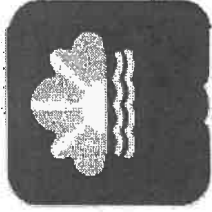


17-3

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# Chaska Police Department

16 November 2017

Mr. Moah McCourt  
33 West Lake Street  
Waconia, MN 55387

RE: Citizen Complaint – Index Number 17-3; 14 November 2017

Dear Mr. McCourt:

We have reviewed your complaints alleging misconduct of:

- An unnamed Chaska police officer, which was to have occurred on 19 October 2017
- Sergeant Mike Duzan, which was to have occurred on 14 November 2017

While your information is vague, lacking in detail, and relies upon hearsay, the investigation of your concerns is very easily addressed by: 1.) technological documentation and, 2.) a witness interview.

- 19 October 2017 – Alleged Chestnut Street “pedestrian” contact

You allege that an unnamed Chaska officer stopped you while you were walking on Chestnut Street “... without probable cause ...” and *“When I informed him of my rights he informed me I had no idea who I’m dealing with.”*

It is assumed that you are alleging that you were unlawfully detained and harassed by a Chaska officer.

No time of day or exact location for this alleged contact is provided by you, nonetheless: All Chaska Police Department vehicles are equipped with GPS tracking, which provides real-time tracking, and creates a log documenting past vehicle(s) movement(s)/location(s). Data confirms that while, on 19 October, police vehicles indeed traveled Chestnut Street (HWY 41) none stopped or idled for more than a minute, with the exception of an officer who stopped two motorists and issued citations. One of these stop’s duration lasted a total of four minutes, taking place in the parking lot of the former Hot Spot gas station located on Chestnut Street north of County Road 61. The other stop occurred between 1<sup>st</sup> and 2<sup>nd</sup> Streets, and that stop’s duration was also a total of four minutes.

address all correspondence to  
SCOTT M. KNIGHT  
Chief of Police

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The officer who made the mentioned traffic stops and issued the citations was Officer Eloy Schmidt and he does not fit the description given by you as, " ... heavyset dark hair ..."

This allegation, given your lack of detail and our documentation, is found to be without merit. Thereby, any/all Chaska officers are exonerated.

- 14 November 2017 – Hearsay allegation regarding Sergeant Duzan and one Colton Lemke.

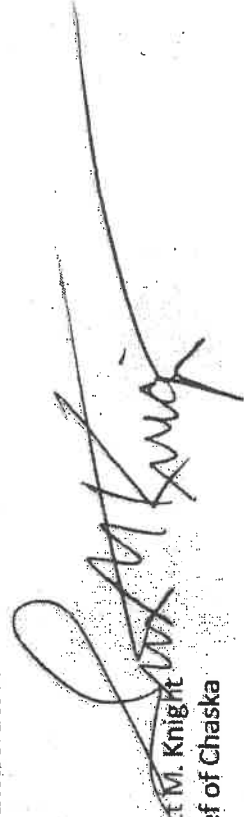
You were to have been "informed by staff at Launch Ministry Officer Duzan harassed Chaska resident Colton Lemke on 11/14/2017 while a drug test was being administered at the station for alcohol asking him repeatedly for information in regards to me and my case. Cole refused to provide him with it and that officers attempted to intimidate him".

You are alleging intimidation and harassment, upon yourself and Mr. Lemke, by Sergeant Duzan and unnamed "officers".

No one, to include Colton Lemke, came (or was brought) to the police station for any sort of substance or alcohol testing on 14 November. Such testing is only conducted in conjunction with a driving offense/arrest. It is done at the Carver County Sheriff's Office and rarely is it performed at our offices.

Mr. Lemke's Minnesota Department of Corrections parole officer – Barbara Schmidt – reports that he (Lemke) has not been seen by her for testing purposes since 6 November 2017, at her office. Ms. Schmidt verifies that no Chaska officers have been asked to obtain drug or alcohol testing samples from Mr. Lemke. Further, no Chaska officers have ever been present when Mr. Lemke has provided DOC required testing. In addition, Mr. Lemke has never mentioned such a police encounter to her.

Given its hearsay nature, the fact that no such "testing" activity occurred (or occurs) at the Chaska Police Department offices, and with the information provided by PO Schmidt; this allegation is found to be without merit. Thereby, Sergeant Duzan, and any/all Chaska officers are exonerated.

  
Scott M. Knight  
Chief of Chaska