

Date:

Incident Report



Incident:			
Incident Report Number:	Between: Date - Time	And/At: Date-Time	
Incident Location:			
CFS Code-1:	CFS Code-2:	CFS Code-3:	CFS Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Home Phone Number

Employer	Work Phone Number

Employer Address	Cell Phone Number

Name (Last, First, Middle)	DOB:	Race/Sex

Address: (Address, City, State, Zip)	Home Phone Number

Employer	Work Phone Number

Employer Address	Cell Phone Number

SUMMARY

- Dispatched to Pudgy's Bar 7800 Washington Ave. to investigate a report of a potential bond violation by KYLE H. RITTENHOUSE on 01-05-2021.
- Met with owner CLAY M. CLARK (not present at time of possible violation) who confirmed RITTENHOUSE was present on stated date.
- Reviewed surveillance footage and confirmed RITTENHOUSE was present and consuming alcohol with guardian present.
- Interviewed LYSIE MICHEL (off duty bartender) who was present at

Vehicle Information: (Year, Make, Model, Style, Color)			

License Number:	State:	Expiration Year:	Vin:	Insurance Company:

Other Vehicle Information:	NCIC#

Reporting Officer(s):	Payroll Number:	Payroll Number:	Report Date:

Time Received:	Time Cleared:	Unit(s) Assigned:	1 of 7

Reviewed by:	Payroll Number	Copy To

CFS Code-1:

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same time as RITTENHOUSE.

- I was informed by Sgt GIESE (MPPD) who spoke with Kenosha ADA THOMAS BINGER that RITTENHOUSE does not have a No Consumption Of Alcohol Restriction as a bond restriction.
- I confirmed with video surveillance that RITTENHOUSE'S legal guardian was present at the establishment at time of incident.
- Video footage of incident was collected and property inventoried at Mt. Pleasant Police Dept.
- Interviewed JAMES D. VALASEK who was on duty bartender at time of incident.
- Body camera footage is available.

Kenosha County Eye

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NAMES

Mentioned-1

Binger, Thomas C

[Redacted]

Owner

Clark, Clayton M

[Redacted]

Mentioned-2

Michel, Lynsie Bartender- Pudgy's

[Redacted]

Mentioned-3

Morton, Shaun (KPD)

[Redacted]

Mentioned-4

Rittenhouse, Kyle H

[Redacted]

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Mentioned-5

Valasek, James D [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

=====
NARRATIVE

On 1/8/2021, at 10:01 AM, I, Officer Studebaker while in full uniform, and operating marked squad 139 in the Village of Mt. Pleasant, County of Racine, State of Wisconsin, was dispatched to Pudgy's Pub at 7800 Washington Av. for a report of KYLE RITTENHOUSE possibly violating conditions of his bond by being in a bar and consuming alcohol. The complainant in this call was identified by dispatch as BILLY VIOLET and in her statement to dispatch stated that this incident occurred on 1/5/2021 and that she is a civil rights activist and has been getting messages on social media about this violation. It was later determined that BILLY VIOLET is in fact an alias for WHITNEY LYNN CABAL and that she is the original complainant.

I, Officer Studebaker responded to this location and was met by Sgt. Giese of the Mt. Pleasant Police Department to investigate this potential violation. Upon arriving at Pudgy's Pub, myself and Sgt. Giese made our way inside where we requested to speak with the manager/owner of the establishment. A short time later, the owner who was identified as CLAY M. CLARK invited myself and Sgt. Giese into the back room of the establishment to discuss the situation. Once in the back room CLARK did confirm that on 1/5/2021 at 2:58 PM, KYLE RITTENHOUSE and his mother WENDY, along with multiple other parties entered Pudgy's bar. CLARK stated that he has video surveillance of the entire incident and began attempting to pull that up on his cell phone. Several minutes later CLARK was able to show Sgt. Giese a snapshot captured from that video and upon zooming in on it both Sgt. Giese and I confirmed that the party in question was in fact KYLE RITTENHOUSE.

I then began gathering information from CLARK as to the bartender who was currently on duty who was identified as JAMES D. VALASEK, and LYNISIE MICHEL. CLARK stated that MICHEL had just completed her shift and was still in the bar in a off duty capacity and that VALASEK was the acting bartender at the time that RITTENHOUSE entered the establishment.

Once confirming that RITTENHOUSE was in fact in the establishment, due to the potential national medial fallout, I requested that CLARK attempt to download any video footage of the incident so that it could be turned over to the Mt. Pleasant Police Department. Myself and Sgt. Giese then responded to the Mt. Pleasant Police Department to notify proper command staff of the current situation. While enroute back to the police department, I was advised that SHAWN MORTON who is a Kenosha Police Department forensic examiner was at Pudgy's Pub and would like to speak with officers. MORTON

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was directed to the Mt. Pleasant Police Department where a short time later he arrived. Myself and Lt. Geyer, along with Sgt. Giese had a brief meeting about the current situation.

