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TO: Chief of Police Paul Winterscheidt
FROM: District Attorney Mark Fruehauf
RE: Officer Jarid Rankila and incident 24SP05033

Chief Winterscheidt,

The purpose of this letter is to reduce to writing the concerns that I have regarding the credibility of Officer Jarid Rankila, relative to the above-listed incident and the claim made therein by Officer Rankila about a hand injury he sustained during the incident. While I believe you are aware of the background, I will begin by outlining in this letter the fact pattern at issue, starting with a review of his written reports in isolation and without consideration of any other evidence (such as video evidence).

Officer Rankila's written reports

On April 13, 2024, several officers, including Officer Rankila, responded to the Superior Fairgrounds and ultimately detained a female, Erica Peters, who had been disorderly.

According to Officer Rankila's report, the following incident transpired as officers approached a squad car with her:

I walked to squad car 32 to open the rear drivers side door for Officer's Olson and Finger. When I did this Erica turned towards the rear drivers side door of the squad car and kicked it shut. My right hand was in between the door and the b-pillar of the squad car at the time Erica kicked it shut.

When Erica kicked the door shut on my right hand, I felt a rush of pain in my right hand. I did not consent for Erica to kick the squad door shut on my hand and it caused me pain.

I pulled my hand out and attempted to help secure Erica. Due to the pain in my hand I had to walk away for a moment.

Officer Rankila then describes speaking to Peters' husband, taking Peters to jail, and ultimately booking Peters on three charges – Disorderly Conduct, Resisting or Obstructing an Officer, and Battery to Law Enforcement.

Officer Rankila then spoke to additional witnesses and then describes going to Essentia Health ER due to his hand injury.

At that time, which was approximately 30-45 minutes after my hand was slammed in the door, I was no longer feeling pain in my right hand. My hand was tighter than normal and I noticed it was slightly swollen.

The ER doctor listened to my recollection of the incident. He advised that I be mindful of any pain or range of motion issues with my affected hand in the coming days and weeks. The doctor stated it would not be necessary to check me into the ER for an official check-up as he would end up telling me the exact same thing and then release me.

I will monitor my right hand in the weeks to come and will report (sic) and issues that I notice.

On April 16, 2024, Officer Rankila completed a supplemental narrative report of the incident. In relevant part, he noted that during the incident, Ms. Peters did the following:

...kicked the rear drivers side door of squad car 32 while my right hand was inside it. I did not consent for Erica to do this and cause me pain. I would rate my level of pain to be 8/10 when the door closed on my hand. I noticed swelling and stiffness in my hand and fingers for approximately 30 minutes following the incident.

Following Erica's arrest, I visited Essentia Health ER, in Superior, WI. The ER doctor briefly assessed my right hand but I was not officially admitted for an official assessment. This was due to the fact that the doctor stated he would tell me the exact same thing whether or not I was admitted as he could tell I did not need x-rays or anything like that.

On April 18, 2024, Officer Rankila completed an Employee Injury/Illness Report Form. The report, in relevant part, describes the following:

- The areas of injury are his right hand and right wrist
- The type of injury includes "abrasion," "bruise," and "pain"
- The account of the injury includes "I opened the door to the squad car and she kicked it closed on my hand."
- Further description of the injury includes "severe pain in my right hand. Swelling and light bruising."

In conclusion, a review of the reports alone, without reference to any other evidence (such as photos or bodycam) would lead a reasonable reader (and did, in fact, lead me personally) to conclude that Officer Rankila had a car door forcibly closed or slammed shut on his hand and he suffered an injury that was evidenced by pain, swelling, bruising, and abrasions (which is what one would expect to see following a person's hand being slammed in a car door). Officer Rankila explicitly describes the incident as:

- Peters "kicked the door shut on my right hand"
- His hand "was slammed in the door"
- The door "closed on my hand"
- Peters "kicked it closed on my hand"

Officer Rankila's bodycamera footage

Officer Rankila's bodycamera was recording during this incident. It is not consistent with his police reports.

The bodycam shows the point in time Officer Rankila is opening the squad car door to put Peters inside. At that time, Peters is loud, upset, and not cooperative. Officer Rankila's hand is on the side of the open door, with his

fingers on the outside, and the base of his palm resting on the inside of the door. He is essentially gripping the door as it is open.

Peters, without warning, aggressively and forcefully kicks the door while Officer Rankila is holding on to it. In a frame-by-frame review of the bodycamera footage, it appears as though Officer Rankila is able to quickly remove his hand just before the door closes on it. It certainly does not close on his fingers. At worst, if it closed on any part of his hand, it would have been the base of his palm.

Officer Rankila, immediately after the door is kicked closed, says "Hey! Knock it off! You almost smashed my hand in the fucking door!" (emphasis added). Peters replied that she did not.

Officer Rankila then uses the same hand that was supposedly just smashed in the door to quickly open the door for the purpose of getting her into the squad car. He tells another officer that Peters is going to jail.

Officer Rankila then walks away, and addresses a number of witnesses nearby, saying "Yeah we're good, she fucking smashed my hand in the fucking door." The palm of this hand is visible in the camera view, and while not necessarily dispositive, there does not appear to be any visible injury, such as bleeding, broken skin, or discoloration.

