

# Man recalls being shot by former Minneapolis officer Chauvin in 2008, hopes for accountability in Floyd death

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A man who was shot by Derek Chauvin during a police encounter more than a decade ago opened up to 5 EYEWITNESS NEWS about his experience with the officer and how the situation was handled.

Chauvin is the former Minneapolis police officer charged with second-degree murder, third-degree murder and second-degree manslaughter in the death of George Floyd over Memorial Day weekend. He was investigated for use of force several times during his career as a Minneapolis police officer, including the 2008 shooting of Ira Toles.

"George Floyd would still be alive if he was reprimanded for shooting me," Toles said.

Toles, who is now 33 years old, was 21 at the time of his encounter with Chauvin.



"Twelve years ago, I got shot in this apartment right here," said Toles, pointing out a small apartment building in the 1800 block of Columbus Avenue South in Minneapolis.

In May of 2008, police were called to the building at 1:30 a.m. on a report of domestic violence, in which Toles was the suspect. Chauvin was one of the responding officers.

"They kicked in the front door, then I ran into the bathroom and that's when he started kicking down the bathroom door. Then once he got in, he started hitting me," Toles said.

According to the police report, an adult female in the apartment, who Toles identified as the mother of his child, had visible injuries to her face. The report goes on to say Chauvin had his "service weapon drawn due to the defendant's conduct" and struck Toles.

"He didn't give me any commands or anything," Toles said. "I don't know what he wanted me to do. He just started hitting me."

The report says Toles charged at Chauvin and "began reaching" for his gun, so Chauvin "discharged the weapon twice."

Toles disputes Chauvin's account of the incident.

"He said I tried to take his gun from him, so that's why he shot me," Toles said. "If his gun is in his hand and he's hitting me with it and I'm trying to stop him from hitting me, then that would be the only reason I would reach for his gun."

Toles said the bullet went through his abdomen and exited his body through his backside.

"He was close enough to me for the bullet to come out and hit the wall," Toles said.

Toles said he doesn't remember much of what happened next, just that Chauvin tried to force him to walk through the apartment while he was injured.

"Then I kind of collapsed right here in the entryway and just bled until the paramedics came," Toles said.

He believes Chauvin was unnecessarily aggressive during the encounter and hoped he would face punishment for it.

Officer-involved shootings were investigated internally by the Minneapolis Police Department at the time. MPD said that was the case until 2015 when there was a push for independent outside investigations through the Minnesota Bureau of Criminal Apprehension.

Chauvin was cleared of any wrongdoing in the shooting involving Toles. In fact, he was given a medal of valor by the department for his "self-sacrifice" in the incident, according to his personnel file.

Body cameras were also not used back in 2008. MPD said they were not fully deployed across the police force until 2016.

"At that time, I didn't feel like I had a leg to stand on because it was my word against his," Toles said.

"It derailed his entire life," said Protea Toles, Ira's younger sister. "You're just kind of left to deal with it on your own and pick up the pieces. It just left him in shambles."

She said she watched her brother suffer from anxiety, depression and post-traumatic stress disorder.

Protea wants to see major changes in policing following what happened with her brother, including greater transparency and accountability.

"It needs to stop and we're tired of begging," Protea said. "These officers are doing this because they're allowed to."

She testified in front of state representatives during a special session in June, calling for a public safety overhaul in Minnesota.

"If there is a complete overhaul of the police force and they're held to a higher standard of conduct, they'll behave in a way that doesn't result in unnecessary deaths and bloodshed," Protea said.

Ira and Protea Toles said their "hearts sank" watching the bystander video of George Floyd's death in the custody of Minneapolis police, knowing it was the same officer involved in Ira's case.

"He should have been fired back then," Ira said. "It's kind of bittersweet, the situation. I kind of knew he would mess up again. I would say bitter because someone lost their life, but sweet because of the protests going on everywhere and some actual changes about to come."

Toles admits he made his own mistakes and faced his own consequences. He pleaded guilty to a misdemeanor domestic assault charge for the 2008 incident. The other charges of 'obstructing the legal process or arrest' were ultimately dropped. He believes Chauvin never needed to draw his gun.

"I think he was being the judge and the executioner at the same time. He was just taking things into his own hands," Toles said.

He wants to see Chauvin held accountable for his actions and hopes sharing this painful experience from his past can help change the future of policing.

5 EYEWITNESS NEWS asked the Minneapolis Police Department for a response to this story. A spokesperson said they have no reason to believe the investigation into this officer-involved shooting was mishandled in 2008. They want to acknowledge the trauma Toles experienced from being shot by an officer and did not want to challenge his opinions on this matter, saying they felt that would be "inappropriate" at this time.

There is a [GoFundMe page](#) started for Toles to raise money to hire a lawyer to look into how his case was handled by the Minneapolis Police Department and file a complaint against Derek Chauvin. Toles said he will give 10% of the money raised to help others who have "been victimized by MPD," men who are homeless and other organizations in need.