

Off. Woodis said that his decision to plead guilty was on the advice of his lawyer. He said that there had been threats from the prosecutor to use past internal affairs cases and a civil case against him should the Apple Valley cases go to trial. Off. Woodis was specific that he was led to believe that the intent of the prosecutor was to possibly use the past internal cases to create the appearance that the fight in Apple Valley was racially motivated on his part. He denied that there was any racial motivation on his part and that it was just "a bar altercation". He also said that part of his decision to plead was to avoid embarrassing the Police Department and trying to keep the incident from being played out in the media.

#### **Summary of Off. Christopher Bennett interview**

Off. Bennett said that he and several other MPD officers and friends were at Bogarts bar to celebrate his birthday. After being there for a while he noticed that Off. Woodis was going to the patio area and he sensed that something was wrong. He followed Woodis outside and heard Woodis saying something like "what's wrong" to another man. Off. Bennett said that, at the time, he wasn't aware of why Off. Woodis had gone outside to talk to the other man.

He said the other man then began to become aggressive and began challenging Woodis. Off. Bennett said that Woodis said to him that they should leave because this "isn't going good". He said that He, Woodis and [redacted] then began to walk to their cars in the parking lot. The man who was a member of the other party ran past him, grabbed Woodis and threw him to the ground. It appeared to him that

the man was going to continue to assault Woodis so he went to his Woodis' aid. He said that they were eventually able to get the other man to the ground and hold him down. He stopped fighting at that point.

Off. Bennett said that he was not aware if any other members of the other party became engaged in fighting or not. He recalled someone yelling to stop fighting and believed it may have been other members of his own party but he wasn't sure.

Off. Bennett said that the fight broke up and they began to walk to their cars. It was at this time that the Apple Valley Police showed up. He said that he identified himself as a police officer to them to show them he wasn't going to be aggressive towards them and to "gain some credibility" as they began to conduct their investigation.

Off. Bennett said that they explained to the officers what had happened and how the fight started. He said the officers then talked to the other men. They came back and told him and Woodis and 13.43 that "it isn't looking good for you guys." He said that after that they had little conversation with the officers and they were eventually read the Miranda Warning. He and Off. Woodis and 13.43 were cited by the Apple Valley officers for 5<sup>th</sup> Deg Assault, 4<sup>th</sup> Deg. Damage to Property and Disorderly Conduct.

### **Summary of Off. Christopher Bennett second interview**

Off. Bennett was interviewed a second time after all court proceedings were completed in Dakota County.

Off. Bennett stated that on June 3, 2012 he pled guilty to Disorderly Conduct in Dakota County District Court. He said his plea was entered as part of a plea agreement worked out between his lawyer and the prosecutor. The charges of Assault and Damage to Property were dismissed. He said that the court accepted his plea and he also said that his conduct on 11-29-12 constituted Disorderly Conduct under the statute.

Off. Bennett said that he entered his plea on the advice of his legal counsel. He was told by his counsel that the prosecutor had obtained past Internal Affairs files and had threatened to use them to create a "political thing" by insinuating that there was racial bias on his part that led to the fight. He was led to believe that the prosecutor would possibly go to the media with this accusation. He denied there was any racial bias or motivation on his part and reiterated his original contention that members of the other party started the fight.

### **Summary of Jon Bjork interview**

Mr. Bjork was listed in the Apple Valley Police report as a witness to the altercation in the parking lot of Bogart's Bar. In the report he told the officers that the group comprised of Off. Woodis, Off. Bennett and [REDACTED] 13.43 were the aggressors in the

altercation. There was no indication that he knew at that time they were Minneapolis Officers. Mr. Bjork was interviewed by phone of 7-17-13.

Mr. Bjork said that he was in the parking lot of the bar just a few feet from the patio door. A small statured male came out and began to talk to him. Mr. Bjork said that the male "started telling me what was going on, like somebody was after him." He said that at that point three or four males came outside and the male who had approached him ran into the parking lot with the other males chasing him. Mr. Bjork could not describe any of these persons with much detail and did not know if the male who originally approached him was white or black but said that his voice sounded black.

Mr. Bjork said that he called 911 and reported the disturbance. He said that he could not see what was going on in the parking lot but assumed that the group of men were assaulting the other man. He was not certain if the man who originally approached him had any friends with him or not but thought that there may have been one other man with him.

Mr. Bjork did not know what had started the confrontation and said that he had seen nothing inside the bar that may have led to the fight outside. He said he had been subpoenaed to testify in court but had been cancelled because the case had settled.

## Rodney Spann

Mr. Spann was listed as one of the victims in the Apple Valley Police Report. On 7-16-13 he was contacted by phone after several attempts.

I identified myself and explained that I was conducting an internal investigation of the incident at Bogart's Bar in Apple Valley. I explained to Mr. Spann that the men he and his friends had been in a fight with were off-duty Minneapolis Officers which he already knew.

Mr. Spann gave me a brief explanation of his side of the story. He said that he and his friends had gone to the bar and were socializing. He said that there was a group of white males and females and that one of the males began to make threatening gestures and remarks to him and members of his group.

He said that he went outside onto the patio to have a cigarette and that one of the white males came out and started an argument with him. He left and was followed into the parking lot where he was assaulted. He said that "racial epithets" were used towards him and his friends. At that point in the interview I asked Mr. Spann if I could conduct a taped interview with him. I suggested that a face-to-face interview would be best but that we could do a taped interview by phone if he preferred. He declined to allow an interview at that time. He said that he would "have to talk to somebody first". He agreed to call me back on 7-17-13 at 1030 hrs and let me know

if he would be willing to give a recorded interview. Mr. Spann didn't return the call until 8-13-13 but agreed to a taped interview.

Mr. Spann said that he and several friends, including his uncle Michael Spann, were at Bogarts Bar on 11-19-12. After being there a short time they were attacked by several white males in the parking lot. He said that the group of males numbered 8-9. When the Apple Valley Police arrived his group pointed out an SUV that some of the males had gotten into and was still in the parking lot. These males, according to the police report were Woodis, Bennett and 13.43. Spann said that he told the officers that a second vehicle had left with the other attackers in it and the officers went to stop it. He said that the officers came back and said that the vehicle they pointed out was occupied by a black male and had not been involved in the assault.

Mr. Spann said that during the attack members of the group of white males called him and his friends "nigger" and at least one of them called his uncle Michael Spann a "fat fucking nigger".

During the recorded interview Mr. Spann was very excited and at times hard to keep on topic. While he said there were several other members of the group involved in the fight he acknowledged that the Apple Valley Police stopped the car that he believed the other white males had left in and that it did not contain any other attackers.

**Tyron Franzon**

Mr. Franzon is listed as a victim in the Apple Valley Police Report.

On 7-13-13 I left a message with a male at the phone number listed for Mr. Franzon in the police report. The male said that Mr. Franzon would be back in 45 minutes and he would give him the message to call me. I did not hear from him. On 7-16-13 I left a voice mail message for Mr. Franzon at the number listed in the police report and have not heard back from him.

A letter requesting Mr. Franzon to call me was sent Certified Mail to the address listed in the police report and I have not heard from him. The certified letter was returned undelivered.

**Lovell Garner**

On 7-13-13 I called the number listed in the Apple Valley Police Report for Mr. Garner. The number was "not in service".

A letter requesting Mr. Garner to call me was sent Certified Mail to the address listed in the police report and I have not heard from him. The certified letter was returned undelivered.