

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Bureau of Criminal Apprehension

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June 14, 2010

Public Records Media, LLC
Matt Ehling
2375 University Ave. W.
St. Paul, MN 55114

Re: Data Practices Release of BCA Case Number 2009-689

Dear Mr. Ehling,

Enclosed you will find the files associated with the officer involved shooting that occurred at 17717 Concord Ave., Ham Lake, Minnesota. This officer involved shooting resulted in the death of Theodore Kowalzek. The Bureau of Criminal Apprehension (BCA) has received your data practices request and this letter serves to inform you that we are fulfilling your request at this time.

In a letter dated May 7, 2010, the Anoka County Attorney's Office declined to pursue charges or convene a grand jury related to this matter. Therefore, the BCA case file is considered closed.

Enclosed you will find a DVD that contains a .pdf document of our case file, which includes investigative reports from various agencies, transcripts, and other documentation. In addition, I have included audio files, and copies of pictures taken by the BCA Crime Scene Team.

Please note that certain portions of this file have been redacted per the Minnesota Data Privacy Act as follows:

- Pursuant to Minn. Stat. § 13.82, subd. 7, photographs which are part of inactive investigative files and which are clearly offensive to common sensibilities are classified as private or non-public data. Numerous photographs were redacted from this file pursuant to this provision.
- Pursuant to Minn. Stat. § 13.83, Subd. 4, the Anoka County Medical Examiner's report and summary of findings are private or non-public data. Please contact the Anoka County Medical Examiner for access to any data they may maintain.

Please be advised that the state of Minnesota is allowed to charge for time associated with compiling the requested data if the file is over 100 pages. The BCA will be waiving any fees associated with compiling this request at this time.

If you have additional questions, requests, or concerns please contact me at any time.

Sincerely,

Drew Evans
Senior Special Agent
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