type: **LAW ENFORCEMENT OFFICIAL**
Juvenile: **NO**

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: **NETTERVILLE, SHANE ROBERT**
Record Type: **DECEASED**
Bio: **28 yr. old, WHITE, MALE**
Birth Date: **[REDACTED] 1993**
Juvenile: **NO**

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/13

Report Date: 07/18/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 52 yr. old, BLACK OR AFRICAN AMERICAN, MALE
Birth Date: [REDACTED] 1969
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 603
Weight: 235
Eye Color: BROWN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/13

Report Date: 07/18/2022

Subject #4 - WITNESS #1 - [REDACTED] - Continued

Telephones / E-Addresses

<u>Relationship</u>	<u>Number/E-Address</u>
CELLULAR PHONE	[REDACTED] (CELLULAR)

Subject #5 - WITNESS #2 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN
Hair Color: BLACK

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #6 - WITNESS #3 - [REDACTED]

Primary Information

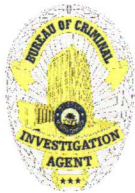
Subject Name: [REDACTED]
Record Type: PERSON
Bio: 66 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1955
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 502
Weight: 175
Eye Color: BROWN
Hair Color: BROWN

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/13

Report Date: 07/18/2022

Subject #7 - WITNESS #4 - STANLEY, DEREK WILLIAM

Primary Information

Subject Name: STANLEY, DEREK WILLIAM
Record Type: PERSON
Bio: 31 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1990
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 511
Weight: 190
Eye Color: HAZEL
Hair Color: BLONDE

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #8 - MENTIONED #1 - [REDACTED]

Primary Information

Subject Name: COSSETTE, PATRICIA ANN
Record Type: PERSON
Bio: 72 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1949
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 503
Weight: 185
Eye Color: BLUE
Hair Color: BROWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #9 - MENTIONED #2 - [REDACTED]

Primary Information

Subject Name: WINGERT, CHRISTINA MARY
Record Type: PERSON
Bio: 38 yr. old, WHITE, FEMALE



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/13

Report Date: 07/18/2022

Subject #9 - MENTIONED #2 - [REDACTED] - Continued

Primary Information - Continued

Birth Date: [REDACTED] 1983

Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO

Height: 504

Weight: 155

Eye Color: BLUE

Hair Color: BLONDE

Addresses

Relationship

Address

HOME ADDRESS [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #10 - MENTIONED #3 - [REDACTED]

Primary Information

Subject Name: WINGERT, EDWARD OWEN

Record Type: PERSON

Bio: 36 yr. old, WHITE, MALE

Birth Date: [REDACTED] 1985

Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO

Height: 600

Weight: 240

Eye Color: BLUE

Hair Color: BLONDE

Addresses

Relationship

Address

HOME ADDRESS [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship

Number/E-Address

CELLULAR PHONE [REDACTED] (CELLULAR)

Officers

LEO

KELLY, TROY (JAMESTOWN / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

QUAM, JERAMIE (HILLSBORO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

RUMMEL, ARNIE (SOUTHEAST REGION / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

SHAW, JIM (CYBER CRIMES / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report **BCI22-00378/13**

Report Date: 07/18/2022

Officers - Continued

LEO

RONNING, DANE (FARGO POLICE DEPARTMENT)

CARLSSON, TOBY (FARGO POLICE DEPARTMENT)

HEIDBREDER, DAN S (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/13

Report Title: Witness Interviews/Medical Records

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 8, 2022, officers with the Fargo Police Department were dispatched to [REDACTED] [REDACTED] Fargo, North Dakota (ND), regarding a suspicious vehicle backed into Garage [REDACTED]. The reporter, [REDACTED], relayed to dispatch that a van was backed into Garage [REDACTED] and there were two or three subjects in the vehicle. [REDACTED] also said the windshield of the vehicle appeared to have a defect on it and was described by [REDACTED] as a bullet hole. The vehicle was a 2008 Kia Sedona, vehicle identification number (VIN): [REDACTED]
2. When officers arrived on scene, contact was made with the occupants of the vehicle and officers gave the occupants repeated commands to keep their hands where they were visible. The driver, SHANE ROBERT NETTERVILLE, started the vehicle and drove out of the garage at a high rate of speed. As the vehicle drove out of the garage, Officer ADAM O'BRIEN discharged Officer ADAM O'BRIEN's duty weapon one time, striking the driver, SHANE NETTERVILLE.
3. SHANE NETTERVILLE drove the vehicle south bound through the parking lot of [REDACTED] [REDACTED] until it collided into garages across the street, located at [REDACTED] [REDACTED] Cody Dunn, who was one of the occupants of the van, exited the vehicle and fled the area. Cody Dunn was located inside an apartment complex near the area of [REDACTED] and detained.
4. Cody Dunn was transported to the Fargo Police Department, where Cody Dunn was interviewed by Detective (Det.) Dane Ronning and Det. Toby Carlsson, with the Fargo Police Department. When Special Agent (S/A) Bardo (Frank) Mendez arrived on scene, S/A Mendez was advised by Det. Ronning and Det. Carlsson that Cody Dunn had been advised of Cody Dunn's Miranda Rights.
5. S/A Mendez and Det. Carlsson went into the interview room and re-interviewed Cody Dunn regarding the incident. Cody Dunn told S/A Mendez that Cody Dunn was picked up by SHANE NETTERVILLE on July 8, 2022, by Taco John's on 13th Avenue South in Fargo, ND, at approximately 12:00 a.m. Cody Dunn said SHANE NETTERVILLE was driving the 2008 Kia Sedona with another unidentified male in the vehicle. Cody Dunn said Cody Dunn did not know the male subject. The subject was later identified as Derek William Stanley.
6. Cody Dunn got into the van and SHANE NETTERVILLE drove to [REDACTED] [REDACTED] where SHANE NETTERVILLE parked the van in the garage. Cody Dunn said SHANE NETTERVILLE, Cody Dunn, and Derek Stanley were too tired to go into SHANE NETTERVILLE's apartment and fell asleep in the van.

7. Cody Dunn said Cody Dunn woke up to officers yelling at Cody Dunn, SHANE NETTERVILLE, and Derek Stanley, commanding them to keep their hands where the officers could see them. Cody Dunn said officers had their weapons drawn. Cody Dunn said Cody Dunn was sitting in the front passenger seat and SHANE NETTERVILLE was sitting in the driver's seat of the van. Cody Dunn said Derek Stanley was sitting in one of the back passenger seats of the van.
8. Cody Dunn said SHANE NETTERVILLE was not listening to the officers and kept moving SHANE NETTERVILLE's hands up and down. Cody Dunn said SHANE NETTERVILLE started "inching his way out" of the garage and the officer shot at SHANE NETTERVILLE. Cody Dunn said after the officer shot at SHANE NETTERVILLE, SHANE NETTERVILLE "kicked it down," and drove out of the garage. S/A Mendez asked Cody Dunn if Cody Dunn, SHANE NETTERVILLE, and Derek Stanley could hear the officer's commands and Cody Dunn said yes. Cody Dunn said Cody Dunn kept telling SHANE NETTERVILLE not to start the vehicle.
9. Cody Dunn said SHANE NETTERVILLE was trying to fight the urge not to flee but SHANE NETTERVILLE decided to go. Cody Dunn said SHANE NETTERVILLE kept placing SHANE NETTERVILLE's hands on the steering wheel. Cody Dunn said officers were in front of the van when SHANE NETTERVILLE began to drive the van out of the garage. As the van began to move, the officers moved out of the way and shot SHANE NETTERVILLE. Cody Dunn said after SHANE NETTERVILLE drove the vehicle out of the garage, SHANE NETTERVILLE was shot and did not really take control of the van. Cody Dunn said SHANE NETTERVILLE said, "I think I just got shot," and believed SHANE NETTERVILLE died right away.
10. Cody Dunn said after SHANE NETTERVILLE was shot by the officer, Cody Dunn ran from the scene. Cody Dunn said Derek Stanley also exited the van and left the area. S/A Mendez asked Cody Dunn if any illegal drugs were used prior to the incident and Cody Dunn said SHANE NETTERVILLE and Derek Stanley were probably using drugs because there were pieces of tin foil in the vehicle.
11. During the interview, Cody Dunn said the black Under Armor duffle bag in the van belonged to Cody Dunn. When the interview concluded, S/A Mendez left the interview room. The audio recording of the interview was provided to S/A Jeramie Quam.
12. After the interview, S/A Mendez assisted other North Dakota Bureau of Criminal Investigation (NDBCI) agents in the collection and documentation of evidence at [REDACTED] and at [REDACTED] where the van was located. S/A Mendez documented the evidence items identified and seized by S/A Troy Kelly and other agents. The red 2008 Kia Sedona was transported to the Fargo NDBCI office for further processing. During the search of Cody Dunn's black Under Armor bag, S/A Mendez located a small amount of methamphetamine in a paper bindle inside a shoe and numerous used syringes.
13. Once the processing of the van was completed, copies of the Evidence Inventory and Receipt form were left in the vehicle and in Garage [REDACTED]. S/A Mendez released the items of evidence to Supervisory Special Agent (SS/A) Jim Shaw and items were placed in the evidence room located at the Fargo NDBCI office.

14. On July 8, 2022, S/A Mendez wrote and applied for a search warrant for medical records belonging SHANE NETTERVILLE. On July 8, 2022, at 1:19 p.m., the warrant was reviewed and signed by East Central Judicial Judge Steven Marquart.
15. On July 11, 2022, S/A Mendez presented and provided FM Ambulance and Sanford Health with a copy of the search warrant and request of medical records form for SHANE NETTERVILLE.
16. On July 11, 2022, S/A Mendez and S/A Dan Heidbreder talked to [REDACTED] who resided at [REDACTED] Fargo, ND. [REDACTED] said [REDACTED] was watching television when [REDACTED] heard someone yelling commands "show me your hands." [REDACTED] said [REDACTED] did not see the incident take place and stated the Ring camera located at the front door to [REDACTED] residence had not been active for approximately six months.
17. S/A Heidbreder and S/A Mendez talked to [REDACTED], who resided at [REDACTED] Fargo, ND. [REDACTED] was working from home and heard what [REDACTED] believed to be a firework. [REDACTED] said [REDACTED] husband, [REDACTED] observed a red van speed south bound in front of [REDACTED] and [REDACTED] residence at approximately 30 to 40 miles per hour (mph) towards [REDACTED] apartment across the street. [REDACTED] said [REDACTED] husband, [REDACTED] had video of the incident from a surveillance camera in the home.
18. S/A Heidbreder contacted [REDACTED] via phone at [REDACTED] and spoke to [REDACTED] about the incident. [REDACTED] said [REDACTED] was outside on the deck with [REDACTED] son when [REDACTED] heard someone giving commands and then heard a pop. [REDACTED] took [REDACTED] son and went inside [REDACTED] residence and walked to the east side of the residence, which was located by the main entrance of the home. [REDACTED] said [REDACTED] saw a red van speeding south bound towards 15th Avenue South and said the van must have swerved because it collided with garage south of 15th Avenue South. [REDACTED] provided S/A Mendez and S/A Heidbreder with a copy of the video surveillance footage from [REDACTED] residence. S/A Mendez and S/A Heidbreder reviewed the video, which showed the video surveillance camera pointed in the direction of where Garage [REDACTED] was located. Due to the reflection created by the sun on the window, some details in the video are of poor quality. The video showed the officers by Garage [REDACTED] and the van leaving Garage [REDACTED] and leaving the area traveling south bound towards 15th Avenue South.
19. On July 12, 2022, S/A Mendez with the assistance of Supervisory Special Agent (SS/A) Arnie Rummel interviewed Derek Stanley regarding the officer involved shooting investigation. Derek Stanley was identified as one of the occupants in the vehicle when the officer involved shooting occurred and fled the area after the vehicle collided with the garages. The interview was conducted at the NDBCI Fargo office.
20. Prior to being interviewed, Derek Stanley was advised that Derek Stanley was not detained or under arrest. Derek Stanley was told Derek Stanley could terminate the interview and leave at any time Derek Stanley felt Derek Stanley needed to leave. S/A Mendez told Derek Stanley the door to the interview room was not locked and gave Derek Stanley directions on two different ways Derek Stanley could exit the NDBCI

Fargo office if Derek Stanley chose to do so. Derek Stanley understood and continued with the interview.