I then returned to Pudgy's Pub with MORTON and Sgt. Giese in an attempt to recover the video footage to determine if KYLE RITTENHOUSE had violated any conditions of his bond. Upon arrival back at Pudgy's Pub I was informed by CLARK that LYNSIE MICHEL was currently there if I needed to speak with her. While Sgt. Giese and Officer MORTON attempted to recover video footage, I instructed LYNSIE MICHEL to respond to the Mt. Pleasant Police Department so that I could conduct an interview as to her activities during this incident.

LYNSIE R. MICHEL responded to the Mt. Pleasant Police Department where she was allowed to sit comfortably in a recorded interview room in the common area of our police department. MICHEL was informed that at any time she is free to leave, and that she can stop the interview process at any point if she is not comfortable. LYNSIE agreed that she was there of her own free will, and understood that she was able to leave at any point. Due to the sensitive nature of this incident, the door to the interview room was closed. I also activated my personal body camera prior to that interview. MICHEL explained that on Tuesday afternoon at approximately 3:00 PM, LYNSIE was present at the bar as she had just finished her shift. MICHEL stated that her co-worker JAMES VALASEK started his shift at approximately 2:00 PM. She stated once VALASEK started his shift she moved from behind the bar into the bar area where she remained for the entire incident. MICHEL stated that she was sitting at a slot machine when she observed 15 to 20 people enter the bar in small groups. She stated she immediately got a sense of excitement as the energy in the bar seemed to increase as this group began to assemble in the bar. She stated that when KYLE RITTENHOUSE walked in at 2:58 PM according to surveillance video, that she did not recognize him for approximately the first 15 to 20 minutes while he was in the establishment. MICHEL stated she finally realized it was him after talking with friends in the bar who identified him. MICHEL stated that she was made aware that RITTENHOUSE'S mother was also present in the bar. MICHEL went on to explain that she stayed on the opposite side of the bar and that at no time did she serve any drinks to any of the patrons from an off duty status. She stated that she believes that KYLE RITTENHOUSE was there for approximately 45 minutes with the entire group and that they left at approximately 4:30 PM. MICHEL stated that she spoke briefly with RITTENHOUSE about the Black Lab that came in with the RITTENHOUSE group. She asked KYLE RITTENHOUSE if she could give the dog a treat at which time RITTENHOUSE told her she would have to speak with DAVE as it was his dog. MICHEL explained DAVE as RITTENHOUSE'S security guard, and that he was a short stocky guy with a buttoned up shirt that was black or gray with dress pants, and was bald. The party she believed identified himself as DAVE, but she was unsure of the name. This party gave her permission to give the dog a treat. She also spoke with DAVE briefly about making a \$1 donation for the VA through the bar. A short time later she revealed that KYLE and several of his group were in the corner of the bar taking pictures at which time the party she earlier identified as DAVE said please do not disseminate any of these pictures or share them on social media until after this is all over. MICHEL was able to show me a photograph that was taken on her cell phone of her and RITTENHOUSE in the corner of the bar. I did request that she e-mail that photograph to Inv. Schauer at the Mt. Pleasant Police Department so that it could be retained in evidence. MICHEL went on to explain that a group of young males to include

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RITTENHOUSE briefly went out to the outside area for approximately 20 minutes and upon returning she overheard him speaking with "DAVE" about leaving soon.

MICHEL explained that at one point while RITTENHOUSE was in the bathroom, that JAMES VALASEK asked her to ask KYLE to take a picture of them together. MICHEL did ask RITTENHOUSE for a picture with JAMES to which he agreed. MICHEL did take a photograph of KYLE RITTENHOUSE along with VALASEK in the back corner of the bar. MICHEL stated she then took a selfie with KYLE RITTENHOUSE and was going to post it on Snapchat but decided against it for fear of backlash to the bar. During the interview MICHEL did explain that she believed there were three Racine County Correctional officers who were off duty that she had never seen before in the bar, but she does not believe that they were related to the group entering with RITTENHOUSE. This concludes the interview with LYSIE R. MICHEL.

I, Officer Studebaker than spoke with Sgt. Giese, along with other command staff at the Mt. Pleasant Police Department at which time I was informed by Sgt. Giese that KYLE RITTENHOUSE'S mother WENDY was positively identified as being present on the video and that you can clearly see on the video that KYLE RITTENHOUSE was served a beer believing it to be a Miller Light by the bartender in the presence of his mother.

Sgt. Giese advised that he made contact with Kenosha County Assistant District Attorney THOMAS BINGER who confirmed that RITTENHOUSE did not violate any conditions of his bond. It was also determined that he did not violate any status offenses like underage drinking. RITTENHOUSE'S conditions do not stipulate a no drink order nor being in an establishment that serves alcohol. For further information regarding these activities, see Sgt. Giese's supplemental report to this complaint.

