

# Five years after shooting cop, he still feels in the line of fire

DAVID CHANEN MARCH 10, 2008

For five years, Charles (Chip) Storlie kept his mouth shut.

The former Minneapolis police officer endured months of criticism and speculation over why he pumped six gunshots into fellow Minneapolis officer Duy Ngo, who was working undercover on a frigid February night in 2003. The case bred rumors and counterrumors and divided the department.

In the shooting's chaotic aftermath, Storlie fumed as he learned about what he said were repeated, blatant missteps during the investigation into the shooting. His request to take a leave of absence to heal was denied.

Then Storlie's chance to defend himself in civil court came to a halt in November.

That's when the City Council approved a \$4.5 million settlement of the suit filed against the city by Ngo, who was left permanently disabled.

Storlie spoke publicly about the shooting for the first time last week and said his actions were justified.

"In every good crime story, you have a victim and suspect and the case gets closed," he said. "And that's what you have here."

Storlie, 41, is on a short leave from Iraq, where he is working as an embedded law enforcement officer with a private military contractor. The job has helped restore his confidence since he left the Police Department in January 2007, but not his reputation.

No criminal charges were filed against Storlie in the shooting, and an internal affairs investigation didn't find any policy or procedural violations. Even so, Storlie said he won't be hired by another law enforcement agency.

"They will see some smoke, but no fire," he said. "That would be enough for them to pick another candidate."

Years before the shooting of Ngo, Storlie had been at the center of a controversial shooting involving 15-year-old Lawrence Miles Jr. The teen was playing tag with a friend in 1997 and pointed a BB gun at Storlie's partner, police said. Storlie shot and wounded the boy, but the department and Hennepin County attorney's office exonerated Storlie.

His career included stints as an investigator, a member of the SWAT team and an instructor in the use of force. In the last several years, he was deployed to Kuwait and Kosovo as an officer in the National Guard. When he asked for a leave of absence in January 2007, Storlie said, Police Chief Tim Dolan told him it was denied because of the amount of time he already had taken for military duty.

While in Iraq, Storlie learned of the settlement of Ngo's suit, bringing an end to years of painstaking and costly trial preparation. He had wanted a jury to hear the tough questions investigators never asked, even if they remained unanswered.

Ngo was working undercover on gang surveillance in the early hours of Feb. 25, 2003, and got into a confrontation with an armed man in an alley in south Minneapolis. He was shot in the side, but his bulletproof vest saved him. Ngo radioed for help, describing the suspect who had fled on foot.

According to Storlie, he and his partner heard a dispatch that an officer had been shot. They sped to the neighborhood, where Storlie saw a car with doors open and headlights on to his left and a person hunched on his hands and knees on the right.

Storlie said the person had guns in both hands, and as he started to rise, Storlie yelled, "Don't!" He fired shots from his submachine gun, striking the person six times in the left arm and leg and groin. He admitted he violated policy by not having the gun locked up in his squad car.

He believed he had wounded the suspect who shot the officer. When he applied first aid, he opened the man's jacket to check for injuries and saw Ngo's badge. When he realized he had shot an officer, "the blood rushed from my face and I felt like I was wearing lead boots," he said.

Ngo's attorney, Bob Bennett, claimed Storlie should have seen the officer's radio microphone dangling from his chest and other police insignia. Storlie's partner didn't fire at Ngo.

"The lighting was good in the area, but Duy's face was covered up," Storlie said. "If Duy's wounds were examined by a forensic expert, the angles would have proven I couldn't have seen his face."

In depositions, Storlie was criticized for approaching the "suspect." It was suggested that a better strategy would have been to hold the suspect at

gunpoint and wait for backup. Storlie said he believed he had identified and needed to contain the suspect, who had guns in both hands. Because an officer had been wounded and the temperature was 20 below, time was critical, he said.

Several missteps in the investigation forced then-Chief Robert Olson to order a high-ranking officer to critique the investigation. Memos detailed evidence mishandled or ignored and a request for help by lead investigators that was denied.

Storlie said weapons, vehicles and clothing weren't collected or properly preserved. Witnesses weren't sought, he said, and homicide investigators had little contact with Storlie.

"Internal Affairs thought the homicide unit was going to handle the case and vice versa," he said. "But this was a serious blue-on-blue incident. There needed to be an outside investigation because nobody internally wanted to be associated with this case."

When Bill McManus became chief in 2004, he called a news conference to apologize publicly to Ngo and to squelch a rumor Ngo had shot himself to avoid military duty. Storlie questioned why Ngo was carrying two guns and had a large amount of ammunition with him if he was doing routine undercover work.

"I still was the focus of the Internal Affairs investigation, nobody else," he said. "They found their bad guy. Now, they just had to make a case."

Storlie and Ngo had several conversations after the shooting. Ngo said he recalls only one chat. Of Storlie's accusations, Ngo said he would be happy

to challenge "any of them, anytime, anywhere."

"I'm sure he's remorseful and wishes he could put the bullets back in his gun," he said. "The fact is, he shot a cop who didn't pose a threat."

Dolan said Storlie has given notice that he intends to re-apply to the department. Storlie said he would return under the right conditions because "policing is my life's work and I've done it well."

"Nobody can say either myself or Duy know the whole story of what happened the night of the shooting," Storlie said.

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