Another officer asks Officer Rankila if he is going to get it checked out, and Officer Rankila replies "No I'm fine." "No, it's fine. It just hurt." Officer Rankila then walks around to the other side of the squad car and through the open rear passenger side door, appears to be offering assistance in getting Peters secured in the car. Throughout this brief period, he is using his right hand, without any apparent issue.

Someone acquainted with Peters, later identified as her husband William Peters, comes over as Officer Rankila is helping to secure Erica Peters. Officer Rankila informs him that Peters is going to jail because "She just kicked me." As William appears to be attempting to get closer to Peters, Officer Rankila uses his right hand to gently guide him away. Again, in the brief period of time his hand is visible in the field of view of his camera, no injury is apparent.

At one point during the interaction with William, William appears to ask Officer Rankila if there is any way to avoid having her go to jail. Officer Rankila says no, telling him "she needs to go to jail tonight. I can tell you that. K?" He once again tells William "I just got my hand smashed in the door so I'm a little pissed off, alright?" Officer Rankila tells William she is going to jail to sit the night.

Following his discussion with William, Officer Rankila returns to his squad car, which is occupied by another officer at the moment. Officer Rankila uses his right hand to assist in pulling open the car door, seemingly without issue. As they are talking, one officer asks what Peters is being charged with. Officer Rankila says "I mean she smashed my hand in the door, I feel like I should go Battery to Law Enforcement Officer." (11:45).

Officer Rankila's right hand is resting on top of the open door. An officer standing nearby gestures to Officer Rankila's left hand, and tells him to make sure to get that hand checked out. Officer Rankila then indicates it was actually his right hand, prompting the other officer to ask "Oh it's that one?"

Officer Rankila then proceeds to reenact what had happened. He said "I was holding the door open and she kicked it shut so hard that my hand went 'boom!'" Using his right hand, he proceeds to bring the open door closer to the car and puts his hand inside the door (without closing the door on it). At this point, his entire hand

is inside the vehicle such that the reenactment depicts the door appearing to close on his wrist. This is not consistent with the actual incident as depicted on his bodycamera.

Officer Rankila then gets into his squad car to drive away. He uses his right hand to manipulate the gear shift and his radio seemingly without issue. During his drive, he appears to have no difficulties using his hand. While driving, during interaction with Peters in the backseat, he tells her she is arrested for "Battery to a law enforcement officer and resisting/obstructing an officer... as well as disorderly conduct."

After arrival at the jail, Officer Rankila continues to use his right hand seemingly without issue. He is using his squad computer to type and does not appear to have any difficulty with his right hand typing or scrolling with the trackpad.

Officer Rankila's bodycam turns off at the jail at 9:46 PM. By this time, he is approximately 25 minutes removed from the incident involving his hand in the door. By this time there is no visible injury and no visible loss of normal use of his hand.

Officer Rankila thereafter went back to the Fairgrounds to speak to other witnesses. At 10:06 PM, he is seen on bodycamera briefly speaking with witnesses. His right hand is again visible during the encounter, and there is no visible injury or impaired usage of his hand at this time.

According to Officer Rankila's report, he was approached by William as he was leaving the Fairgrounds. (None of this second interaction with William was captured on bodycamera). William asked when his wife could get out. Officer Rankila informed him she was being charged with a felony. William starts taking pictures of Officer Rankila and asks to see his hand, which Officer Rankila will not allow. William tells him it was "bullshit" and Officer Rankila cleared from the Fairgrounds.

Supplemental information and concerns

Despite Officer Rankila making an arrest for the felony offense of Battery to a Law Enforcement Officer and also completing documentation that would be relevant to a worker's compensation claim, I am not aware of a single photograph having been taken of any injury to his hand.

Officer Rankila does not provide the name of the doctor who supposedly examined his hand. An Ashland County investigator, upon this matter being referred to them for outside investigation, spoke with the ER doctor who was on duty that night, Dr. Collison, who said he had a vague recollection of talking with a police officer, either in person or on the phone. He said his general practice is, if it is a worker's compensation situation, to have the officer come in and do x-ray or whatever imagery is appropriate. He said he has in the past told people with hand injuries to watch their hand and see if they develop pain in the weeks that follow.

GPS data on Officer Rankila's squad car shows that he was at Essentia Hospital on April 13, 2024, for two minutes and twenty-one seconds.

Relevant Law

A prosecutor is required to disclose any exculpatory evidence to a defendant. Wis. Stat. § 971.23; *Brady v. Maryland*, 373 U.S. 83 (1963). Information that could have been used by the defense to test the credibility of a Government witness must be disclosed; suppression of such information is a discovery violation. *Giglio v. United States*, 405 U.S. 150 (1972).

A person commits the crime of Battery to a Law Enforcement Officer when he or she intentionally causes bodily harm to a law enforcement officer. Wis. Stat. § 940.203(2). Bodily harm means physical pain or injury, illness, or any impairment of physical condition. Wis. Stat. § 939.22(4).