On 1/9/2021 at approximately 12:00 PM, I received a call from dispatch advising me that JAMES VALASEK was at the Mt. Pleasant Police Department of his own free will for an interview reference this situation. It should be noted that I did contact VALASEK by telephone earlier in the day and agreed to meet at the police department for an interview. I responded to the Mt. Pleasant Police Department lobby where I met with JAMES VALASEK. This interview was recorded on body camera footage as well as surveillance video in the conference room. VALASEK informed me that he was in fact the bartender on duty at the time that RITTENHOUSE entered the bar and that for approximately 45 minutes after his entrance he did not know who KYLE RITTENHOUSE was. VALASEK explained that he did not recall serving KYLE RITTENHOUSE directly but that he believes that due to the large number of people in the bar that it was possible he served him. VALASEK did state that he recognized RITTENHOUSE to be under the age of 21 but was told by an unknown party in the bar that his mother was present which allows him to consume alcoholic beverages while in the presence of a guardian. VALASEK stated that no one in the group order food at any time while they were present, and that after he learned who RITTENHOUSE was, he requested that MICHEL take a selfie of himself and RITTENHOUSE while in the corner of the bar. VALASEK stated at no point did he serve any non-alcoholic beverages to any customer's. For further details regarding this interview, see those recordings.

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I, Officer Studebaker, then reviewed the video footage provided by CLARK. It should be noted that this video footage was recovered by Officer VanSchyndel of the Mt. Pleasant Police Department to be placed in our evidence. That video clearly shows VALASEK removing a beer believed to be a Miller Light from the beer cooler and handing it directly to KYLE RITTENHOUSE who was currently standing next to a bar stool at the bar. The video clearly shows RITTENHOUSE consuming this alcoholic beverage and at this time it is unclear who paid for that beverage. During VALASEK'S interview he stated at no time did he give KYLE RITTENHOUSE any alcoholic beverages on the house (free), but he could not say who paid for them. RITTENHOUSE is observed receiving and drinking an additional beer which was removed directly from the beer cooler and handed directly to RITTENHOUSE.

It is my belief that RITTENHOUSE was consuming alcoholic beverages but due to the fact that it is not a condition of his bond, and the fact that his mother was present in the bar at the time he consumed an alcoholic beverage that KYLE RITTENHOUSE did not violate any conditions of his bond according to Assistant District Attorney THOMAS BINGER.

At this time, I will not be recommending any charges to the Racine County District Attorney's Office for bail jumping and the complaint filed by BILLY VIOLET is found to be unfounded at this time as no violations have occurred.

At this time I have no further information regarding this case. This case should be considered exceptionally clear as no violations of KYLE RITTENHOUSE'S bond conditions were violated. This case should be considered closed. End of report.

Officer J. Studebaker #56
JS/cj 1/10/2021

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NARRATIVE

On 1/8/20 at 1154 I, Ofc. Van Schyndel was requested by Sgt. Giese to collect video evidence at Pudgy's Pub at 7800 Washington Ave.

Sgt. Giese instructed me to collect video from 1/5/20. I was able to collect all but one camera angle which was unable to fit on the flash drive due to file size. I then returned to the MPPD and gave the drive to Sgt. Giese.

I have nothing further at this time.

End of report

C. Van Schyndel #53

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NAMES

Mentioned

Morton, Shaun (KPD) [REDACTED]

NARRATIVE

On 1/8/21 Mt Pleasant received a call regarding KYLE RITTENHOUSE being at Pudgy's Bar on 1/5/21 in possible violation of his Bond conditions. Based on the national media fallout I, SGT Giese responded to assist Officers in the investigation. I responded with Ofc Studebaker and confirmed with the owner that indeed RITTENHOUSE was at the bar with his Mother. I then informed LT Geyer of the situation and to call Racine and Kenosha County DA for guidance and to determine if there was bond violations.

I checked CCAPS and RITTENHOUSE conditions did not stipulate a no drink order nor being in an establishment that serves alcohol. I then went back to MPPD where I spoke with Kenosha PD Forensic Examiner Shaun Morton who was sent by KPD to investigate as well. Morten and I then returned to Pudgy's where with his assistance reviewed security camera footage and made a digital copy.

I observed RITTENHOUSE enter the bar at approximately 228p on 1/5/21 and then spend about 2 hours and then leave around 425p. I did observe RITTENHOUSE drink a beer from the bar but I also observed RITTENHOUSE's mother, WENDY also in the bar with him.

I called Kenosha DA's Office and spoke with ADA THOMAS BINGER who confirmed that RITTENHOUSE did not violate any conditions of his bond. Also, it was determined that he did violate any status offenses like underage drinking. Pudgy's also did not violate any of their terms of liquor license.

Nothing further.

SGT Giese
#57

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