



**Gerald Staniszewski**, Chief of Police  
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May 8, 2017

**All Requesters of Records Related to the Administrative Review and  
In-Car Video of Officer O'Neill's Officer Involved Shooting**

To Whom It May Concern:

Pursuant to Wisconsin Public Records Laws the Administrative Review of Officer Involved Shooting, Eau Claire Police Department Incident 2017-1951, involving Officer Kris O'Neill is being released with the following exceptions:

- Personally identifiable information related to witnesses that were interviewed as part of this proceeding has been redacted from this review as a matter of personal privacy. Individuals may be reluctant to report what they know to the police if they have to fear that this personal and sensitive information is subject to release upon a public records request.

- Per Wisconsin State Statute 48.396 all juveniles and their identifying information have been redacted from this report.

Pursuant to Wisconsin Public Records Laws the in-car video recording from Officer Kris O'Neill's squad car related to Eau Claire Police Department Incident 2017-1951 is also being released with the following exceptions:

- The full length of the video is 43 minutes. The first 15 minutes of the video have been excised as it relates to a prior case.

- Furthermore, the last 20 minutes of the video have been excised, as at that point the incident itself had ended and the video is repositioned to record the medical care being given to Mr. Zank. This portion of the video has been excluded due to the privacy interest of the deceased's family. Release of the video to the public could re-traumatize the family. The decision for denial is pursuant to 5 U.S.C. § 552 and National Archives Records Admin. V. Favish, 541 U.S. 157 (2004) which restricts disclosure of death scene images.

In arriving at the above determinations, I have reviewed the requested information and have carefully balanced the public interests in non-disclosure of these records against the strong presumption that public records should be open to inspection. Access to these records has been denied only because it is clear that statutes mandate redaction or withholding of such records and/or public policies promoted by non-disclosure strongly outweigh the public's interests in full disclosure. The denial of the aforementioned information is subject to review by mandamus under sec. 19.35(4)(b) of the Wisconsin State Statutes or upon application to the Attorney General or a District Attorney.

FOR THE CHIEF OF POLICE

KELLY THOMPSON  
Administrative Division Manager