21. Derek Stanley was asked by S/A Mendez to provide information beginning from Thursday, July 7, 2022, through Friday, July 8, 2022, when the incident occurred. Derek Stanley said Derek Stanley was with SHANE NETTERVILLE and Cody Dunn at SHANE NETTERVILLE's apartment where SHANE NETTERVILLE's girlfriend lived at [REDACTED] [REDACTED] Derek Stanley said Cody Dunn showed up to the apartment driving the 2008 Kia Sedona. Cody Dunn said the van belonged to Cody Dunn's uncle. Derek Stanley said Derek Stanley was with Cody Dunn a few days prior to Thursday, and Cody Dunn and Cody Dunn's uncle were in possession of the 2008 Kia Sedona.
22. Derek Stanley said Derek Stanley fell asleep in SHANE NETTERVILLE's girlfriend's apartment. At approximately 3:00 a.m., on July 8, 2022, SHANE NETTERVILLE woke Derek Stanley up so Derek Stanley could accompany SHANE NETTERVILLE to drop off bolt cutters that SHANE NETTERVILLE had borrowed from someone. Derek Stanley said SHANE NETTERVILLE was also going to "score something," meaning attempt to obtain illegal drugs. Derek Stanley and SHANE NETTERVILLE walked down to the garage where the red 2008 Kia Sedona was located and saw Cody Dunn was sleeping in it. Derek Stanley said they were startled by Cody Dunn because Derek Stanley and SHANE NETTERVILLE did not know Cody Dunn was in the vehicle.
23. Derek Stanley said SHANE NETTERVILLE got into the driver's seat of the vehicle, Cody Dunn got into the front passenger seat of the vehicle and Derek Stanley sat in one of the back seats. Derek Stanley, Cody Dunn, and SHANE NETTERVILLE left the area in the van and drove for a few blocks before Derek Stanley said Derek Stanley fell asleep. When Derek Stanley woke up, Derek Stanley said SHANE NETTERVILLE had already returned the bolt cutters and returned to SHANE NETTERVILLE's girlfriend's apartment at approximately 4:00 a.m., on July 8, 2022. Derek Stanley said Derek Stanley did not know why SHANE NETTERVILLE backed the van into Garage [REDACTED] but said that was all Derek Stanley could remember.
24. Derek Stanley, Cody Dunn, and SHANE NETTERVILLE fell asleep in the van and were awoken by Fargo Police officers giving Derek Stanley, Cody Dunn, and SHANE NETTERVILLE commands to keep Derek Stanley, Cody Dunn, and SHANE NETTERVILLE's hands up, while the officers had their firearms drawn.
25. Derek Stanley said Derek Stanley, Cody Dunn, and SHANE NETTERVILLE were frightened at first from being woken up by loud commands from the officers. Derek Stanley said SHANE NETTERVILLE kept asking what SHANE NETTERVILLE should do and kept trying to start the van. Derek Stanley said Derek Stanley told SHANE NETTERVILLE to keep SHANE NETTERVILLE's hands up as officers were giving commands. Derek Stanley said SHANE NETTERVILLE was finally able to start the van and Derek Stanley asked SHANE NETTERVILLE, "What are you doing?"
26. Derek Stanley said SHANE NETTERVILLE placed the vehicle in "drive" and drove out of the garage. Derek Stanley said Derek Stanley heard a gunshot and asked SHANE NETTERVILLE if SHANE NETTERVILLE was okay. Derek Stanley said SHANE NETTERVILLE was breathing heavy and told Derek Stanley that SHANE NETTERVILLE thought SHANE NETTERVILLE had been shot.

27. Derek Stanley said the vehicle jumped the curb on 15th Avenue South and collided with the garages at 3414 15th Avenue South. Derek Stanley said Derek Stanley and Cody Dunn exited the van and fled the area.
28. S/A Mendez asked Derek Stanley additional questions regarding Cody Dunn, the 2008 KIA Sedona, and SHANE NETTERVILLE's girlfriend to clarify details from what Cody Dunn said during Cody Dunn's interview.
29. Derek Stanley said that on Thursday, July 7, 2022, Derek Stanley and SHANE NETTERVILLE were together most of the day. Derek Stanley said later in the day, at approximately 2:00 p.m., Cody Dunn showed up with the 2008 Kia Sedona. Derek Stanley said SHANE NETTERVILLE, Cody Dunn, and Derek Stanley hung out at SHANE NETTERVILLE's apartment.
30. Derek Stanley recalled going to the laundry mat on Thursday with SHANE NETTERVILLE and SHANE NETTERVILLE's girlfriend to do laundry around 8:00 p.m. Derek Stanley said Cody Dunn was not present at the time. Derek Stanley then remembered that Cody Dunn left the apartment prior to Derek Stanley, SHANE NETTERVILLE, and SHANE NETTERVILLE's girlfriend going to the laundry mat. Derek Stanley said Cody Dunn had a friend pick Cody Dunn up at the apartment because Cody Dunn was going to attempt to trade some clothing for M30 fentanyl pills.
31. Derek Stanley said that later that night, Derek Stanley called SHANE NETTERVILLE and Derek Stanley and asked to be picked up near the Hornbacher's grocery store located at 4101 13th Avenue South, Fargo, ND. Derek Stanley and SHANE NETTERVILLE picked up Cody Dunn and returned to the apartment located at [REDACTED] Fargo, ND. Derek Stanley said Derek Stanley fell asleep in the apartment and Cody Dunn went back to the van without SHANE NETTERVILLE and Derek Stanley's knowledge. Derek Stanley said it was the reason Derek Stanley and SHANE NETTERVILLE were startled when Derek Stanley and SHANE NETTERVILLE walked down to the van at approximately 3:00 a.m. and found Cody Dunn in the van. Derek Stanley said Cody Dunn was with SHANE NETTERVILLE and Derek Stanley when the bolt cutters were returned.
32. S/A Mendez asked Derek Stanley if Derek Stanley could hear the officers' commands while Derek Stanley was in the van and Derek Stanley said yes. Once again, Derek Stanley said SHANE NETTERVILLE kept asking what SHANE NETTERVILLE should do. Derek Stanley said Derek Stanley kept Derek Stanley's hands up in the air and ducked Derek Stanley's head down behind the front passenger seat. Derek Stanley told SHANE NETTERVILLE to listen to the officers, but SHANE NETTERVILLE started the van and drove off.
33. S/A Mendez asked Derek Stanley if Derek Stanley could remember where the officers were positioned when the officers were giving commands. Derek Stanley said the officers were by the garage door near the open door, leaning in. Derek Stanley said that when SHANE NETTERVILLE drove out of garage, "it wasn't that fast." Derek Stanley said the officers had more than enough time to get out of the way.
34. S/A Mendez asked Derek Stanley if Derek Stanley or Cody Dunn advised SHANE NETTERVILLE to not start the van. Derek Stanley said Derek Stanley told SHANE NETTERVILLE not to start the van and ducked Derek Stanley's head behind the seat.

Derek Stanley said Derek Stanley would have not been able to stop SHANE NETTERVILLE from fleeing even if Derek Stanley tried.

35. S/A Mendez asked Derek Stanley if Derek Stanley knew what had caused the defect on the windshield of the van prior to the incident with the officers. Derek Stanley said they asked Cody Dunn about it and Cody Dunn said there was an incident involving the owner of the van, where someone shot at the windshield. Derek Stanley said Cody Dunn told Derek Stanley it was a dispute over a female. Derek Stanley said Derek Stanley and SHANE NETTERVILLE asked Cody Dunn if the van was stolen, and Cody Dunn did not say anything about it. Derek Stanley believed the van belonged to Cody Dunn's uncle.
36. SS/A Rummel asked Derek Stanley to clarify what Derek Stanley was doing when the officers were giving commands. Derek Stanley said Derek Stanley had Derek Stanley's hands up in the air and when SHANE NETTERVILLE started the van, Derek Stanley ducked Derek Stanley's head down. Derek Stanley said Derek Stanley sat behind Cody Dunn in the back passenger seat. Derek Stanley was asked what Derek Stanley wore during the incident and said it was a blue shirt and jeans. Derek Stanley said possibly a blue sweatshirt, but Derek Stanley could not remember.
37. Derek Stanley said Derek Stanley lost Derek Stanley's cell phone and wallet when Derek Stanley fled the area. Derek Stanley described Derek Stanley's cell phone and provided a passcode for the phone. Derek Stanley said after Derek Stanley fled, Derek Stanley went to the West Acres Mall and went to Derek Stanley's ex-girlfriend's house.
38. Derek Stanley said Derek Stanley talked to Derek Stanley's mother to tell her that Derek Stanley was not the person who got shot. Derek Stanley had another phone during the interview. It was a Samsung Galaxy S5. Derek Stanley said a friend let Derek Stanley borrow the phone. Derek Stanley gave S/A Mendez consent to search the cell phone and a Consent to Search Form was filled out and signed by Derek Stanley.
39. Derek Stanley talked briefly about SHANE NETTERVILLE's girlfriend and the girlfriend's apartment located at [REDACTED] Derek Stanley also told agents about the location of the laundry mat where SHANE NETTERVILLE, Derek Stanley, and SHANE NETTERVILLE's girlfriend went to wash clothes.
40. Derek Stanley said Derek Stanley had known Cody Dunn since Cody Dunn was a young child and grew up together in Devil's Lake, ND. S/A Mendez asked Derek Stanley about the pieces of foil with residue in the vehicle. Derek Stanley said the pieces of foil were in the vehicle because Cody Dunn was supposed to trade clothing for M30 fentanyl pills.
41. SS/A Rummel asked Derek Stanley if Derek Stanley knew which officer discharged their firearm and Derek Stanley said Derek Stanley did not know. Derek Stanley said it was "obviously" the officer standing on the left side of the van, which would be the driver's side. Once again, Derek Stanley said Derek Stanley did not know which officer shot and only remembered one officer being there on the left side of the garage.
42. SS/A Rummel asked Derek Stanley if Derek Stanley believed there were other officers at the scene and Derek Stanley said Derek Stanley guessed there were other officers. Derek Stanley said most of the time when an officer responded to a call with multiple individuals, officers would wait for other officers to arrive.

43. Derek Stanley said everything Derek Stanley had told agents during the interview was the truth and had not lied about any information Derek Stanley provided. S/A Mendez asked Derek Stanley once again about the bullet hole in the window prior to the incident with the officers. Derek Stanley said when Derek Stanley first met with Cody Dunn, Derek Stanley got into the van and noticed the damage on the windshield. Derek Stanley said it was obvious to Derek Stanley that it was a bullet hole and asked what had occurred. Cody Dunn told Derek Stanley someone fired a round with a firearm during an issue with a female. Cody Dunn said the incident had occurred either Wednesday, July 6, 2022, or early July 7, 2022. After the interview concluded, Derek Stanley left the Fargo NDBCI Office with Derek Stanley's family.
 44. Audio and video recordings of Derek Stanley's interview were logged as evidence. Audio recording of Cody Dunn's interview was logged as evidence. Video surveillance provided by [REDACTED] was logged as evidence.
 45. On July 18, 2022, S/A Mendez received the medical records for SHANE NETTERVILLE from the Sanford Release of Information Office in Fargo, ND. The Sanford Hospital and FM Ambulance medical records of SHANE NETTERVILLE were logged as attachments.
-

Description and Custody of Evidence:

1. Video recording of surveillance camera.
-

Attachments:

1. Fargo Police Department Neighborhood Canvas Sheet (1 Pg)
2. Evidence/Property Inventory Form for Medical Records (1 Pg), 7-18-2022
3. SHANE NETTERVILLE FM Ambulance Medical Release Forms (1 Pg), 7-11-2022
4. FM Ambulance Evidence Inventory and Receipt Form (1 Pg), 7-11-2022
5. FM Ambulance Medical Records for SHANE NETTERVILLE (14 Pgs), 7-8-2022
6. SHANE NETTERVILLE Sanford Medical Release Forms (1 Pg), 7-11-2022
7. SHANE NETTERVILLE Sanford Medical Records (250 Pgs), 7-11-2022
8. SHANE NETTERVILLE Updated Sanford Medical Records (250 Pgs)
9. Consent to Search Form for Derek Stanley (1 Pg), 7-12-2022
10. Evidence Inventory and Receipt Form - Derek Stanley's Cell Phone (1 Pg), 7-12-2022
11. Audio and Video Recording of Derek Stanley Interview
12. Audio Recording of Cody Dunn Interview
13. [REDACTED] Audio Interview
14. Medical Search Warrant (2 Pgs), 7-8-2022
15. Search Warrant Return (1 Pg), 7-15-2022
16. SHANE NETTERVILLE Medical Records Warrant (3 Pgs), 7-8-2022



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/14

Report Date: 07/18/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Scene Reconstruction
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: KRAFT, SCOTT (GRAFTON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/26/2022
Approved By: NESS, MICHAEL (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Special Agent (S/A) Scott Kraft was requested to assist with the scene reconstruction of an officer involved shooting. S/A Kraft utilized the RTC360 for the reconstruction.

