



## NEWS RELEASE

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### UPDATE ON BCA INVESTIGATION OF MINNEAPOLIS OFFICER INVOLVED SHOOTING

ST. PAUL — The BCA today confirmed identity of the two Minneapolis Police Department officers involved in an officer involved shooting incident on Saturday, July 15. The BCA is conducting the investigation at the request of the Minneapolis Police Department.

- Officer Matthew Harrity has been an officer with the Minneapolis Police Department for one year.
- Officer Mohamed Noor has been an officer with the Minneapolis Police Department for 21 months.

The Hennepin County Medical Examiner's Office on Monday evening confirmed the identity of the deceased as Justine Maia Ruszczyk, 40, of 5024 Washburn Avenue South in Minneapolis. Ruszczyk died of a single gunshot wound to the abdomen.

BCA agents interviewed Officer Harrity earlier today. Officer Noor has declined to be interviewed by BCA agents at this time. Officer Noor's attorney did not provide clarification on when, if ever, an interview would be possible.

According to the BCA's preliminary investigation, officers Harrity and Noor responded to a 911 call from a woman now identified as Ruszczyk of a possible assault near her residence just after 11:30 p.m. Saturday. Officer Harrity was driving. Officer Noor was in the passenger seat.

The officers drove south through the alley between Washburn and Xerxes avenues toward West 51<sup>st</sup> Street in search of a suspect. All squad lights were off.

As they reached West 51<sup>st</sup> Street, Officer Harrity indicated that he was startled by a loud sound near the squad. Immediately afterward Ruszczyk approached the driver's side window of the squad. Harrity indicated that Officer Noor discharged his weapon, striking Ruszczyk through the open driver's side window.

The officers immediately exited the squad and provided medical attention until medical personnel arrived. Ruszczyk was pronounced dead at the scene. Both officers have been placed on standard administrative leave.

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Officer Harrity told investigators that the officers saw an 18-25 year old white male who was bicycling eastbound on West 51<sup>st</sup> Street immediately before the shooting. This individual stopped at the scene and watched as the officers provided medical assistance to Ruszczyk. BCA agents would like to speak with this person, and anyone else who may have witnessed the incident. These individuals are asked to contact the BCA at 651-793-7000.

Crime scene personnel recovered a cell phone near the victim. No weapons were recovered.

Body cameras were not turned on until after the shooting incident. The squad camera was not turned on. Investigators are aware of no video or audio of the shooting. The BCA's investigation does not determine whether a law enforcement agency policy was violated. That would be reviewed through the agency's internal affairs process.

The BCA's investigation into the shooting is active and ongoing. The BCA has briefed the Hennepin County Attorney's Office about all evidence and information obtained in this investigation to date. As it does in all investigations, the BCA will present its findings without recommendations to the county attorney for review once the investigation is complete.

## **Frequently Asked Questions**

***What can BCA tell us about whether body camera policies were complied with in this case?***

That question is in the jurisdiction of the City of Minneapolis and the Minneapolis Police Department.

***Why was one officer interviewed, and the other was not?***

Under the law, the Bureau of Criminal Apprehension cannot compel the testimony of either officer.

***How long will the investigation take?***

The Bureau of Criminal Apprehension understands the urgency of this case and is proceeding as rapidly as possible without compromising the integrity of the investigation. BCA agents conduct thorough, independent investigations of officer involved shooting incidents at the request of local law enforcement agencies across Minnesota.

***Ruszczyk had called 911 to report a possible assault. What happened with that investigation?***

That is a question that is in the jurisdiction of the City of Minneapolis and the Minneapolis Police Department.

***The first officer was interviewed more than two days after the incident. Can officers talk with other people about the incident before talking to investigators?***

Each agency has its own policies. There are no laws restricting an individual's right to speak to others after an incident.

***When can we get the video and other information from the investigation?***

Under Minnesota law, certain information related to an investigation becomes public when all investigative and court processes are concluded. The law says investigative data is confidential or protected nonpublic while the investigation is active.

***What's left to do in the investigation before it is turned over to the county attorney?***

Unless someone else comes forward, the BCA does not have additional interviews scheduled at this time. Forensic testing is being completed and all evidence must be examined. It is common for a county attorney to request follow-up information when reviewing a case.

More information may be gathered if requested by the county attorney.

***What is BCA responsible for and what is MPD responsible for?***

The BCA's investigation is limited to determining the facts of the shooting incident. Any review of department policy, including use of body cameras, would be done through the Minneapolis Police Department internal affairs process.

***Why did the officer not agree to be interviewed?***

That question should be directed to the officer or his attorney. The BCA cannot compel an officer to provide an interview.

***Can the 911 call be released and by which agency?***

Minnesota law (Minn. Statute 13.82 subd. 4) says the audio recording of a 911 call is not public; however, a written transcript of the audio recording is public, in this case, from the Minneapolis Police Department.

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