



MEDINA POLICE DEPARTMENT

INCIDENT REPORT

600 Clydesdale Trail
Medina, MN 55340
Phone: (763) 473-9209

ICR# 21009730	AGENCY ORI# MN0273000	JUVENILE:
<p>Reported: 12-17-2021 1231 First Assigned:1231 First Arrived:1231 Last Cleared:1231 Committed Start: 12-17-2021 Committed End: 12-17-2021 Title: Trespassing How Received: Phone Short Description: BWC Summary: On the above date and time, I (Investigator McKinley) was contacted by Chief Nelson in reference to a trespassing complaint at the Hennepin County Public Works Building. See supplemental report for further detail. McKinley #114</p>		
<p>Location(s) Hennepin County Public Works Address: 1600 Prairie Drive City: Medina State: Zip: 55340 Country: US</p>		
<p>Officer Assigned: McKinley, Joshua</p>		<p>Badge No: 114 Primary: Yes</p>
<p>Involvement: Mentioned Name: Brannon, Rebecca Marie Age: 30 _____</p> <p>Involvement: Reported By Name: Cerney, Lisa Age: _____</p> <p>Involvement: Mentioned Name: Lutsey, Brian Lee Age: 40 _____</p>		

Supplemental Report**ICR:** 21009730**Last Modified:** 01-04-2022 1029**Title:** 114 Report**Created By:** Joshua McKinley

On 12/17/21 at approximately 1102 hours, I (Investigator McKinley) received a text message from Chief Nelson requesting that I contact him as soon as possible. I called and spoke with Chief Nelson at approximately 1105 hours. I learned that Hennepin County Sheriff Hutchinson's squad car was brought from Douglas County on 12/16/21 and stored at the Hennepin County Public Works facility located at 1600 Prairie Drive in the City of Medina. Chief Nelson informed me of some pictures of the Sheriff's squad car that have been seen on social media. Chief Nelson requested that I respond to the police department to further investigate the incident. The incident was reported to our office by Lisa Cerney, who is the assistant county administrator with Hennepin County Public Works.

I arrived at Medina PD at approximately 1200 hours. I learned that pictures of the Sheriff's squad car have shown up on social media. I learned that members of Hennepin County were concerned because it appeared some items were potentially planted in the squad. I had advised Chief Nelson that I saw the pictures of the squad car on WCCO. I learned the pictures were provided to WCCO by a Rebecca Brannon who is an independent photojournalist. The article I observed on WCCO credited Brannon with providing the photographs. I located Rebecca Brannon's Twitter account and located several pictures of the Sheriff's squad car. I did later upload 11 photographs that were on Brannon's twitter account to the media section of this report. The 11 photographs were of the Sheriff's squad car. I was asked to determine how Brannon was able to gain access to the vehicle, which was parked at the public works facility. Public Works video determine that a dark colored SUV arrived on 12/16/21 at around 1014 hours.

I was provided a report from Hennepin County Public Works that had the following paraphrased information. The dark colored SUV was able to gain access to the open gate at the public works facility. The dark SUV went directly to where the Sheriff's squad car was parked. An individual is seen walking around the Sheriff's squad. The dark SUV then leaves the property at around 1112 hours.

I then did a computerized check of the name Rebecca Brannon through MYBCA and found only one result. I observed the full name was Rebecca Marie Brannon DOB XXXXXXXXXXXX and she had an address of XXXXX XXXXXXXXXXXX XXXXXX XXX XXXX in Eden Prairie. I then viewed the drivers license photograph and observed it matched the photo of Rebecca's Brannon Twitter page. I also observed that Brannon has a 2010 Black BMW X3, which is a midsize SUV. I then used a law enforcement data base, Accurint, and located a current phone number for Brannon, XXXXXXXXXXXXX.

I then responded to XXXXX XXXXXXXXXXXX XXXXX in Eden Prairie. I activated my Body Worn Camera prior to approaching to door. I looked through the directory of the residents who were in the building but did not locate Brannon's name. I then attempted to contact Brannon by phone but after ringing a few times it went to voicemail. I then decided to check the building next door, which was XXXXX. I found Brannon's name in the directory and spoke with a female through the intercom. I wasn't able to fully understand the female through the intercom but learned that Brannon wasn't home at this time.

I then responded back to Medina PD and while on my way back, I received a phone call from Medina

PD administrative staff indicating that Brannon had called and that I could contact her by phone. When I arrived back at Medina PD, I had received a flash drive that contained video surveillance from Hennepin County Public Works. The flash drive was later placed into evidence at Medina PD. I viewed the surveillance and observed a dark colored SUV enter the public works facility at approximately 1014 hours. There were four cameras provided, which included the entrance, main building, cold storage exterior and exterior front parking lot. I observed the gate was open. The dark SUV then goes directly to where the squad car was parked. Using the cold storage camera, I observed the dark colored SUV park near the Sheriff's squad. Based on where the camera was positioned, I was unable to see the passenger side of the vehicle. The subject is seen walking around the squad car. I did zoom in as much as I could on the subject and squad car but I was unable to determine if the subject made any entry. The subject vehicle then leaves the area at approximately 1112 hours.

I then contacted and spoke with Brannon over the phone. The conversation was recorded and later downloaded to the media section of this report. Brannon admitted to taking the pictures. She said she gained access to Public Works through the open gate. She did not observe any "no trespassing" signs at the gate. She was told through several sources that the Sheriff's squad would be parked at the facility and the exact location. She did not wish to name her sources. She was there with her dog. She took pictures of the Sheriff's squad. She was there for about an hour. She warmed up in her vehicle and spent time "water marking" the photos. She said that meant adding her name to the photographs. She indicated that she is being accused of planting stuff in the squad by the County Attorney with Alexandria and Sheriff Hutchinson's attorney. She indicated that she hopes there are cameras that show her walking around the squad car. The interview was then concluded.