Distribution:

Scott Kraft, NDBCI Grafton, Grafton, ND
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - 15TH AVE S

Primary Information

Address: 15TH AVE S, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/14

Report Date: 07/18/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/14

Report Title: Scene Reconstruction

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 8, 202

1. Special Agent (S/A) Scott Kraft was requested to assist in the reconstruction of an officer involved shooting that occurred in a garage located at [REDACTED] Garage [REDACTED] Fargo, North Dakota (ND). S/A Kraft was informed Officer ADAM O'BRIEN discharged his duty weapon striking SHANE NETTERVILLE. The vehicle SHANE NETTERVILLE was driving crashed into a garage located [REDACTED]. Refer to additional reports for details of the investigation.
2. S/A Kraft utilized the RTC360 Laser Scanner to reconstruct this scene. The following hardware was used by S/A Kraft in the scene reconstruction.
 - A. RTC360 3D Laser Scanner - The Leica RTC360 scanner is a device that allows the operator to document and capture their environment in 3D. The scanner captures up to two million points per second, allowing the operator to measure items of evidentiary value within a scene. Once the area is scanned, an HDR image is collected by the scanner.
 - B. NIST (National Institute of Standards and Technology/Test no. 683/291116-18) Calibrated Twin Target Pole. The pole, with targets, is calibrated to 1 meter or 3.28 feet.
3. S/A Kraft set up the Leica RTC360 Laser Scanner according to the approved method within the scene. To check data collection accuracy, S/A Kraft placed what is known as Leica NIST (National Institute of Standard and Technology) Twin Target pole with the view of the RTC360 Laser Scanner. The twin-target pole has a designed distance of 1.00 meter between the two targets. The first scene scan was completed with the targets in view, at high quality. Using the measuring function on the Field 360 app, S/A Kraft found the calibration of the RTC360 Laser Scanner to be correct.
4. The RTC360 Laser Scanner was placed in 18 different locations, or setups, within the scene.
5. S/A Kraft's processing of the scene was concluded.
6. S/A Kraft imported the RTC360 scanner data into Cyclone Register 360. Utilizing the software, S/A Kraft combined all the scans into one file. S/A Kraft confirmed the Leica NIST Twin Target pole calibration in the LGS file using the measurement function of the software. The distance was found to be 3.28' or 1 meter. Register 360 is also used to remove any unnecessary point cloud data from the scans.

7. S/A Kraft also generated a finalize report using Cyclone Register 360. The finalize report is generated to show scanner accuracy, as well as linked setups.
 8. Once the files were merged, S/A Kraft created an LGS file. The LGS file was created so the scene could be viewed by any user utilizing TruView software. Refer to the instructions included in the RTC360 LGS-Point Cloud Viewer folder on how to install the TruView software and navigate the LGS file.
 9. Scene diagrams can also be constructed using the scan data, if needed.
 10. The RTC360 LGS-Point Cloud Viewer with instructions, the RTC360 Finalize Report, and the Twin Target Pole Calibration screenshot will be provided to those on distribution.
-

Description and Custody of Evidence:

1. All items referred to in this report are in the custody of S/A Kraft.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/15

Report Date: 07/18/2022

Primary Information

Description: [REDACTED] interview
Occurrence From: 07/12/2022 00:00
Occurrence To: 07/12/2022 00:00
Reporting LEO: HEIDBREDER, DAN S (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/20/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

On July 12, 2022, Special Agent (S/A) Dan Heidbreder and S/A Kelly Wimer talked to [REDACTED] at [REDACTED] Fargo, North Dakota (ND), regarding what [REDACTED] saw the morning of July 8, 2022.

Distribution:

Dan Heidbreder, NDBCI Fargo, Fargo, ND,
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #1 - WITNESS #1 - [REDACTED]

Primary Information

Subject Name: [REDACTED]
Record Type: PERSON
Bio: 66 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1955
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 502
Weight: 175
Eye Color: BROWN
Hair Color: BROWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report **BCI22-00378/15**

Report Date: 07/18/2022

Officers

LEO

WIMER, KELLY (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/15

Report Title: [REDACTED] Interview

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 12, 2022, Special Agent (S/A) Dan Heidbreder and S/A Kelly Wimer interviewed [REDACTED] at her residence, located at [REDACTED] Fargo, North Dakota (ND), regarding what [REDACTED] saw the morning of July 8, 2022. It should be noted that [REDACTED] residence was just south of the garage where Fargo Police officers made contact with a red minivan at [REDACTED] Fargo, ND. It should be noted that the red minivan crashed into a row of garages just east of [REDACTED] residence. [REDACTED] was outside when the van crashed into the garage. Below is a summary of the interview with [REDACTED]
 - A. [REDACTED] said she was on the grass boulevard just north of her residence with her dog at approximately 8:15 a.m., the morning of July 8, 2022. [REDACTED] said she heard someone yelling from the area north of where she was standing with her dog.
 - B. [REDACTED] said she heard a loud noise, now believed to be a gunshot, and then saw a red minivan drive south through the parking lot of the apartments just north of her residence. [REDACTED] said the van drove across 15th Avenue South, Fargo, ND, drove over the curb and boulevard, and drove into the row of garages just east of [REDACTED] residence.
 - C. [REDACTED] said two male passengers exited the van and ran out of sight. [REDACTED] said the male driver of the van remained in the driver's seat of the van.
 - D. [REDACTED] said police officers ran after the van and were at the van shortly after the van crashed into the row of garages.
 - E. [REDACTED] said she went into her residence and did not witness anything further.
 2. This case remains under investigation.
-

Description and Custody of Evidence:

1. None as a result of this report.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/16

Report Date: 07/18/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Radio Traffic
Occurrence From: 07/18/2022 00:00
Occurrence To: 07/18/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/20/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - [REDACTED]

Primary Information

Address: [REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #3 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/16

Report Date: 07/18/2022

Subject #3 - WITNESS #1 - POOL, TYLER - Continued

Primary Information - Continued

Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - MENTIONED #1 - [REDACTED]

Primary Information

Subject Name: NYGLAND, JONATHAN
Record Type: PERSON
Bio: UNKNOWN, MALE
Juvenile: NO

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/16

Report Title: Radio Traffic

Details:

(ALL TIMES ARE APPROXIMATE)

1. The following is a summary in chronological order of the radio traffic surrounding the officer involved shooting the morning of July 8, 2022. Officer ADAM O'BRIEN's call sign was David 323, Officer Tyler Pool's call sign was David 120, and Officer Dirk Thiedeman's call sign was David 115. It should be noted that some of the radio traffic was hard to understand.
2. 00:10 seconds into the radio traffic the dispatcher requested David 115 check on three people in a red van in a garage at [REDACTED] Garage [REDACTED] and that the individuals in the van were possibly deceased.
3. 1:16 - Dispatch informed responding units that it was Garage [REDACTED] and not Garage [REDACTED]
4. 1:29 - David 120 notified dispatch that David 120 would be responding.
5. 2:00 - David 121 asked dispatch for the caller's name. Dispatch informed David 131 that they did not have the name yet.
6. 2:48 - Dispatch informed David 121 that dispatch had no record of the phone number for the reporting party.
7. 2:59 - David 323 arrived on scene.
8. 3:03 - Unknown call sign advised that if the reporting party was [REDACTED], he was very 96 (10-96 was ten code for mental subject).
9. 4:13 - Dispatch told David 323 that the reporting party saw a bullet hole in the window. David 323 instructed dispatch to clear traffic.
10. 5:04 - Unknown call sign told dispatch shots fired.
11. 5:08 - Unknown call signs told dispatch that "vehicle is going" end of radio transmission.
12. 5:13 - David 323 advised "shots fired, shots fired send EMS."
13. 5:48 - David 323 told dispatch that one male was still in the vehicle.
14. 5:56 - David 120 told dispatch 1521, the rest of the David 120's radio traffic was hard to understand.
15. 6:08 - Dispatch said southbound from [REDACTED]

16. 6:14 - David 120 told dispatch one male [REDACTED]
 17. 6:27 - Unknown call sign asked for a description.
 18. 6:30 - Unknown call sign said vehicle wrecked into a garage.
 19. 6:37 - Dispatch verified that suspects fled on foot.
 20. The remainder of the radio traffic was Officer ADAM O'BRIEN (David 323) giving location directions to assisting officers on scene, officers giving descriptions of the suspects that fled the crash, setting up a perimeter, and coordinating medical aid.
-

Description and Custody of Evidence:

1. S/A Quam remains in custody of the original recorded radio traffic. Copies of the recorded radio traffic will be provided to those on distribution.
-

Attachments:

1. Red River Regional Dispatch Center Electronic Recording Request (1 Pg), 7-10-2022
2. Call Sign Roster for July 8, 2022



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/17

Report Date: 07/19/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer ADAM O'BRIEN Body Worn Camera & Squad Car Video
Occurrence From: 07/18/2022 00:00
Occurrence To: 07/18/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/22/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, HILLSBORO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/17

Report Date: 07/19/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship Address
HOME ADDRESS [REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/17

Report Date: 07/19/2022

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH - Continued

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #7 - WITNESS #4 - STANLEY, DEREK WILLIAM

Primary Information

Subject Name: STANLEY, DEREK WILLIAM
Record Type: PERSON
Bio: 31 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1990
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 511
Weight: 190
Eye Color: HAZEL
Hair Color: BLONDE

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/17

Report Title: Officer ADAM O'BRIEN Body Worn Camera & Squad Car Video

Details:

(ALL TIMES ARE APPROXIMATE)

1. The following is a description of events from the perspective of Officer ADAM O'BRIEN's body worn camera. For details, see Officer ADAM O'BRIEN's body worn camera hereinafter referred to as a BWC.
2. The beginning of Officer ADAM O'BRIEN BWC showed Officer ADAM O'BRIEN in his patrol car responding to the call for three individuals slumped over in a red van in Garage [REDACTED]
3. Officer ADAM O'BRIEN arrived and parked in front of Garage [REDACTED] Officer ADAM O'BRIEN approached the garage, and the front of the red minivan was visible. The occupants of the van and the bullet defect in the minivan could not be seen at this point. The red minivan was backed into the garage.
4. As Officer ADAM O'BRIEN walked toward the east frame of the garage door, Officer ADAM O'BRIEN raised his left hand, as if to motion other responding officers. Officer ADAM O'BRIEN drew his sidearm. At this time, the defect in the windshield was observable, as well as a partial view of the front passenger compartment.
5. After drawing his sidearm, Officer ADAM O'BRIEN pointed his sidearm at the red minivan. Officer ADAM O'BRIEN also advised dispatch to clear traffic. Officer ADAM O'BRIEN took a small step forward revealing the front passenger of the minivan (Cody Dunn). Officer ADAM O'BRIEN gave the command, "Let me see your hands, put your hands up." Officer ADAM O'BRIEN continued to give verbal commands while stepping forward.
6. Officer ADAM O'BRIEN stepped forward enough to see the whole minivan. All three occupants could be seen in the vehicle, SHANE NETTERVILLE (driver), Cody Dunn (front passenger), and Derek Stanley (rear passenger).
7. SHANE NETTERVILLE placed both hands above his head, Cody Dunn appeared to have his hands at face level. Officer Dirk Thiedeman approached Officer ADAM O'BRIEN's right side. When Officer Thiedeman arrived at Officer ADAM O'BRIEN's right side, SHANE NETTERVILLE's right hand dropped below view and the red minivan started and shut off. After shutting the vehicle off, SHANE NETTERVILLE again raised both hands above his head. During this time, Officer ADAM O'BRIEN walked in front of the minivan and appeared to be near the front passenger side corner of the vehicle.
8. Officer Thiedeman and Officer Tyler Pool were standing on or near the driver's side front corner with their sidearms drawn, pointing at the minivan and giving verbal commands.

