



OFFICE OF THE  
**SCOTT COUNTY ATTORNEY**

GOVERNMENT CENTER JC340 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220  
Main Number: (952) 496-8240 • Fax: (952) 496-8775 • [www.co.scott.mn.us](http://www.co.scott.mn.us)  
Civil Division: (952) 496-8226 • Civil Fax: (952) 496-8607 • TTY/TDD: 952-496-8170

**RON HOCEVAR**  
County Attorney

**SARAH WENDORF**  
Chief Deputy

**MICHAEL GROH**  
First Assistant

CRIMINAL/JUVENILE  
Suzanne Brown – Div. Head

CIVIL  
Jeanne Andersen – Div. Head

APPELLATE  
Todd Zettler – Div. Head

VICTIM/WITNESS COORDINATOR  
Tera Portinga

OFFICE MANAGER  
Lori Lambrecht

February 15, 2019

Chief Jeff Tate  
Shakopee Police Dept.  
475 Gorman Street  
Shakopee, MN 55379

**BCA Case Master Report 2018-793**

Chief Tate:

As you are aware, on November 9, 2018, Officers of the Shakopee Police Department were involved in a shooting resulting in the death of James Hanchett. The Minnesota Bureau of Criminal Apprehension (BCA) was contacted to conduct the investigation into this officer involved shooting. The BCA investigation has been completed and the report submitted to this office for review of potential wrongdoing or criminal charges against the officers involved.

The facts which lead up to the shooting started when an ADT fire alarm went off at a residence located at 823 Apgar St. S. in Shakopee, later found to be the residence of James Paul Hanchett, D.O.B. 03/11/1957. At approximately 11:10 p.m., Shakopee Police Department Officers Thor Carlson and McKenzie Lampman responded to the residence to investigate the fire alarm. It was later discovered during the course of the investigation that Mr. Hanchett missed a call on November 9, 2018 at 10:58:49 from ADT's United States monitoring center.

In an interview conducted by Special Agents of the B.C.A., Officer Lampman stated the following:

- She has been employed by the Shakopee Police Department for approximately one month.
- On the date of this call she was in training with Field Training Officer Thor Carlson.
- She and Officer Carlson went to the front door where she initially knocked on the door as there was no doorbell. Receiving no answer, Officer Lampman knocked again this time harder but there was still no answer.

- She could hear a television and there were lights on in the home. Officer Carlson then knocked on the door.
- She observed a man sitting at a table.
- Officer Carlson then knocked on the door and the man then turned down the television, walked past the front door and down a hallway where she lost sight of him.
- She and Officer Carlson backed off the front steps.
- The outside lights then turned on and a man opened the door.
- She observed a handgun stick out the door and heard Officer Carlson yell “gun”.
- She drew her gun and Officer Carlson fired his gun.
- She did not discharge her firearm.

Officer Thor Carlson was also interviewed by Special Agents of the B.C.A. In his statement, he relayed the following information:

- He has been employed as an officer with the Shakopee Police Department since 2006.
- On the date of this incident he was acting as a Field Training Officer training Officer Lampman.
- He and Officer Lampman were in full uniform and driving a fully marked squad car.
- He and Officer Lampman were at the Shakopee Police Department when a radio call came in regarding a fire alarm.
- They went to the Apgar Street residence and observed no smoke or flames coming from the home.
- They approached the front door and he could see a television on and heard loud music coming from the house.
- He could see a male in the home, seated, with his back to the door.
- He knocked on the front door for about 30 seconds to try to get the males attention and also shined his flashlight into the house to try to get his attention.
- The male then stands up and walks past the front door to the opposite end of the house.
- About ten to fifteen seconds later, the male came to the front door, opened the door and pointed a gun directly at him.
- He tried to say something and may have said “put the” and “gun”.
- He (Carlson) started to move and the male was still pointing the gun at him.
- He drew his firearm and fired three to four shots at the male.

- The male then fell down backwards.
- He and Officer Lampman then began first aid to the male.
- Later he did a self-check looking for holes as he did not know if the male had shot.
- He thought the male was going to shoot him.
- He and Officer Lampman's body worn cameras were initially not activated but once shots were fired, they activated the cameras.