On 12/20/21, I contacted Miller Towing, as this company towed the Sheriff's squad to the Public Works facility. I spoke with Brain Lee Lutsey DOB XXXXXXXXXXXX. Lutsey said he towed the Sheriff's squad from the facility in Detroit Lakes on Tuesday, December 14th. He was suppose to speak with a "Bill" but he wasn't in the office. He spoke with someone else and he was told to park the squad next to the other squads that are being torn apart. I asked Lutsey if he told anyone else where the squad was parked and he said no. He did admit to taking pictures of the squad in case anything shifted when it was towed. I asked Lutsey if that was standard procedure and he said not really. He also mentioned that the pictures have now been deleted.

I contacted Douglas County Sheriff's Office and spoke with an employee in the records department. I requested a copy of the tow inventory sheet for the Sheriff's squad car. I learned that Douglas County Sheriff's Office called the tow for State Patrol but did not complete an inventory. The tow company that was called was Viking Towing out of Alexandria. I learned they removed all the law enforcement equipment from the vehicle but didn't complete a tow sheet. I advised Chief Nelson of this information.

At this time, it does not appear that any crime has occurred involving the trespassing at the Public Works facility. Chief Nelson was able to confirm that there are not any "no trespassing" signs at the gates to the Public Works facility.

Clear.

McKinley #114



Supplemental Report**ICR:** 21009730**Last Modified:** 01-04-2022 1059**Title:** Case Information**Created By:** Jason Nelson

On 12-17-2021, I was contacted by Chela Guzman-Wiegert who is the Assistant County Administrator for Hennepin County. I was asked if I had time to have a virtual meeting with members of Hennepin County in reference to a possible trespassing issue that occurred at their Public Works facility located at 1600 Prairie Drive in the City of Medina.

At approximately 1030 hours, I attended a Teams meeting with the County Manager David Hugh and several others. I was advised of a situation involving Sheriff's Hutchinson vehicle and photographs that had been taken and distributed apparently while the vehicle was located in Medina at the Hennepin County Public Works facility. I was also advised that they had reviewed their surveillance videos from the property and while doing so noticed a black vehicle that had entered their lot and spent almost one hour around the Sheriff's vehicle which was located in the rear of the facility inside a fenced in area. Hugh was concerned that someone accessed their facility without permission and took photographs of the vehicle and its contents and then it is believed that those photos were put out on social media and given to the local news stations. Hugh indicated that Lisa Cerney (Assistant County Administrator for Public Works) would be the reporting party and she would provide our office with video surveillance to assist in the investigation. I was also advised that my point of contact would be Chela Guzman.

After the meeting I called in Investigator McKinley on his day off to follow up on the case. Investigator McKinley was aware of the photos as he saw a news story the previous evening. See Investigator McKinley's report for further.

I wanted to familiarize myself with the exact location of the Sheriff's squad and the gated area. I drove to the public works facility. Upon looking at the area I did not notice any signage that indicated no trespassing or private property. There was a sign on the rear entrance that advised deliveries to the front of the facility. I pulled into the area where the gate was and noticed that it was open and not secured. I pulled into the rear of the facility and drove around the area and was able to locate an area where damaged squads were parked but did not locate the Sheriff's vehicle as it had already been moved and secured since the photographs were taken.

I made contact with Lisa Cerney in the parking lot who handed me a flash drive that she indicated was the video surveillance that showed a vehicle pulling into the lot and parking near where the Sheriff's car was located. I later turned this video over to Investigator McKinley and never looked at its contents.

I called Guzman and advised her that I did not believe that there had been a crime committed (trespassing) because of the lack of signage and the gate being left wide open. I did advise her that we would follow through with attempting to locate who took the photos.

Later that afternoon I was advised by Investigator McKinley that he had spoken with the reporter who admitted to taking the photographs with no one else being present. For further see Investigator McKinley's report.

Through the investigation there was some concern about some of the items that were photographed

inside the Sheriff's vehicle and some questions on who those items belonged to and how they got inside the vehicle.

I did have the opportunity to speak with Investigative Sergeant's Dan Beasly and Rod Eichens from the Minnesota State Patrol. Sergeant Beasly indicated that his office had been contacted by Douglas County Sheriff's Office on 12-08-2021 in the early morning hours about a DWI crash on the interstate and were requesting assistance. A trooper was called in and responded to the hospital to conduct a search warrant for the DWI investigation. The vehicle was impounded by Douglas County to their impound lot and the following day the vehicle was moved to Detroit Lakes impound lot so that search warrants could be done on the vehicle. I spoke with Sgt Eichens from the Detroit Lakes office who indicated that he conducted a search warrant on the vehicle which was stored inside a building in their secured lot. Sgt Eichens indicated that he conducted his search warrant and collected items that were listed in his warrant. I did ask if he ever saw some of the items that were photographed and out on social media. Sgt Eichens advised that he did not see those items but he was not looking for them either. He did indicate that he was in both the front and back seat on the passenger side of the vehicle and that if he would have observed things that would relate to impairment he would have photographed them and taken them. After completing his search warrant, the vehicle was towed away by Miller Towing.

I did advise Guzman of my findings and also advised her that we would not be pursuing a trespassing issue against the photojournalist due to the issues that I had previously indicated.

Case closed.

Chief Jason Nelson
#100