9. SHANE NETTERVILLE again dropped his right hand and started the minivan. After the minivan started for the second time, SHANE NETTERVILLE's right hand came up to just above the dash and then went back down out of view. The van slowly started exiting the garage.
10. When the tires of the minivan were even with the threshold of the door, the minivan's front passenger tire was turned towards Officer ADAM O'BRIEN. The minivan was then heard accelerating and seen accelerating when a gunshot was heard. The minivan accelerated past Officer ADAM O'BRIEN.
11. From the time that Officer ADAM O'BRIEN first gave verbal commands to the occupants of the minivan until the gunshot was heard, approximately 15 verbal commands were given by Officer ADAM O'BRIEN, Officer Pool, and Officer Thiedeman in approximately 38 seconds. The commands were "let me see your hands," "put your hands up," "turn off the vehicle," "open the door," and "take the keys out of the ignition."
12. The minivan was then observed driving south between apartment buildings, across the street, and into an apartment garage. Officer ADAM O'BRIEN and Officer Theideman ran towards the van.
13. When Officer ADAM O'BRIEN arrived at the passenger side of the vehicle, the only occupant in the van was SHANE NETTERVILLE, who was still sitting in the driver's seat. Officer ADAM O'BRIEN gave SHANE NETTERVILLE verbal commands to "let me see your hands" and "put your hands up." SHANE NETTERVILLE was not responsive to the commands.
14. Officer ADAM O'BRIEN went to the driver's side of the vehicle and opened the door. Another officer asked, "Where's the gun?" Officer ADAM O'BRIEN replied, "What gun? Yeah, I shot him, I thought he was going to run me over." Officer ADAM O'BRIEN then removed SHANE NETTERVILLE from the vehicle and placed SHANE NETTERVILLE on the ground. Officer ADAM O'BRIEN and Officer Theideman then rendered aid to SHANE NETTERVILLE.
15. Emergency medical services (EMS) arrived and took over care of SHANE NETTERVILLE. Officer ADAM O'BRIEN stayed on scene for approximately eight minutes before leaving the scene with Officer Thiedeman.
16. The following is a summary of events recorded by Officer ADAM O'BRIEN's in car camera. See the recorded video footage for details.
17. The initial footage showed Officer ADAM O'BRIEN traveling with lights and siren to the area of the reported incident. Officer ADAM O'BRIEN arrived in the area and parked one to two garages to the east of Garage #305.
18. Officer ADAM O'BRIEN got out of his squad car and approached the garage. As Officer ADAM O'BRIEN got to the east side of the garage door, Officer ADAM O'BRIEN raised his left hand and drew his sidearm. At that time, it can be heard over the squad car radio dispatch advising Officer ADAM O'BRIEN that the reporting party said there was a bullet hole in the windshield. Officer ADAM O'BRIEN told dispatch to "clear traffic."

19. Officer Thiedeman arrived and approached the garage on Officer ADAM O'BRIEN's right side with his sidearm drawn. Officer Pool approached the garage and initially stood behind Officer ADAM O'BRIEN and Officer Pool with his weapon sidearm drawn.
 20. Officer ADAM O'BRIEN and Officer Thiedeman both had their sidearms pointed into the garage. Officer ADAM O'BRIEN walked past the front of the garage and stopped near the west garage door frame.
 21. Officer ADAM O'BRIEN entered the garage slightly past the threshold of the door. Officer Thiedeman was standing near the threshold of the east garage door frame. A red minivan was seen slowly driving forward out of the garage. As the red minivan was driving out of the garage, Officer ADAM O'BRIEN was moving with the vehicle near the front passenger side quarter panel of the red minivan. Officer Pool appeared to be touching the front driver's quarter panel of the minivan and Officer Thiedeman entered the garage.
 22. Once the minivan's front tires crossed the threshold of the door, the minivan accelerated quickly in the direction and past Officer ADAM O'BRIEN. One gunshot could be heard, and the van accelerated out of view of the camera. During this time, Officer Pool was struck or nearly struck by the open driver's door of the minivan. Officer Pool stumbled backwards, nearly falling.
 23. After the minivan left the frame, Officer ADAM O'BRIEN, Officer Pool, and Officer Thiedeman were seen running in the direction of the minivan.
-

Description and Custody of Evidence:

1. Special Agent (S/A) Jeramie Quam remains in custody of Officer ADAM O'BRIEN's BWC footage and squad car camera footage.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/18

Report Date: 07/19/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Dirk Thiedeman Body Worn Camera & Squad Car Camera
Occurrence From: 07/19/2022 00:00
Occurrence To: 07/19/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/20/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, HILLSBORO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/18

Report Date: 07/19/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/18

Report Date: 07/19/2022

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH - Continued

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN
Hair Color: BLACK

Addresses

<u>Relationship</u>	<u>Address</u>
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/18

Report Title: Officer Dirk Thiedeman Body Worn Camera & Squad Car Camera

Details:

(ALL TIMES ARE APPROXIMATE)

1. Officer Dirk Thiedeman's body worn camera began with Officer Thiedeman standing to the right of Officer ADAM O'BRIEN and near the east garage door frame. Officer Thiedeman's sidearm was drawn. Verbal commands were being given.
2. Officer Thiedeman got closer to the garage door and the front of the red minivan could be observed. Officer Thiedeman cleared more of the garage door frame and the front passenger (Cody Dunn) and driver (SHANE NETTERVILLE) could be seen. Officers continued to give verbal commands.
3. The red minivan started and shut off, and Officer Thiedeman got closer to the red minivan and appeared to be standing near the threshold of the garage door. SHANE NETTERVILLE's right hand dropped down and the red minivan started again. SHANE NETTERVILLE's right hand came up to about dash level and then dropped again out of view.
4. After SHANE NETTERVILLE's hand dropped out of view, the minivan started driving out of the garage. Officers were still giving verbal commands. As the minivan exited the garage, Officer Thiedeman's left hand could be seen grabbing the driver's door handle and the door opened as the vehicle passed by Officer Thiedeman.
5. As the driver's door opened, a gunshot was simultaneously heard as the vehicle accelerated past Officer Thiedeman.
6. The minivan was seen driving south between apartment buildings with Officer ADAM O'BRIEN saying "323 shot fired, shots fired" and a loud crash was heard. The crash noise was the minivan running into an apartment garage.
7. Officer Thiedeman ran toward the crashed minivan. Officer ADAM O'BRIEN was observed on the passenger side of the minivan giving verbal commands to the driver, SHANE NETTERVILLE, who was alone in the vehicle.
8. Officer ADAM O'BRIEN holstered his weapon and walked to the driver side of the minivan. Officer Thiedeman remained on the passenger side of the vehicle pointing his sidearm at SHANE NETTERVILLE through the open passenger side sliding door. SHANE NETTERVILLE was observed gasping for air.
9. Officer ADAM O'BRIEN opened the driver's door and Officer Thiedeman asked, "Where did that gun go? Where's the gun?" Officer ADAM O'BRIEN replied, "What gun?" Officer Thiedeman said, "Wasn't that a gunshot?" Officer ADAM O'BRIEN said, "Yeah, I shot him." Officer Thiedeman said, "Oh, you shot him." Officer ADAM O'BRIEN replied, "Yeah I thought he was going to run me over." Officer Thiedeman said, "Oh ok, good."

10. Officer Thiedeman holstered his sidearm and walked around to the driver's side of the vehicle where Officer ADAM O'BRIEN was trying to get SHANE NETTERVILLE out of the minivan. Officer ADAM O'BRIEN laid SHANE NETTERVILLE on the ground and lifted the front of SHANE NETTERVILLE's shirt.
11. Officer Thiedeman knelt, and a wound was observed on SHANE NETTERVILLE's right chest. Officer Thiedeman placed his gloved hand on the wound until emergency medical services (EMS) arrived. When EMS arrived, no pulse was found, and cardiopulmonary resuscitation (CPR) was started. Officer Thiedeman kept his gloved hand on SHANE NETTERVILLE's right chest.
12. Officer Thiedeman assisted with loading SHANE NETTERVILLE onto the stretcher. Officer Thiedeman opened the driver's door of the van and then looked through a black fanny pack that was on the ground near the driver's door. Officer Thiedeman located a wallet with a driver's license. Officer Thiedeman told EMS and other assisting officers, "Looks like I got a name of a SHANE NETTERVILLE." Officer Thiedeman returned the wallet to the fanny pack and retained SHANE NETTERVILLE's driver's license. Officer ADAM O'BRIEN updated dispatch with SHANE NETTERVILLE's name.
13. Officer Thiedeman's audio turned off while he talked to another officer. Officer Thiedeman met with Officer ADAM O'BRIEN. Officer Thiedeman and Officer ADAM O'BRIEN walked back to Officer Thiedeman's patrol vehicle. Officer Thiedeman and Officer ADAM O'BRIEN entered the patrol car, and the video recording was shut off.
14. The following is a description of Officer Thiedeman's squad car camera recording.
15. The video started with Officer Thiedeman traveling to the call behind Officer ADAM O'BRIEN's squad car. Officer Thiedeman stopped behind and to the left of Officer ADAM O'BRIEN's squad car. Officer ADAM O'BRIEN was observed getting out of his squad car and walking towards Garage [REDACTED]. Officer Thiedeman's patrol vehicle was parked in such a manner that Garage [REDACTED] was not observable.
16. Officer Thiedeman exited his patrol car and walked toward Garage [REDACTED]. As Officer Thiedeman walked past the front of Officer ADAM O'BRIEN's patrol car, Officer Thiedeman placed his right hand on his sidearm. As Officer Thiedeman walked towards the garage, dispatch advised that there was a bullet hole in the window. Officer ADAM O'BRIEN was heard telling dispatch to clear traffic.
17. A short time later, Officer Tyler Pool was observed running past Officer Thiedeman and Officer ADAM O'BRIEN's patrol cars towards Garage [REDACTED].
18. The red minivan was seen accelerating in a south direction and one gun shot was heard. Officer Pool was observed stumbling backwards as the red minivan drove past Officer Pool.
19. Officer Thiedeman, Officer Pool, and Officer ADAM O'BRIEN run in the direction of the minivan and out of frame. After that, the squad car camera showed officers arriving to assist and radio traffic was heard instructing assisting officers where to respond to.