An inspection of Officer Carlson's gun and ammunition was conducted. The gun was found to have one live round in the chamber and the magazine contained nine live rounds. The maximum capacity of the magazine is thirteen. An inspection of Officer Lampman's gun and ammunition revealed one live round in the chamber 12 live rounds in the magazine. The magazine has a maximum capacity of thirteen rounds. Officer Lampman stated she carried that magazine one round short and did not fire her weapon. The gun Mr. Hanchett utilized was found to be a .45 Glock which he had purchased on 03/05/2016.

Officer Carlson and Officer Lampman were both wearing body worn cameras (BWC) at the time of the incident. Due to this being a response to a fire alarm, the BWC's were not activated while initially knocking on Mr. Hanchett's door. Immediately after Officer Carlson discharged his firearm, he and Officer Lampman activated their BWC. Once the BWC is activated, the recording actually captures video of the 30 seconds prior to being activated but the audio doesn't begin recording until activated. A review of the BWC worn by Officer Carlson – which can be viewed at <https://youtu.be/32v6qr9YXLY> - shows:

- At 11:10:34 Officer Carlson knocks on Mr. Hanchett's front door.
- At 11:10:38 Officer Carlson steps off the front step.
- At 11:10:45 a figure, later found to be Mr. Hanchett, is seen approaching and opening the front door.
- At 11:10:48 Mr. Hanchett is seen extending his left arm towards Officer Carlson and a firearm can be seen in Mr. Hanchett's left hand pointing at Officer Carlson.
- At 11:10:56 Audio begins on Officer Carlson's BWC.
- At 11:11:11 Officer Carlson enters the home is heard saying "Gotta gun at his feet".
- At 11:12:35 Officer Carlson's BWC captures footage of a semi-automatic gun on the floor between Mr. Hanchett's legs.

A review of Officer Lampman's BWC shows:

- At 11:10:45 she is standing outside of Mr. Hanchett's front door with Officer Carlson to her left.
- At 11:10:46 the front door opens and the barrel of a pistol is seen sticking out pointing at Officer Carlson.

Following the shooting, Mr. Hanchett received immediate medical assistance by Officer's Carlson, Lampman and other Shakopee Police Officers that responded to the scene. Medical care was taken over by members of the Shakopee Fire Department upon their arrival. Mr. Hanchett was then provided medical care by Allina Health Paramedics and transported by ambulance to St. Francis Hospital. Mr. Hanchett was treated for gunshot wounds to his head, chest and left upper arm. Mr. Hanchett was declared deceased at 11:50 p.m. An autopsy was performed by the Hennepin County Medical Examiner's Office. The M.E.'s office found a gunshot wound to the head, to the mid torso, and left arm of Mr. Hanchett. A blood volatile screen indicated Mr. Hanchett had an ethanol level of 0.141g/dl. The immediate cause of death was determined to be multiple gunshot wounds.

Pursuant to Minnesota Statute Section 609.066, subd. 2:

...the use of deadly force by a peace officer in the line of duty is justified only when necessary:

- (1) to protect the peace officer or another from apparent death or great bodily harm;
- (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force; or
- (3) to effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed.

In summary, Officers Carlson and Lampman responded to an ADT fire alarm that had activated. Due to the nature of the call, BWC's were not activated on approaching the home of the fire alarm. Upon the resident of the home opening the door in response to the officer's knocking, the Officers observed a gun being pointed directly at Officer Carlson. Officer Carlson discharged his weapon at the individual he observed pointing the weapon. After discharging his weapon, both officers activated their BWC's and video of the incident was captured starting 30 seconds prior to activation. The BWC's of both officers clearly show Mr. Hanchett answering the door and pointing a firearm, later found to be a .45 Glock, directly at Officer Carlson.

Given the facts of this situation, this office concludes that the officers appropriately exercised the use of deadly force pursuant to Minnesota Statute Section 609.066, subd. 2. Copies of the investigation can be seen and requested from the Minnesota Bureau of Criminal Apprehension.

Sincerely,

Ron Hocevar  
Scott County Attorney

cc: Special Agent Aaron Churness, BCA  
Eric J. Nelson