In Wisconsin, per the Uniform Misdemeanor Bail Schedule, a person arrested for a misdemeanor shall be released from custody without a cash bond under certain circumstances or may post bail pursuant to the established bail schedule. A person arrested for a felony is not afforded the ability under the bail schedule to post bond or be released prior to first seeing a judge or court commissioner.

Analysis

Based upon my review of the above information, I do not find credible the report of Officer Rankila wherein he says that on April 13, 2024, his hand was slammed or smashed in a car door, resulting in injuries to include bruising, abrasions, and swelling.

The words written by Officer Rankila in his reports are not consistent with the other evidence. As seen on the video, his hand was not slammed in the door. The first words out of Officer Rankila's mouth in response to what was no doubt an unexpected, scary moment, were that Peters almost slammed his hand in the door. A person who has just had his hand forcibly slammed in a car door is not likely to tell the wrongdoer that she almost slammed that hand in the door.

The minutes that follow the incident are not consistent with what Officer Rankila wrote in his reports. At numerous times, Officer Rankila's hand is plainly visible in his video footage. While I am aware that it can take some time for injuries such as bruising and swelling to develop, there is not a single mark visible on Officer Rankila's hand at any point.

In addition, despite describing feeling pain as an 8/10 and experiencing bruising, swelling, and abrasions, there does not appear to be a single moment where Officer Rankila has any difficulty using his hand to carry out normal tasks associated with his job, including guiding people by touch, using a notepad, typing, driving and using a gear shift, and opening and closing a car door, for example.

I am bothered by the lack of any photograph of the supposed injury. Officer Rankila has served on the police department for several years, and is an active, intelligent officer who has frequently testified in cases for this office, including at least one jury trial I prosecuted. To make an arrest for felony battery to law enforcement, and also to fill out information for a worker's compensation claim, and not take any photo of the injury, is inexplicable to me. If any such photo was taken, it has never been provided to me (and even if one was, it may be hard to explain given the bodycamera footage).

I am also concerned with Officer Rankila's description of events at the hospital being able to happen in less than three minutes. In that span of time, he had enough time to get out of his car and enter the emergency room, get let back to see a doctor who was free that very moment, explain to the doctor what happened, have that doctor "briefly assess" his hand, give him brief advice, get back in his car, and leave (all without even getting the name of the doctor who assessed him such that if I needed to call him as a witness in a felony battery trial, I would know who to call).

Assuming Officer Rankila did not suffer the hand injury he describes, it is also disconcerting that any falsehood would not be limited to his initial report, but was in fact repeated twice more in the two subsequent reports he wrote days later documenting said injury.

Not all prior instances of dishonesty by a law enforcement officer are necessarily "disqualifying" under *Brady/Giglio* such that an officer can never again testify. I would review such instances on a case by case basis. However, with what I have outlined above, I have significant concerns about my office's ability ever again to use Officer Rankila as a witness. Absent additional information that sheds light or somehow serves to explain that this is some kind of innocent mistake, I cannot in good conscience permit a case to rest on the credibility of an officer with this kind of apparent dishonesty.

The argument that will be made by the defense that this instance of dishonesty is material and significant to any subsequent case in which Officer Rankila is involved is a straight-forward one. Officer Rankila was dealing with a suspect who, prior to the kick, had not done anything that rose to the level of a felony. She would have the opportunity to post bail prior to having to see a judge and might be rather quickly released from jail.

Peters no doubt kicked the door while Officer Rankila was holding it. She was wrong to do so, and Officer Rankila did nothing to provoke it. However, as Officer Rankila acknowledged shortly after the kick to Peters' husband, her conduct caused him to be "a little pissed off" and he had just told her husband, who was hoping to not see her have to go to jail, that she "needs to go to jail."

Officer Rankila had every right to be upset. He had every right to bring her to jail and book her on the misdemeanor offenses she had committed. But he did not have the right to include false information in a police report that ultimately supported Peters being booked in on a felony and having to sit in custody longer than she likely would have had she been booked solely for misdemeanor behavior.

Any defense attorney will argue that Officer Rankila contrived a felony charge in order to obtain his desired, unjust result and ensure that a woman was held longer than she would have been had he not done so. Such conduct strikes at the heart of a police officer's credibility and the trust placed in him by the citizens of this city to honestly and even-handedly enforce the law. Justifications for traffic stops, search warrants, or testifying about things not able to be independently corroborated by bodycam or other means, will be in question based on what I have just laid out above. A reasonable judge or jury will have reason to be suspect of his credibility.

I know that your internal investigation is proceeding and is not yet concluded. If you have any information that tends to either inculcate, or exonerate, Officer Rankila, I would ask that you share it with me as you are able. For the time being, we have made the decision to begin dismissing cases without prejudice that rely primarily on Officer Rankila's credibility and would require him to testify at a motion hearing or jury trial under oath. At present, those dismissals have been isolated to cases of immediate need (a person currently in warrant status or in custody on unposted bail solely related to a pending case where Officer Rankila would be a necessary witness) but I fear that in the absence of any additional information, I am going to be forced to dismiss dozens of additional pending cases because I cannot in good conscience put Officer Rankila on the stand.

Thank you for your attention to this letter.