20. Officer Thiedeman and Officer ADAM O'BRIEN were observed walking towards the squad car. Officer ADAM O'BRIEN and Officer Thiedeman entered the squad car and traveled back to the police station.
-

Description and Custody of Evidence:

1. S/A Quam remains in custody of Officer Thiedeman's body worn camera footage, as well as the squad car camera.
-

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/19

Report Date: 07/19/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer Tyler Pool Body Worn Camera
Occurrence From: 07/19/2022 00:00
Occurrence To: 07/19/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/20/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND
Shane Aberle, Fargo Police Department, Fargo, ND
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, HILLSBORO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/19

Report Date: 07/19/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #4 - WITNESS #1 - POOL, TYLER

Primary Information

Exempt From Disclosure: YES
Subject Name: POOL, TYLER
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #5 - WITNESS #2 - THIEDEMAN, DIRK

Primary Information

Exempt From Disclosure: YES
Subject Name: THIEDEMAN, DIRK
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH

Primary Information

Subject Name: DUNN, CODY KENNETH
Record Type: PERSON
Bio: 25 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1997
Juvenile: NO

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/19

Report Date: 07/19/2022

Subject #6 - WITNESS #3 - DUNN, CODY KENNETH - Continued

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 601
Weight: 190
Eye Color: GREEN
Hair Color: BLACK

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Subject #7 - WITNESS #4 - STANLEY, DEREK WILLIAM

Primary Information

Subject Name: STANLEY, DEREK WILLIAM
Record Type: PERSON
Bio: 31 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1990
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 511
Weight: 190
Eye Color: HAZEL
Hair Color: BLONDE

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] DEVILS LAKE, NORTH DAKOTA 58301 UNITED STATES

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/19

Report Title: Officer Tyler Pool Body Worn Camera

Details:

(ALL TIMES ARE APPROXIMATE)

1. The following is a summary and/or depiction of the events captured by Officer Tyler Pool's body worn camera. For details, see Officer Pool's body worn camera recording.
2. The video started with Officer Pool arriving in his squad car to the incident. When Officer Pool arrived, Officer Pool exited his patrol car and ran towards Garage [REDACTED]. As Officer Pool was running towards Garage [REDACTED], Officer ADAM O'BRIEN and Officer Dirk Thiedeman were giving verbal commands.
3. Officer Pool positioned himself behind and to the left of Officer Thiedeman. Officer ADAM O'BRIEN was seen pointing his sidearm at the red minivan and giving verbal commands. Officer Thiedeman moved closer to Officer ADAM O'BRIEN. Officer ADAM O'BRIEN made his way to the passenger side of the vehicle while the minivan was heard starting. At this time, the front passenger, Cody Dunn, and the driver, SHANE NETTERVILLE, were visible.
4. The van shut off and SHANE NETTERVILLE raised his right hand above his head. Cody Dunn's hands were raised approximately to face level. SHANE NETTERVILLE's right hand dropped below the dash and the minivan started. SHANE NETTERVILLE's right hand came up to approximately dash level and again dropped below the dash line. During this time, verbal commands were given by officers to turn off the vehicle.
5. The van started slowly exiting the garage. At this time, Officer Pool was standing off the corner of the front driver's side quarter panel. Officer ADAM O'BRIEN was on the passenger side of the minivan and Officer Thiedeman was standing to the side of the minivan near the threshold of the garage door. Officer Thiedeman was standing in front of and to the right of Officer Pool.
6. As the minivan's front tires crossed the threshold of the garage, Officer Thiedeman was observed reaching for the driver's door handle. When the minivan accelerated out of the garage, the driver's door opened, and a single gunshot was heard. When the minivan accelerated past Officer Pool, the open driver's door of the vehicle struck or nearly struck Officer Pool. A shadow cast by Officer Pool showed Officer Pool nearly falling down while retreating from the minivan.
7. The minivan was then seen driving in a south direction briefly out of frame. Officer Pool then ran in the direction of the minivan, which crashed into an apartment garage and announced, "Foot pursuit." Officer Pool ran past the van and continued running in a south direction between apartment buildings and garages.

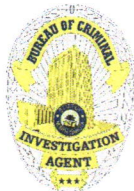
8. Officer Pool approached some dumpsters, yelled "stop," and appeared to fall down. Officer Pool got up and started to run in a west direction and yelled, "Police, stop." Officer Pool quit running and radioed possible suspect information to other officers.
9. Another officer pulled up to Officer Pool in a squad car. Officer Pool informed the officer that one individual ran into an apartment building and the other ran in a different direction. Officer Pool gave a clothing description to the officer.
10. Officer Pool returned to the crashed minivan. Officer Thiedeman and Officer ADAM O'BRIEN were kneeling next to SHANE NETTERVILLE, who was on the ground.
11. Officer Pool returned to his patrol car and the remainder of the body worn camera footage was Officer Pool giving suspect descriptions and assisting with trying to apprehend Cody Dunn and Derek Stanley, who fled the minivan after crashing into the apartment garage. During this time while talking to other officers, an officer asked, "Did you shoot." Officer Pool said, "No, somebody took a shot, I don't know if was O'BRIEN or." Officer Pool exited his patrol car and told the officer "The guy started the car multiple times and then he tried to run us over."

Description and Custody of Evidence:

1. S/A Quam remains in custody of the Officer Pool's body worn camera.

Attachments:

1. None as a result of this report.



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/20

Report Date: 07/20/2022

Primary Information

Description: Interview of Nicole Lynn Keller
Occurrence From: 07/18/2022 00:00
Occurrence To: 07/18/2022 00:00
Reporting LEO: HEIDBREDER, DAN S (FARGO / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/22/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

On July 18, 2022, Special Agent (S/A) Dan Heidbreder conducted a telephone interview with Nicole Lynn Keller. Nicole Keller had contacted the Fargo Police Department regarding the incident where SHANE NETTERVILLE was shot by a Fargo Police Department officer on July 8, 2022. Nicole Keller was not present during the incident on July 8, 2022. Nicole Keller said she used to date SHANE NETTERVILLE and provided information regarding Nicole Keller's relationship with SHANE NETTERVILLE.

Distribution:

Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601
Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/20

Report Date: 07/20/2022

Subject #1 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #2 - MENTIONED #1 - KELLER, NICOLE, LYNN

Primary Information

Subject Name: KELLER, NICOLE, LYNN
Record Type: PERSON
Bio: 41 yr. old, WHITE, FEMALE
Birth Date: [REDACTED] 1980
Juvenile: NO

Personal Information

Ethnicity: NOT HISPANIC OR LATINO
Height: 506
Weight: 150
Eye Color: GREEN
Hair Color: BROWN

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58103 UNITED STATES

Telephones / E-Addresses

Relationship	Number/E-Address
CELLULAR PHONE	[REDACTED] (CELLULAR)

Subject #3 - MENTIONED #2 - NETTERVILLE, SHANTEL

Primary Information

Subject Name: NETTERVILLE, SHANTEL
Record Type: PERSON
Bio: UNKNOWN, FEMALE
Juvenile: NO

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/20

Report Title: Nicole Lynn Keller Interview

Details:

(ALL TIMES ARE APPROXIMATE)

1. On July 18, 2022, Special Agent (S/A) Dan Heidbreder was notified by S/A Jeramie Quam that Nicole Lynn Keller had contacted the Fargo Police Department regarding the shooting incident of SHANE NETTERVILLE. Nicole Keller indicated she was the ex-girlfriend of SHANE NETTERVILLE and said she could be contacted.
2. The Fargo Police Department forwarded the information to S/A Quam. S/A Quam requested that S/A Heidbreder contact Nicole Keller regarding her initial contact with the Fargo Police Department.
3. On July 18, 2022, at 9:57a.m., S/A Heidbreder called Nicole Keller at the phone number provided. S/A Heidbreder did not reach anyone, and voicemail was not set up. S/A Heidbreder sent a text message identifying himself and asked that Nicole Keller call S/A Heidbreder. S/A Heidbreder audio recorded the attempt to reach Nicole Keller and will attach a copy to this report. S/A Heidbreder will also attach screenshots of the text message sent to Nicole Keller.
4. On July 18, 2022, at 2:34 p.m., Nicole Keller called S/A Heidbreder. S/A Heidbreder recorded the conversation and will attach a complete copy of the audio recording to this report. The following is a summary of the conversation with Nicole Keller:
 - A. Nicole Keller said she was not present at the location where SHANE NETTERVILLE was shot by Fargo Police.
 - B. Nicole Keller provided information on SHANE NETTERVILLE's background, including SHANE NETTERVILLE's past, and Nicole Keller and SHANE NETTERVILLE's relationship.
 - C. Nicole Keller said Nicole Keller and SHANE NETTERVILLE dated from the summer of 2019 to early 2021.
 - D. Nicole Keller said she last had contact with SHANE NETTERVILLE two to three weeks prior to July 8, 2022, via text message. Nicole Keller said SHANE NETTERVILLE said he hated his life and asked Nicole Keller if SHANE NETTERVILLE could sleep on her couch. Nicole Keller said SHANE NETTERVILLE was using drugs and was homeless. Nicole Keller said Nicole Keller did not allow SHANE NETTERVILLE to stay at her residence.
 - E. Nicole Keller did not have any information regarding the apartment building or garage where the incident occurred.

5. After the phone interview was concluded, Nicole Keller sent S/A Heidbreder a screenshot of a Facebook conversation, as well as text message explaining the screenshot. Nicole Keller said the screenshot was of Shantel Netterville's Facebook and that Shantel Netterville was a cousin to SHANE NETTERVILLE. Nicole Keller referenced Nicole Keller's and S/A Heidbreder's previous conversation and how Nicole Keller had said that SHANE NETTERVILLE had previously talked about suicide by cop. Nicole Keller said the screenshot was Shantel Netterville stating that SHANE NETTERVILLE had previously talked about suicide by cop with Shantel Netterville. Screenshots of S/A Heidbreder and Nicole Keller's text conversation will be attached to this report.
-

Description and Custody of Evidence:

1. None as a result of this report.
-

Attachments:

1. Audio Recordings of S/A Heidbreder's Conversations with Nicole Keller
2. Screenshots of text conversations between S/A Heidbreder and Nicole Keller (4 Pgs)



Nicole >

Text Message
Yesterday 10:00 AM

Nicole,
This is Special Agent Dan
Heidbreder, North Dakota
Bureau of Criminal Investigation.
I received your phone number
from Fargo Police. I was hoping
to talk to you regarding Shane
Netterville.

I can be reached at

[REDACTED]

Thank you.

Yesterday 3:01 PM

Hey Dan I'm sending u a
screenshot from Shantel
Nettervilles facebook- she is
Shane's cousin. Remember I said
that he has talked numerous
times about suicide by cop? He
had recently talked about it with
her & that's what she's talking
about in her comment replying to
mine...just thought I'd send it to
u. The date on it would be July



Text Message



11:54



Nicole >

mine...just thought I'd send it to
u. The date on it would be July
9th

*KNOWING THAT HE'S WITH HIS MOM NOW.
I'm here if u need me girl*

1w Like Reply



Shantel Marie

*Nicole Brown my heart is broken!
We just talked about this
subject! It's like we both new
something was gonna happen!*



1w Like Reply



Got it. Thank you.

No problem

Yesterday 5:34 PM

Sorry, can't talk right now.



Text Message



11:54



Nicole >

Nicole Brown my heart is broken!
We just talked about this
subject! It's like we both new
something was gonna happen!
😭

1w Like Reply



Got it. Thank you.

No problem

Yesterday 5:34 PM

Sorry, can't talk right now.

No problem it's nothing super
important I just thought of a
couple other things I could tell
you to shed some light on Shane
just get back to me when you
can



Text Message



Done

Photo

**Nicole Brown**

I'm so sorry Shantel 😞 I don't get it at all but try to take some comfort in knowing that he's with his mom now. I'm here if u need me girl

1w Like Reply

**Shantel Marie**

Nicole Brown my heart is broken! We just talked about this subject! It's like we both new something was gonna happen!



1w Like Reply

Write a comment...





NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/21

Report Date: 07/20/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Officer ADAM O'BRIEN's Issued Handgun Inspection
Occurrence From: 07/20/2022 00:00
Occurrence To: 07/20/2022 00:00
Reporting LEO: QUAM, JERAMIE J (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 07/22/2022
Approved By: RUMMEL, ARNIE (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, FARGO, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/21

Report Title: Officer ADAM O'BRIEN's Issued Handgun Inspection

Details:

(ALL TIMES ARE APPROXIMATE)

JULY 20, 2022

1. Special Agent (S/A) Jeramie Quam inspected Officer ADAM O'BRIEN's issued Glock 22 pistol that Officer ADAM O'BRIEN was carrying on July 8, 2020. S/A Quam has been a certified Glock Armorer since 2012. S/A Quam has also attended an advanced Glock Armorer course.
 2. S/A Quam retrieved the pistol from evidence at the Fargo North Dakota Bureau of Criminal Investigation (NDBCI) office. S/A Quam unsealed the evidence box. Inside the box was a Glock model 22 pistol (serial #XNX727), also in the box was a weapon mounted Streamlight TLR1 flashlight.
 3. S/A Quam performed the certified Glock Armorer level inspection. The three safeties of the Glock pistol were checked: trigger safety, firing pin safety, and drop safety. All three safeties were functioning properly. All components of the Glock pistol were original Glock parts, and no modifications or alterations were made to the pistol. The pistol was well maintained and was not excessively fouled or dirty.
 4. At the completion of the inspection, S/A Quam placed the Glock pistol back into the evidence box and sealed the box with evidence tape. For details of the inspection, see the attached Glock Pistol Inspection Form.
-

Description and Custody of Evidence:

1. S/A Quam returned the Glock pistol to evidence at the Fargo NDBCI office
-

Attachments:

1. Glock Pistol Inspection Form (1 Pg), 7-20-22



NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/22

Report Date: 07/26/2022

Warning

Contains entities exempt from disclosure

Primary Information

Description: Camera Match Overlay Analysis
Occurrence From: 07/08/2022 00:00
Occurrence To: 07/08/2022 00:00
Reporting LEO: KRAFT, SCOTT (GRAFTON / NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)
Report Status: Approved
Report Status Date: 08/03/2022
Approved By: NESS, MICHAEL (NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION)

Synopsis

Distribution:
Scott Kraft, NDBCI Grafton, Grafton, ND, w/attach
Jeramie Quam, NDBCI Hillsboro, Hillsboro, ND, w/attach
Shane Aberle, Fargo Police Department, Fargo, ND, w/attach
Kelly Dillon, North Dakota Attorney General's Office, Bismarck, ND, w/attach
Mike Mahoney, North Dakota Attorney General's Office, Bismarck, ND, w/attach

Address #1 - ACTIVITY LOCATION #1 - NDBCI

Primary Information

Address: NDBCI, GRAFTON, NORTH DAKOTA UNITED STATES

Subject #1 - VICTIM MARSY'S LAW NOTIFY/INVOKE NO #1 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT

Primary Information

Subject Name: NETTERVILLE, SHANE ROBERT
Record Type: DECEASED
Bio: 28 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1993
Juvenile: NO

Personal Information

Ethnicity: UNKNOWN
Height: 601

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NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION

Supplement Report BCI22-00378/22

Report Date: 07/26/2022

Subject #2 - SUSPECT #1 - NETTERVILLE, SHANE ROBERT - Continued

Personal Information - Continued

Weight: 610
Eye Color: BROWN
Hair Color: BROWN
US Citizen: YES
Citizenship Country: UNITED STATES
Deceased: YES
Date Deceased: 07/08/2022 00:00

Addresses

Relationship	Address
HOME ADDRESS	[REDACTED] FARGO, NORTH DAKOTA 58102 UNITED STATES

Subject #3 - SUSPECT #2 - O'BRIEN, ADAM

Primary Information

Exempt From Disclosure: YES
Subject Name: O'BRIEN, ADAM
Record Type: LAW ENFORCEMENT OFFICIAL
Juvenile: NO

Narrative begins on the following page.

CASE/REPORT #: BCI22-00378/22

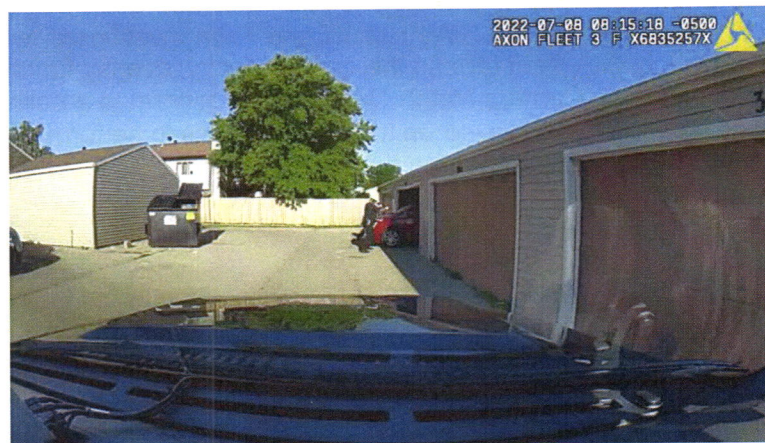
Report Title: Camera Match Overlay Analysis

Details:

(ALL TIMES ARE APPROXIMATE)

1. Special Agent (S/A) Scott Kraft was requested to review the in-car video of Officer ADAM O'BRIEN for the purpose of measuring the distances and time traveled of the Kia Sedona, which was driven by SHANE NETTERVILLE at the time of this incident.
2. S/A Kraft received a copy of the video titled Obrien Fleet.mp4 from S/A Jeramie Quam. The video was opened by S/A Kraft utilizing Axon Investigate, which is software used to analyze video. S/A Kraft utilized the camera match overlay function of the software for this analysis. The Camera Match Overlay Tool generates a calibrated sequence of images that can be overlaid on top of 3D models to perform Reverse Projection. The Camera Match Overlay Tool requires the following:
 - a. A video file
 - b. A screenshot from Map360 with a Point Cloud from the perspective of the video
3. Once the video was opened in Axon Investigate, the full video was found to be 246,251 frames total with each frame being .033 to .034 seconds in length or approximately 30 frames per second. For the Camera Match Overlay Tool, S/A Kraft needed to clip the section of the video needed for the analysis. S/A Kraft created a sub clip of frames 8580 through 8868, which was 288 frames of the video.
4. S/A Kraft utilized the point cloud that was generated during the scene reconstruction on July 8, 2022. The point cloud data was imported into Map360, software used for diagramming scenes. Map360 allows the user to measure data within the point cloud. S/A Kraft used the camera function of the Map360 software to obtain the perspective of the in-car camera of Officer ADAM O'BRIEN.
 - a. It should be noted that a screenshot needed to be obtained from a camera position and perspective that matches the position and perspective present in a video recording. While it is not required that the position is perfect, the more accurate the match is, the tighter the margin of error will be. The further away from the point of origin that the screenshot is taken, the higher the margin of error that will be calculated by Axon Investigate.
5. The sub clip was processed with Axon Investigate Video Analysis Software using the steps necessary in the software to create an overlay. One of the steps necessary in creating the overlay was to calculate the margin of error. Axon Investigate calculated the Total Potential Error in the Area of Interest was +.2664 feet (3 3/16").

6. S/A Kraft launched the overlay sequence and placed it within the camera perspective in Map360. This allowed S/A Kraft to measure points within the scene as the video frames were viewed.
7. The first time/distance analysis done was using frames 197 through 205 within the overlay. This sequence lasted approximately .27 seconds. These frames were used based on this was when it appeared to be the time the vehicle started to accelerate (Frame197) to the point where Officer ADAM O'BRIEN discharged his firearm (Frame 205). S/A Kraft conducted three different tests using these frames by placing points in Map360 at the center of the tires of the Kia Sedona. It should be noted that point clouds are made of millions of points and picking the exact same point every time is not feasible. Three tests were conducted for the purpose of verifying the accuracy of the measurements. Below are Frames 197 and 205 of the video:



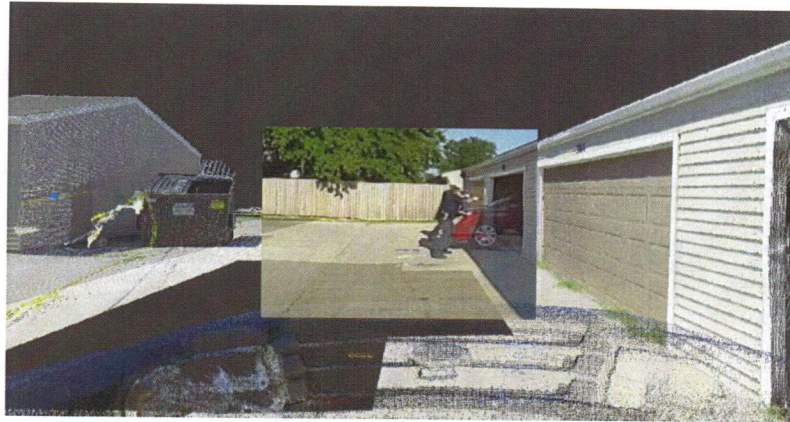
FRAME 197 OF VIDEO



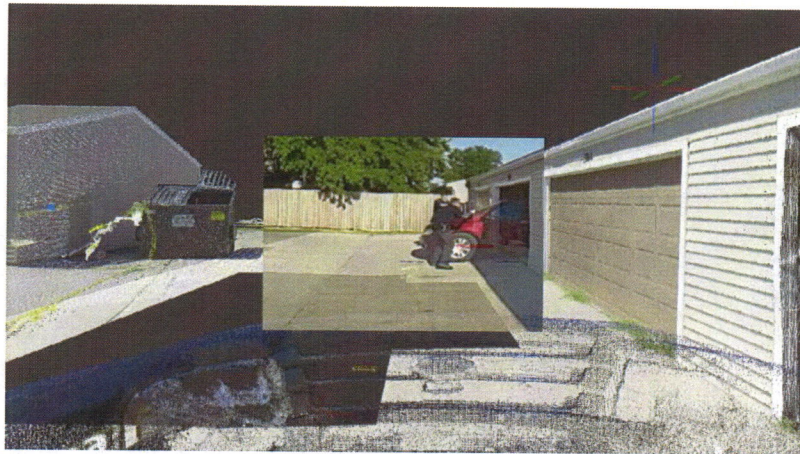
FRAME 205 OF VIDEO

8. The following results were found in the time/distance analysis of frames 197 through 205:

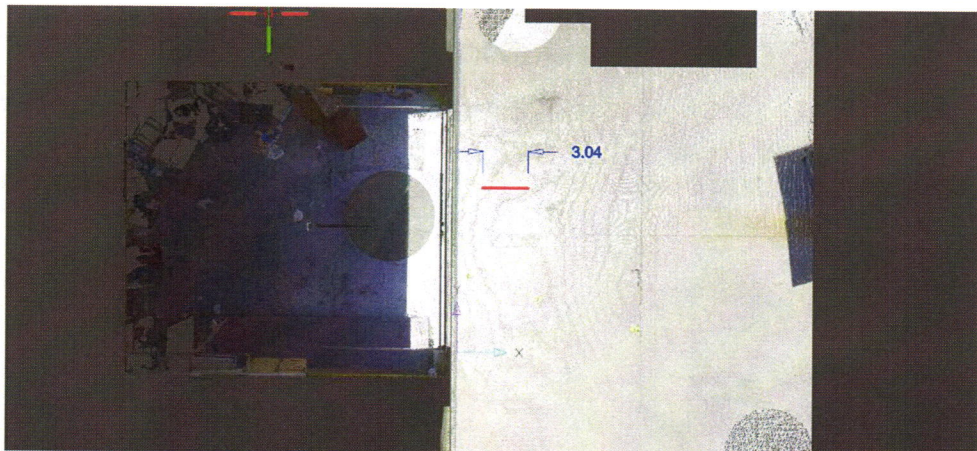
- a. Test #1 - 3.04' (3' 15/32")



TEST #1-FRAME 197

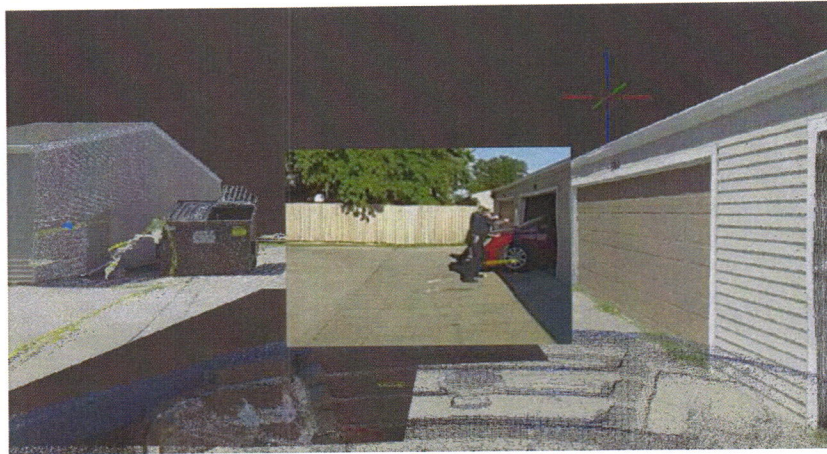


TEST#1- FRAME 205

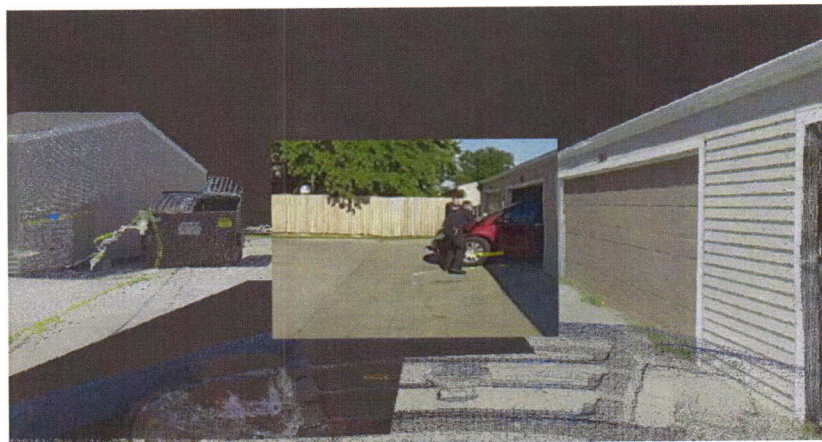


TEST #1-OVERALL MEASUREMENT

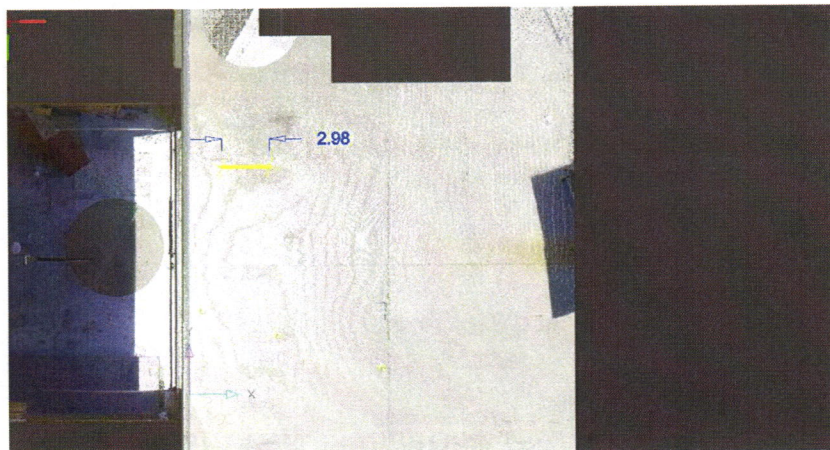
- b. Test #2 - 2.98' (2' 11 3/4")



TEST #2-FRAME 197



TEST #2-FRAME 205



TEST #2-OVERALL MEASUREMENT

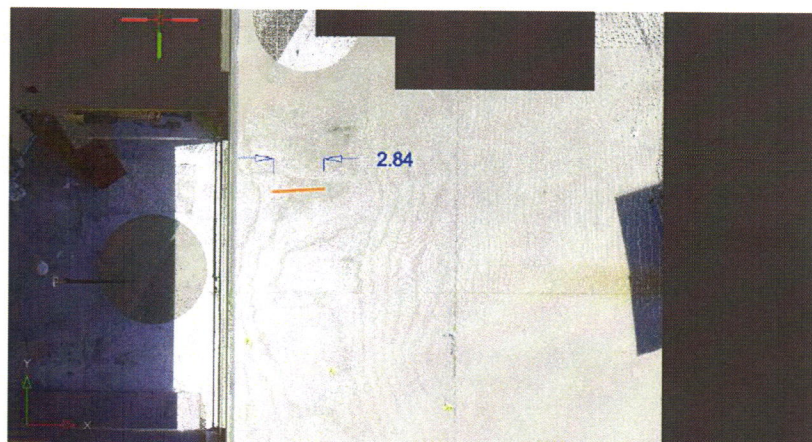
c. Test #3 - 2.84' (2' 10 3/32")



TEST #3-FRAME 197

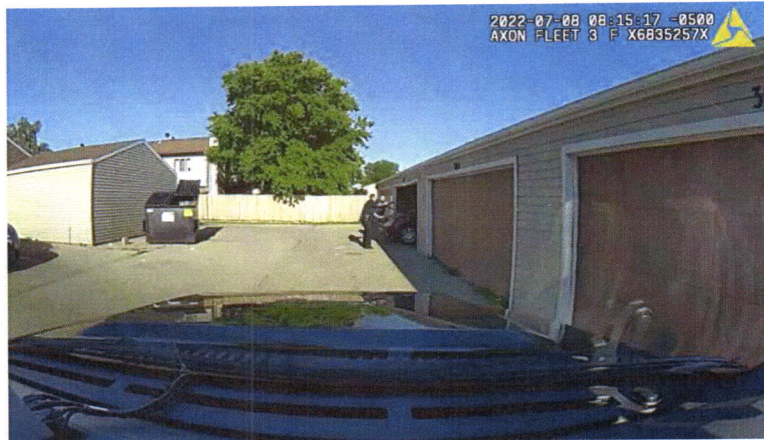


TEST #3-FRAME 205



TEST #3-OVERALL MEASUREMENT

9. The average of the three measurements equaled 2.95' (2' 11 13/32"). This was approximately how far the Kia Sedona traveled in approximately .27 seconds at this point in the video.
10. The second time/distance analysis done was using frames 180 through 210 within the overlay. Frame 180 was chosen as the start point since this was when the vehicle began to emerge from the garage. This sequence lasted approximately one second using 30 frames. These frames were used based on the number of frames equaling approximately one second. Three tests were conducted for the purpose of verifying the accuracy of the measurements. Below are frames 180 and 210:



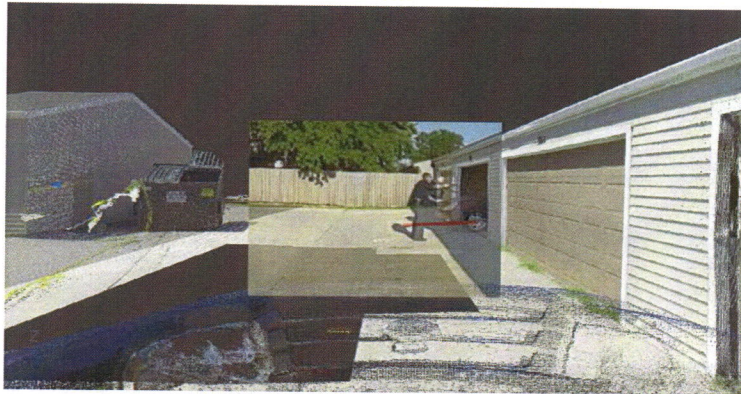
FRAME 180



FRAME 210

11. The following results were found in the time/distance analysis of frames 180 through 210:

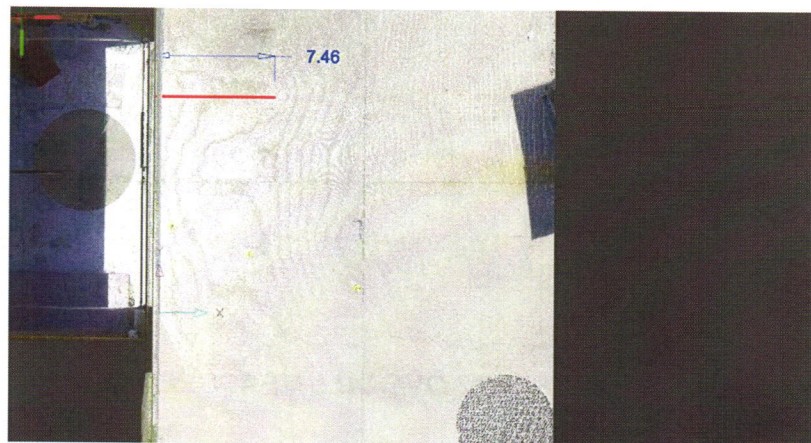
a. Test #1 - 7.46' (7' 5 17/32")



TEST #1-FRAME 180

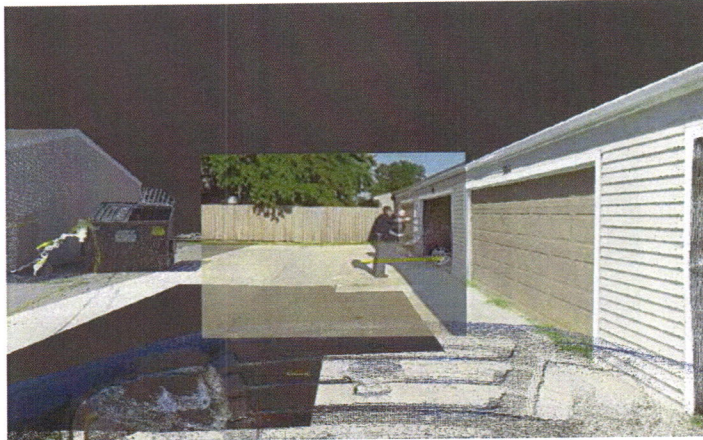


TEST #1-FRAME 210

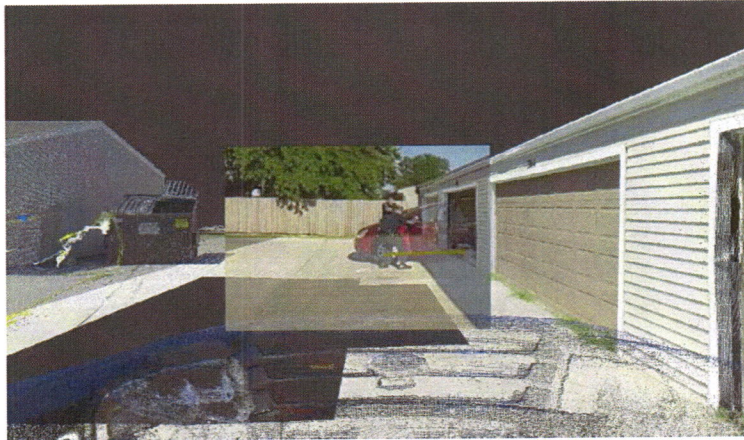


TEST #1-OVERALL MEASUREMENT

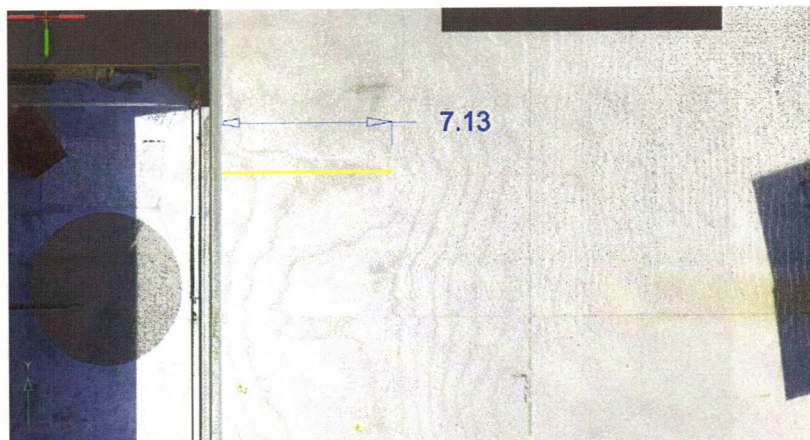
- b. Test #2 - 7.13' (7' 1 9/16")



TEST #2-FRAME 180

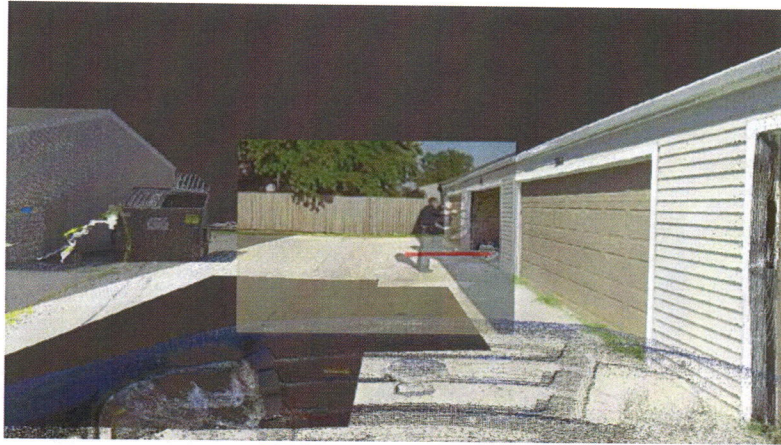


TEST #2-FRAME 210

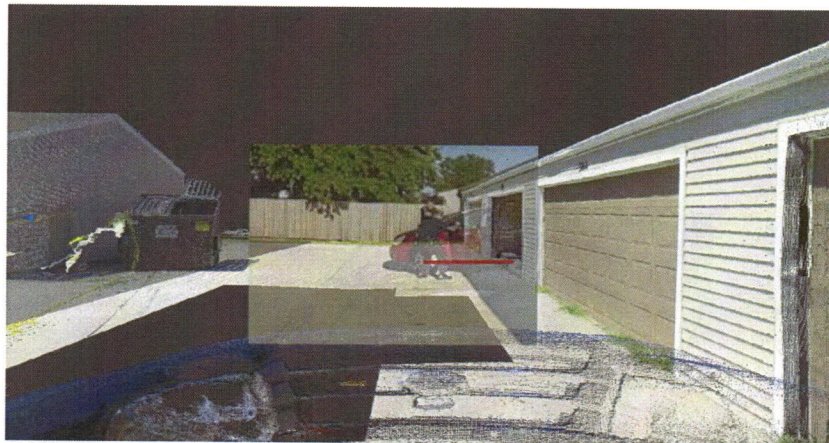


TEST #2-OVERALL MEASUREMENT

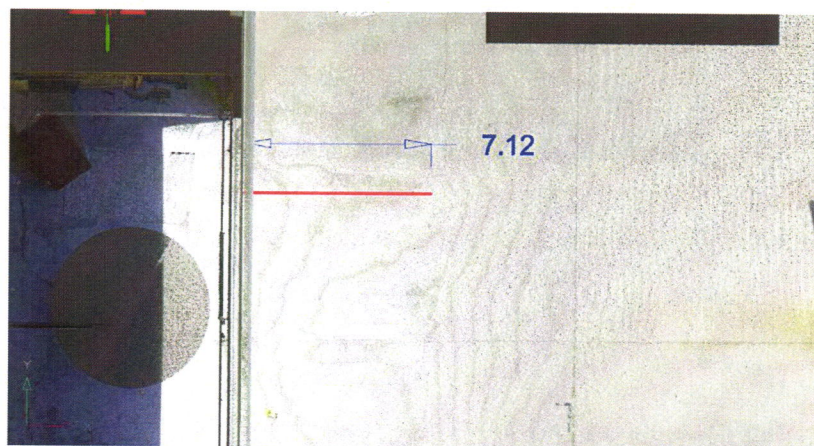
c. Test #3 - 7.12' (7' 1 7/16")



TEST #3-FRAME 180

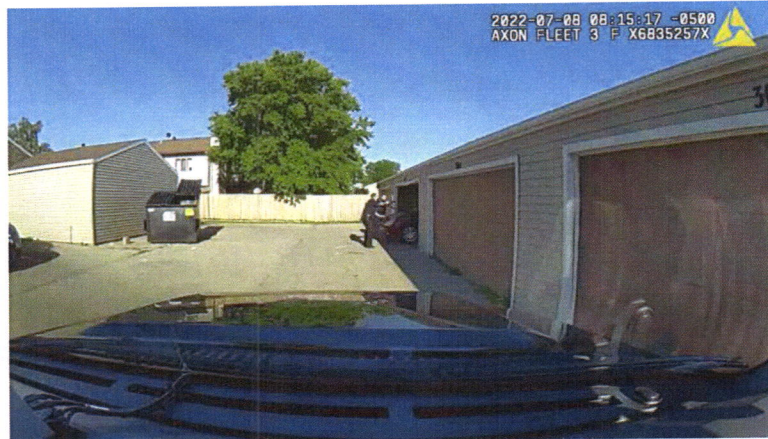


TEST #3-FRAME 210



TEST #3-OVERALL MEASUREMENT

12. The average of the three measurements equaled 7.23' (7' 2 3/4"). This was approximately how far the Kia Sedona traveled in one second at this point of the video.
13. The third time/distance analysis done was using frames 180 through 240 within the overlay. This sequence lasted approximately two seconds using 60 frames. These frames were used based on the number of frames equaling approximately two seconds. Three tests were conducted for the purpose of verifying the accuracy of the measurements. Below are frames 180 and 240:



FRAME 180



FRAME 240

14. The following results were found in the time/distance analysis of frames 180 through 210:

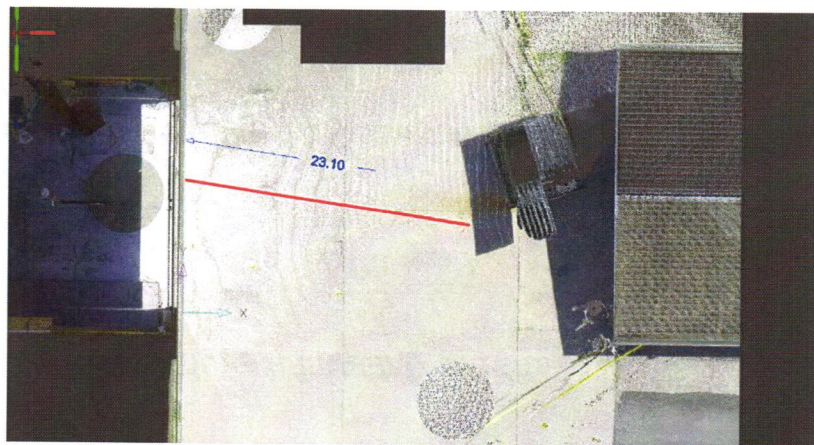
a. Test #1 - 23.10' (23' 1 3/16")



TEST #1-FRAME 180

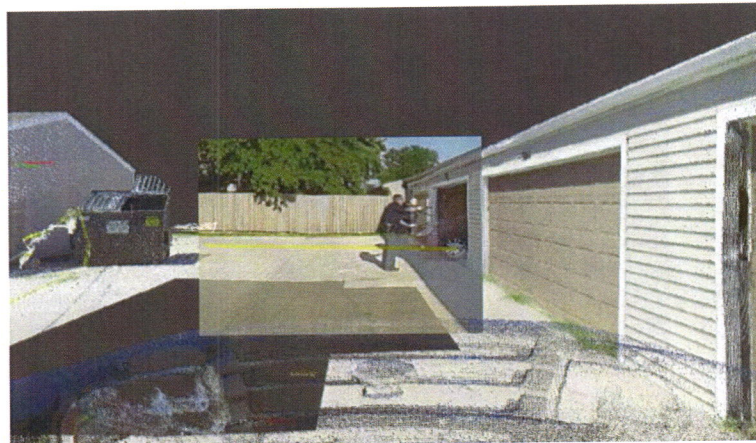


TEST #1-FRAME 240



TEST #1-OVERALL MEASUREMENT

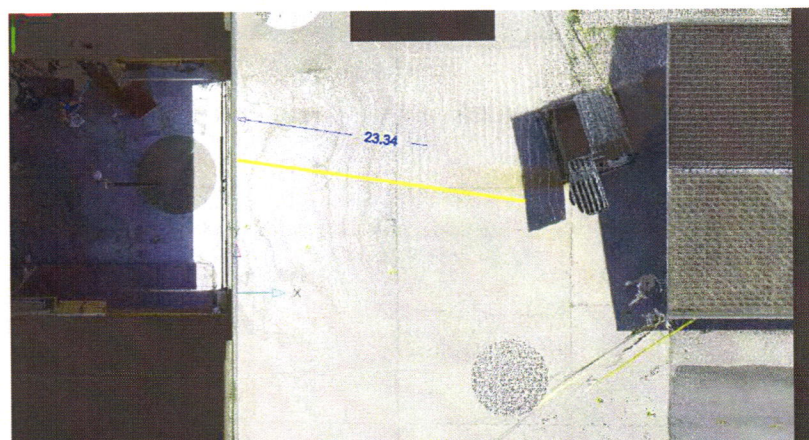
- b. Test #2 - 23.34' (23' 4 3/32")



TEST #2-FRAME 180



TEST #2-FRAME 240



TEST #2-OVERALL MEASUREMENT

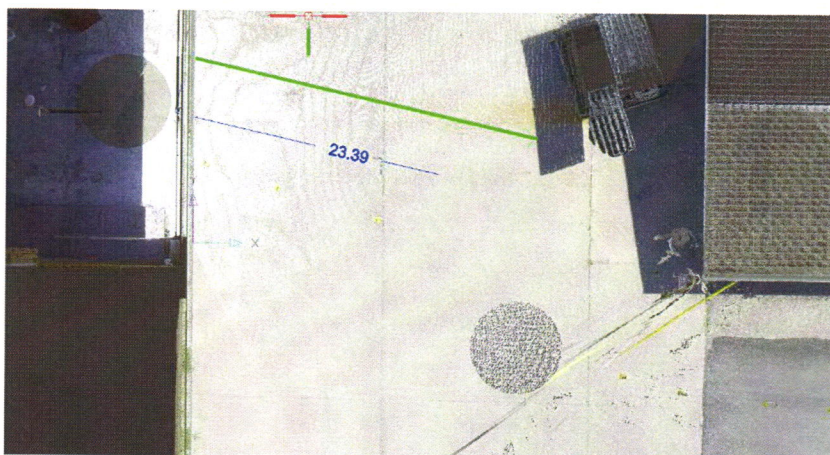
c. Test #3 - 23.10' (23' 1 3/16")



TEST #3-FRAME 180



TEST #3-FRAME 240



TEST #3-OVERALL MEASUREMENT

15. The average of the three measurements equaled 23.18' (23' 2 5/32"). This was approximately how far the Kia Sedona traveled in two seconds at this point of the video.

Conclusion of the Time/Distance Analysis

1. Based on this analysis and the investigation of the scene by law enforcement, S/A Kraft found the following:
 - a. From the point the Kia Sedona emerged from the garage (Frame 180), it traveled approximately 7.23' in the first second
 - b. One second after that, the vehicle traveled 15.95 feet equaling a total distance of 23.18' in two seconds.
 2. Due to the distances traveled in these times frames, it would be reasonable to believe that the vehicle began to accelerate as it left the garage.
 3. Attached to this report will be the screenshots used for the analysis, the video clip used for the analysis, as well as the frames extracted from the video for each test.
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Description and Custody of Evidence:

1. S/A Kraft maintains possession of the RTC360 data collected.
 2. S/A Kraft maintains custody of the MAP360 files.
 3. S/A Kraft maintains custody of the files created by Axon Investigate
 4. S/A Kraft maintains custody of the video used for the analysis.
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Attachments:

1. MAP360 Screenshots and Axon Investigate Frame Extraction (Images)
2. Video Clip Used for Analysis
3. Margin of Error Report (1 Pg)